RETHINKING GENDERED SPACES:
BATHROOMS AND SAFE ACCESS FOR TRANS PEOPLE

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BATHROOMS AND SAFE ACCESS FOR TRANS PEOPLE

A Project

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Division of Social Work
Abstract

of

RETHINKING GENDERED SPACES: BATHROOMS AND SAFE ACCESS FOR TRANS PEOPLE

by

Cynthia R. Clark

For a transgender person, safe entry into a “men’s or women’s” public restroom can be daunting. These gender non-conforming persons face harassment and discrimination when using either gendered public bathroom. Since many gender-variant people may not identify within this gender binary system, they often feel conflicted and at odds with this dominant, heteronormative presumption. This qualitative study explored safe access for transgender persons to public gender segregated restrooms. Study participants consisted of seven transgender individuals, and the following themes emerged from their face-to-face interviews: 1) Each participant described the gender policing glances, comments and actions directed at them, while attempting safe access into public restrooms, 2) As participants’ confidence levels in “passing” as their preferred gender increased, there was a marked decrease in being “read” as being in the wrong restroom, 3) Each participant preferred using gender-neutral single-stall restrooms prior to, during, and, in some cases, after transition. Implications for social work practice and policy were also discussed.

________________________, Committee Chair
David Nylund, Ph.D., L.C.S.W.

________________________
Date

iv
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To the seven, gender non-conforming participants involved in this study, I applaud your strength and resilience in living as your true selves. I appreciate your candor in sharing your experiences of using gender-controlled public restrooms and for your help in giving the transgender community a voice within social work research literature.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Acknowledgments</th>
<th>v</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chapter</td>
<td></td>
</tr>
<tr>
<td>1. PROBLEM</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>16</td>
</tr>
<tr>
<td></td>
<td>16</td>
</tr>
<tr>
<td></td>
<td>17</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## 2. REVIEW OF LITERATURE

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>19</td>
</tr>
<tr>
<td>Gender and Its Privilege</td>
<td>19</td>
</tr>
<tr>
<td>Trouble with Bathrooms</td>
<td>20</td>
</tr>
<tr>
<td>Citizenship</td>
<td>21</td>
</tr>
<tr>
<td>Segregation’s the Problem</td>
<td>21</td>
</tr>
<tr>
<td>Access Advocates</td>
<td>22</td>
</tr>
<tr>
<td>Where Are the Johns?</td>
<td>24</td>
</tr>
<tr>
<td>Passing the “Read”</td>
<td>25</td>
</tr>
<tr>
<td>Transintolerance</td>
<td>26</td>
</tr>
<tr>
<td>Hate Violence</td>
<td>27</td>
</tr>
<tr>
<td>Saying Goodbye</td>
<td>27</td>
</tr>
<tr>
<td>Solutions</td>
<td>28</td>
</tr>
<tr>
<td>Summary</td>
<td>29</td>
</tr>
</tbody>
</table>

## 3. METHODS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>31</td>
</tr>
<tr>
<td>Design</td>
<td>31</td>
</tr>
<tr>
<td>Participants</td>
<td>32</td>
</tr>
<tr>
<td>Instrumentation</td>
<td>32</td>
</tr>
<tr>
<td>Data Gathering Procedures</td>
<td>33</td>
</tr>
</tbody>
</table>
Chapter 1

PROBLEM

Introduction

The following scenes in *Better Than Chocolate* (Wheeler, 1999) reveal the many battles transgender people experience daily when attempting safe access into sex-segregated public restrooms. Judy Squires, a transwoman, sings the following song to a genderstraight, intersexed, gay, lesbian, bisexual, transgender, and queer nightclub audience.

I am not a f*****g drag queen! I am in another bracket.

What you see before you is not someone in that racket.

Nothing here is better (pointing to her body)...I’ve paid a mighty fortune.

A few things have been added, with one or two subtractions.

I am not a f*****g drag queen! I won’t let you forget it.

When you say good day sir, you stab me in my tender, Transgender, heart.

I am not a f*****g drag queen!

Can’t you just say, yes dear, and she, and her,

and sister, to my tender, Transgender, heart?

After her song, Judy goes to the women’s restroom and begins applying her lipstick. Judy’s feminine likeness reflects in the mirror and is in contrast with the entrance of a masculine appearing lesbian who, upon seeing Judy, mocks her by making
rhythmic lip smacking noises. Judy glances directly at the lesbian’s reflection in the mirror and says, “Excuse me”?

Lesbian: Aren’t you in the wrong place, Sir?

Judy: I don’t think so.

Lesbian: Shouldn’t you be in the Men’s room, I mean you are a Man!

Judy: No, I am not!”

Lesbian: Get out!

Judy: Make me!

Judy turns to face her accuser who throws a drink at Judy’s face and begins hitting Judy.

**Background**

The previous scenes accurately portray the transphobic sentiment and associated violence, which have become frequent encounters for transgender people within sex-segregated restrooms (Halberstam, 1998). Gender non-conforming persons often face harassment and discrimination when attempting to use a men’s or women’s public toilet. For a gender variant person, this process of locating and safely accessing a public toilet within one’s neighborhood, school, or workplace is frequently daunting, carrying the threat of being forced to show ID, being detained, or perhaps even going to jail (Safe2Pee, 2010a).

Since gender non-conforming persons may not identify within a two-sex-gender binary system, they feel alienated within sex-segregated bathrooms, which are routinely regulated by dominant heteronormative presumption (Butler, 1990; Halberstam, 1998).
The basis of the bathroom problem for many gender variant persons stems from the notion of heterosexuality as a naturalized form of sexuality and regulator of gender as a binary system within Western society. Gender variant persons are often judged as transgressing the decree of institutionalized heterosexuality by merely entering either sex-segregated public restroom (Halberstam, 1998).

**Advocates and Allies**

Advocate organizations within the transgender community, are keenly aware of the depth of this discrimination plaguing transgender people (Transgender Law Center, 2005). The National Association of Social Workers (NASW) *Code of Ethics* compels social workers not to practice, condone, facilitate, or collaborate with any form of discrimination based on race, ethnicity, and national origin, color, sex, sexual orientation, gender identity, or expression (National Association of Social Workers [NASW], 2010).

Yet, harassment and violence continues to be directed toward transgender persons within public bathrooms. As a social worker, this researcher values the opportunity to advocate for this oppressed group by conducting a community-based study on behalf of this mostly inaccessible population. This study has a two-fold purpose: first, to empower each of the transgender participants by listening to their personal narratives of resilience on how they manage to safely use public restrooms. Secondly, to identify themes that may lead toward successful strategies that can lessen or eliminate bathroom problems for transgender persons.
Person and Community

According to Mallon (1999), “Transgender” is an umbrella term covering a range of persons who express their gender in non-conforming ways. This researcher uses the terms transgender, trans person, gender non-conforming, and gender variant persons interchangeably to refer to persons who experience awareness of self as female, male, or other to be inconsistent with their assigned gender role at birth (i.e., genital anatomy). The term transgender may be used to describe a continuum of an individual’s gender identities, for instance, those who self-identify as butch lesbians, drag queens, cross-dressers, drag kings, transvestites, intersexed, transsexuals, queer, or genderqueers.

Separate from the aforementioned individual identifiers, gender non-conforming persons have created a very elaborate social network, leading to the term, “transgender community” (Mallon, 1999). The transgender community supports numerous services available in both local communities across the nation and online through websites, which further connect these members and increase awareness of transgender issues. For instance, The Trans-advocate.com exists to give trans person’s greater access to current issues and a place (i.e., the adjoining blog) to voice their ideas, concerns, or accord (Abernathey, 2010). Through the efforts of only a few transgender activist organizations, safe access to public bathrooms has steadily grown into a national discourse. One online publication helping this national discussion evolve has been the Transgender Law Center’s (2005) publication *Peeing In Peace: A Resource Guide for Transgender Activists and Allies.*
Another group advancing safe bathroom access is the staff from the Sylvia Rivera Law Project. They authored the documentary film and companion guide for activists and educators called, *Toilet Training* (Project & Matiek, 2003). Please note, the researcher’s copy of this 30-minute DVD and teaching guide will be available at the California State University, Sacramento (CSUS) Pride Center after the completion of this project in May 2011. Another successful online search engine for Gay, Lesbian, Bisexual, and Transgender (GLBT) persons is GLBT.com, which is very helpful in locating specific resources and support services for this large and extremely diversified population (The GLBT.com, 2010).

**Bathroom and Citizenship**

Public bathrooms are one of the few public sex-segregated spaces remaining within American society. There exists a need for safe access to these public spheres, regardless of one’s ethnicity, race, sex, age, disability, gender identity, or presentation. Plaskow (2008) asserts, “Access to these public spaces is a prerequisite for full public participation and citizenship” (p. 52). She explains many if not all major social justice movements in the United States have included struggles for adequate access to toilet facilities (i.e., civil rights, disability rights, transgender rights). One of the last groups to be legally sanctioned for safe access were people with disabilities in the passage of the 1990 Americans with Disabilities Act (Justice, 2009). Regretably, the laws fell short of defining the category of sex, which could have eliminated problems related to transgender person’s access.
When using women’s and men’s public bathrooms, many consumers fail to meet the cultural expectations of femininity or masculinity, respectively. Disobeying these particular societal gender norms is translated into breaking the law and threatening public safety (Halberstam, 1998). Patrons within nearby bathroom stalls, entrances, and exits of these community spheres mete out punishments for the perceived transgressors. Gender presentation violations range in severity from commonly voiced insults, through acts of physical violence, and, in the extreme cases of transphobic hatred, murder. This happens so consistently that continued use of the terms “men’s” and “women’s” to identify and define these civic spaces needs to be rethought to promote physical safety, accessibility, and a more welcoming atmosphere for all people wishing to use the public accommodations.

**Dichotomous Thinking**

In Western societies, gender and sex have been joined conceptually, and using these two terms interchangeably has contributed to the confusion of how gender non-conforming persons are seen by other people (Butler, 1993). Sex is different from gender, with sex being biological and gender being those characteristics ingrained through the norms of a culture (Ekins & King, 1996). For instance, after a child is born, the infant is quickly wrapped within a blanket reflecting this sex-gender binary. The color pink has long been associated with girls and femininity, as the color blue has been connected with boys and masculinity (Bullough & Bullough, 1993), and, although these colors have no intrinsic link to masculine or feminine, the gender code is perpetuated.
This binary underpins the social meanings of what it is to be a man or a woman, based entirely upon one’s presumed biological sex. The notion genitalia are representative of the “essential determinants of sex,” stems from what Harold Garfinkel called “the natural attitude about gender” (as cited in Bornstein, 1994, p. 45). The essentiality of determining genitalia for sex status has also remained an entrenched view in U.S. mainstream conceptions of gender (Kessler & McKenna, 2000).

Often defined as a sexual characteristic, gender refers to a sense of having either a masculine or feminine identity, or how one is seen by society. Gender is so ubiquitous, and is entirely overlooked, until the norms of gender presentation along with interactions are accidently violated or intentionally challenged (Lorber, 1994). Most people have no issue with gender and accept the role they have been brought up in without question. Gender, however, is not an either/or choice between masculine or feminine stereotyped behaviors, as Western society places expectation on these behaviors, identities, attributes and roles it expects people to adopt and perform (Butler & Salih, 2004).

This deep-seated impression of cultural distinctions between the two sexes and genders results in a gender binary system (Kessler & McKenna, 2000). Kate Bornstein (1995) acknowledges traditional directives, and challenges this binary.

The choice between two of something is not a choice at all, but rather an opportunity to subscribe to the value system, which hold two presented choices as mutually exclusive alternatives. Once we choose one or the other, we’ve bought into the system that perpetuates the binary. (p.101)
Although one’s gender reflects an inner essence, one’s gender presentation is shaped by the culture surrounding the individual. Gender receives constant surveillance and is continually policed (Butler, 1990) through social interactions involving the way a person walks, talks, or dresses each send a message of how they have been gendered in their own respective society. Effeminate males, masculine females, broad shouldered women with deep voices and longhaired men are not a usual sight, and these gender presentations bring about glances of surprise, intrigue (Halberstam, 1998), and even danger in America.

**Transphobia—Violence by Any Other Name**

Within scholarly literature on gender, any discussion of transgender persons has two accompanying themes, discrimination and prejudicial attitudes. Transphobia is the negative feeling, hatred, loathing, rage, or moral indignation harbored toward transgender people based on cultural enactments of gender and remains the root of violence against the members of the transgender community (Lombardi, Wilchins, Priesing, & Malouf, 2001). The problems of violence and crimes against the transgender community are so extreme that a national panel of transgender health experts has recommended “violence and murder prevention” should top the list of “health priorities” for the transgender community (Xavier et al., 2004). For 2009, the National Coalition of Anti-Violence Programs (NCAVP) reported there were 22 Lesbian, Gay, Bisexual, Transgender, Questioning (LGBTQ) victims of hate murder. The majority were people of color with the bulk of the victims being either transgender women or feminine-presenting persons (National Coalition of Anti-Violence Programs [NCAVP], 2009).
Remembrances

Responding to the 1998 death of Rita Hesster in Massachusetts, Gwen Smith began posting death notices of murdered transgender persons and those who died through malicious disregard on her Remembering Our Dead online project (Smith, 2010). The following year, an independent commemorative was created in San Francisco and named the Transgender Day of Remembrance (Sutter Identity Support Group, n.d.). The memorial was designed to focus on those lost each year and to emphasize ways to foster anti-transgender sentiment and violence. The event has developed into the largest multi-setting, transgender event in the world (Smith, 2010). This researcher attended the 2009 and 2010 Sacramento Day of Rememberance programs, sponsored by the members of the Sacramento Transgender Coalition (STC) and the Sutter Gender Identity Support Group (Sacramento Transgender Coalition [STC], 2011). The annual events were much more than personal awareness raising experiences, becoming this researcher’s heartfelt introduction into the torments and needless suffering of members within the transgender community. Hopefully, social work faculty at CSUS will continue attending and referring students to this powerful annual evening. May each of the transgender persons who have died in violent ways and alone, whether known within these ceremonies or not, finally be allowed to rest in peace.

Statement of the Research Problem

The lack of knowledge regarding the difficulties and dangerous experiences faced by gender non-conforming persons within sex-segregated restrooms has been detrimental
to the transgender community. This void has also denied social workers an opportunity to provide needed resources and empowerment for this oppressed population.

**Purpose of the Study**

The purpose of this study was to provide accurate information about the daily discrimination and violence transgender people experience in attempting to safely access public bathrooms at work, school, or in the local community. This study was designed to increase the community-based, social work literature regarding under-researched populations and to advance understanding and acceptance of the diverse gender variant identities and gender non-conforming presentations within the American society.

**Research Question**

This project investigated the following research question: How will members of the social work community rethink gendered bathroom spaces to provide safe access for transgender people?

**Theoretical Framework**

The project utilized the perspectives of social constructionist theory and queer theory. Queer theory examines the intersections and associations among sex, gender, and sexual orientation using a variety of critical perspectives (Sedgwick, 1990). This theory is useful in composing an understanding of gender as changeable and fluid in nature without placing the traditional limitations on being male or female (Burdge, 2007; Butler, 1990; Halberstam, 1998). Nylund (2007) suggests that queer theorists also examine the relationship between sexual identities and regulation. For instance, the societal scrutiny
placed upon transgender persons merely trying to find safe access to public bathrooms. These individuals are frequently seen as transgressing cultural heteronormativity (i.e., institutionalized heterosexuality as a norm). In addition, queer theory promotes the recognition of gender variant identities in non-conforming gender presentations (Halberstam, 1998). Queer theory supplements and compliments social constructionist tenets and helps the exploration of societal issues of sex, gender, and gender expression.

Constructionist theory posits gender as a socially established concept, which begins at birth (Blundo & Greene, 2009). As previously discussed, blanket color assignment for infants marks the beginning of gender binary enforcement, and this gender system is perpetuated through all stages of life (Bullough & Bullough, 1993). The continual reiteration of correct gender performance is dictated by ubiquitous gender norms, which pronounce specific gendered behaviors as worthy, or normal, while persons displaying gender identities and presentations beyond these prescribed, roles are deemed unacceptable, or abnormal (Halberstam, 1998). Persons who violate the gender norms are exposed to discrimination or persecution.

The constructionist perspective embraces personal knowledge as helpful in reducing stereotypes and encouraging new ways of constructing the world. This theory holds there is a constant process of creating and recreating the world of meaning (Blundo & Greene, 2009) and offers room for advancing new and different perspectives. While societal versions of gender norms are presumed solid and fixed, a constructionist view of gender reflects a more adaptable and fluid representation (Butler, 1993). Social
construction theory argues gender norms are open to change, and research constructed in this way raises awareness for and acceptance of a range of gender non-conforming identities and presentations.

**Definition of Terms**

Attempts at defining terms can be complex as they are frequently imprecise given the diversity of gender expression and gender presentations. There are many forms of gender identity and expression ranging from persons who envision themselves as androgynous through those who identify as transgender; thus, definitions may differ in interpretation and usage from one individual to another. The following list has been compiled from a variety of resources (Bornstein, 1995; Butler, 1990; California State University, Sacramento [CSUS] Pride Center 2010; Halberstam, 1998; Matiek, 2003; Transgender Law Center, 2005).

**Ally**

A member of a privileged group who takes a stand against oppression (i.e., transphobia) and strives for social change and being respectful of trans people who have nonconforming gender identities and presentations.

**Cisgender**

A term to contrast transgender on the gender spectrum and referring to someone who is comfortable in the gender they were assigned at birth.
Cross Dressers

People who dress in clothing stereotypically or traditionally worn by the other sex, but who generally have no intent to live full-time as the other gender

Drag King or Drag Queen

Women who dress as men and men who dress as women, respectively (i.e., for entertaining others)

F-T-M

A person who has transitioned from “female-to male,” or a person who was assigned female at birth, but now identifies and lives as male

Gender Bender

An individual who dares to flamboyantly flaunt society’s gender conventions by mixing elements of “masculinity” and “femininity”

Gender Binary

This system defines and allows only two distinct, natural, and opposite genders (i.e., masculinity and femininity). There is no room for any ambiguity or intermingling of gender traits.

Gender Identity

A person’s inner sense of being male, female, or something else. Since gender identity is internal, one’s gender identity is not necessarily visible to others
Gender non-conforming and gender variant

Gender expressions, which are different from the societal expectations, based on a person’s assigned sex at birth

Gender Outlaw

A person who has transgressed or violated the “law” of gender in a transphobic, heterosexist, and patriarchal society

Genderqueer

An identity of being neither entirely male or female and evolving the concept that one does not fit into the traditional gender binary system

Gender Specific or Gender-Segregated

A bathroom intended for people who identify with a particular gender (i.e., women’s or men’s rooms)

Heteronormativity

The term used to describe the institutionalization of heterosexuality as the norm.

M-T-F

A person who has transitioned from “male-to-female.” M-T-F refers to an individual assigned male at birth whose gender presentation may be construed as “unambiguously” female.
Passing

A person has applied physical gender cues and specific behavioral attributes culturally associated with a particular gender. The failure to pass as the desired gender is referred to as “being read.”

Performativity

Ways in which gender and sexual identification are continually remade through repetition, or these compelled performances appear to produce the imaginary fiction of a “core gender”

Queer

An umbrella of identities encompassing lesbians, questioning people, gay men, bisexuals, non-labeling people, transgender peoples, and anyone else who does not strictly identify as heterosexual. Queer may also speak to those persons who choose not to assimilate into the mainstream gay and lesbian communities, discourses and/or ideologies.

Single-user Bathroom

A bathroom with only one urinal and/or toilet meant to be used by only one person at a time (unless accompanied by another person)

Stealth

A person who passes as his/her desired gender at all times, and those around them are unaware this person has had a different gender identity
Trans

An abbreviation for transgender, transsexual, or some other form of trans identity. “Trans” can invoke notions of transcending beyond, existing between, or crossing over borders.

Transition

The steps some transgender people take to express their gender identity. These changes may reflect a new name or clothes more stereotypically male or female and/or any surgical changes to one’s anatomy.

Transrespect

The expression of a deep form of respect for and recognition of individuals whose lived gender identity/expression differs from their assigned gender role

Assumption

All people have an inalienable right to use public bathrooms regardless of their race, ethnicity, age, disability, immigration status, sex, sexual orientation, gender, gender identity, or gender presentation.

Justification

This study extends awareness and understanding about transgender persons for the social work community. Transgender persons are an underserved and marginalized population who are oppressed daily through the lack of safe access to public bathrooms at school, work, or in their communities. This study’s findings may be helpful in supporting changes to public policy and by advancing gender-neutral bathroom labeling.
As social workers, one of the primary duties of the profession is to confront all forms of discriminatory practices and advocate for groups who experience social injustice.

**Limitations**

There were several limitations to this study. A major limitation was the lack of scholarly literature available on this diverse, marginalized, and understudied group. This researcher found few studies on bathrooms and none on the bathroom usage by gender non-conforming persons. Of the existing literature, virtually all was anecdotal, with no empirically based studies. This project was also limited to the experiences of a small group of transgender persons.

**Summary**

The majority of public bathrooms are specifically designed for either men or women, and when a transgender person’s appearance or body does not conform to what others think of as male or female, this creates problems for gender non-conforming persons in accessing either public facility. Given the traditional gender binary system, these bathroom problems will continue and may become increasingly violent until addressed by the social work community and the greater society.

Chapter 2, the review of the literature continues the discussion on gender non-conforming identities and how many gender presentations have been oppressed through the traditional gender role assignments at birth based on one’s anatomy. Trans advocates and allies is also discussed along with the commemorative ceremonies for remembering those gender variant persons who have been lost throughout the year. Chapter 2
concludes with a discussion on what solutions may be available and are currently being evaluated to overcome this society-wide problem.
Chapter 2

REVIEW OF LITERATURE

Introduction

In Western societies, external genitalia are believed implicit informants of gender identity (Laqueur, 1990). With the rise of the internet, medical technology, and social justice movements (i.e., Feminist; GLBTQ), a more inclusive discourse has begun to challenge this socially constructed code (Halberstam, 1998). Many, who fall beyond this binary, have been encouraged to conform to the system, but there are those who cannot or will not conform to these rigidly imposed and regulatory regimes (Butler & Salih, 2004) and, thus, become in the truest sense, gender outlaws (Bornstein, 1995). When gender non-conforming persons challenge the binary by enacting gender in comfortable ways for themselves (Halberstam, 1998), they concurrently disturb others’ beliefs, and the strict interpretation and enforcement of the traditional dichotomous system becomes the basis for retaliation.

Gender and Its Privilege

Gender refers to a social construction of humans physiologically and biologically identified as women and men (Halberstam, 1998), and since gender is a socially constructed category, we are “doing” rather than being men or women. People engage in various cultural behaviors of “performing” femininity and masculinity (Butler, 1990). These gender categories are much more fluid than simply those of men and women and exist along a continuum linking the two “ideal types” of male and female (Butler, 1993).
The majority of people exhibit a mixture of these opposing traits (i.e., nourishing versus forceful) yet, gender issues are not simply side issues. Burge (2007) describes gender as being

A ubiquitous social construct that wields power over every individual in society.

The traditional dichotomous gender paradigm is oppressive, especially for transgender people whose sense of themselves as gendered people is incongruent with the gender they were assigned at birth. (p. 243)

Butler (2004) agrees that the binary is an oppressive force, “Identity categories are instruments of regulatory regimes… and sites of necessary trouble” (p. 121). We should then expect this “trouble” to be played out within public spaces, and especially spaces segregated by sex (i.e., women’s and men’s bathrooms).

**Trouble with Bathrooms**

Many consumers fail to meet with the cultural expectations of femininity or masculinity, respectively. Disobeying societal gender norms is repeatedly translated as breaking the law and threatening public safety. Punishments for transgressors are meted out by other patrons located in or near the entrances or exits of these community spheres, as was illustrated by Judy’s accuser in the nightclub bathroom. Infractions range in severity from commonly voiced harassments and intimidations, through acts of physical violence, and in the extreme cases of transphobic hatred, murder. This happens so frequently that continued use of the terms “men’s” and “women’s,” to identify and define
these civic spaces may need to be rethought to promote safe access and a welcoming atmosphere for all people wishing to use these public accommodations.

**Citizenship**

Private sex-segregated lavatories were a modern invention bound up with urbanization, the rise of sanitation, safety, and the gendered ideology of separate spheres. These public spaces did not arise naturally in the United States; they began being constructed around 1877 as legal requirements were stipulated within various states (Kogan, 2007). Since inception, bathrooms have been sites where people of authority, wealth, or power have denied access to others. As evidenced by the various battles over bathroom safety and accessibility within the agendas of several modern day social justice movements (i.e., racial desegregation of public bathrooms, disablity rights, and rights for transgender persons (Plaskow, 2008). This problematic bathroom tradition continues to cause alarm, confusion, heated debate, and deliberate acts of violence.

**Segregation’s the Problem**

The literature surrounding the genesis of bathroom segregation is quite limited with a couple of notable exceptions, the first being racial desegregation of public facilities (i.e., bathroom) with the passage of the Civil Rights Act of 1964. Prior to this legislation, United States bathrooms were segregated with the vicious enforcement of Jim Crow laws (Pilgrim, 2000). The Civil Rights Act outlawed discrimination based on race, color, religion, sex, national origin, employment, voting, and public services (Civil Rights Act, 1964). People of all races were finally freed to use the bathroom of their
choice. Another exception were those individuals who had been previously concealed in American society, who were granted both visibility and access with the passage of the 1990 ADA legislation. Closely behind those with mobility issues were the parents of young and opposite sex children needing to use public sex-segregated bathrooms (United States Department of Justice [DOJ], 1990).

Unfortunately, while liberating many people, the 1964 Civil Rights legislation stopped short of defining the category of sex (i.e., women’s/men’s—gender controls) in a more inclusive way. Because what it means to be a man or a woman varies greatly across American society, a new approach was needed. Past solutions mandated the creation of gender-neutral and single user bathrooms, illustrating outcomes of the many struggles by disabled persons and parents. At the time of this writing, law enforcement changes to public policy for women, elderly, disabled, and people of color, have become codified, but there are still provisions missing within these laws that would guarantee safe access to gender non-conforming persons in public sex-segregated bathroom facilities in these United States of America.

**Access Advocates**

More recently, a number of resources have explored issues arising from bathroom access for transgender people. Perhaps the most effective among them is the film, *Toilet Training*, directed by Tara Mateik (2003) and produced by the Sylvia Rivera Law Project, an organization providing legal services to low-income transgender people. In one scene from the documentary, Eli Clare, author and featured speaker, explains his feelings on
bathroom access for disabled and transgender persons and notes the following significance:

The most frequently occurring gender non-specific bathrooms are bathrooms marked with the icon of a wheelchair and it is one of the very few public spaces where the gender binary is broken. It’s broken behind disability. (Project & Mariek, 2003)

In the next scene, Loree Erickson (a wheelchair-bound student) and Jake Pyne (Loree’s male attendant), continue this discussion on bathroom access. Loree explains how daily life involves time consuming strategies to enable the two of them to enter and to use sex-segregated school bathroom facilities.

When you enter a gender controlled (i.e., “women’s”) bathroom with someone, who is helping you, but who doesn’t comply with the label on the door, how do you deal with that situation?

With each and every restroom visit throughout her school day, Loree must enter, announce, and request permission from all of the bathroom inhabitants. She explains: “A guy will be coming in here to help me. Is there anyone here who has any serious objections to this?” Loree’s plight is identical to parents with young-opposite sex children, and also gender non conforming persons, who would prefer the least restrictive access to public accommodations, whether at school, in the workplace, or at the mall. One solution to these issues is to remove the gender control labels, and leave only the word
“bathroom.” Then the issue of gender is circumvented, making the facilities safe (i.e., gender neutral) and accessible to everyone in a nonthreatening manner.

**Where Are the Johns?**

Finding an accessible bathroom in the neighborhood became the catalyst for an innovative website begun in San Francisco in 2006. The online guide was designed by a group of queer advocates bicycling through the city and when they needed to find a safe (gender neutral) place to pee, memories of prior (but non-operational) bathroom projects like PISSR and the Boston Relief Map came to mind. Unable to reach the founders of either group, these pioneers decided to create a fun, new, dynamic, and gender neutral bathroom resource. The project has grown to include 2887 gender friendly bathrooms, within 695 cities in North America and elsewhere (Safe2Pee, 2010b). This state-of-the-art website and blog provide exceptional user friendly bathroom information for everyone in need of these services. Just click the “browse” heading on the main page at Safe2Pee.org, and a window with an assortment of city names appears, click onto any name and be redirected to a google street map offering address, bathroom types (i.e., gender neutral; gendered single) and additional directions (i.e., lower level near the kitchen area) after arriving on property.

Another popular online bathroom resource is what creator Mary Ann Racin calls *The Bathroom Diaries* (Racin, 2000). The website offers information on the best places in the world to “do your busines,” readers give their reviews of and star ratings for the toilets they have visited instead of for hotel rooms. This website’s motto is simple and
elegant, “toilets + clean = dignity.” Stated below are some of the contents on the “about us” page of Racin’s website:

The Bathroom Diaries publishes user-generated reviews of 46,000+ public bathrooms in more than 130 countries, providing a wealth of information for both travelers and urban dwellers. The largest enterprise of its kind in the world.

(Racin, 2000, para. 1-2)

This online resource guide lists pictures, maps of each bathroom location, and even their specific physical configurations. They rate the condition and cleanliness of each of these public spheres. However, none of the informational sites online or in other resource directories can include a forecast of safe passage for a gender variant person who is merely trying perform an essential human function.

**Passing the “Read”**

Transgressing “natural” boundaries through entering strictly defined sexed spaces can be traumatic for gender variant persons (Halberstam, 1998). Toilet safety is equal to a transgender person’s ability to “pass” as the sex listed on the name or the picture appearing on the bathroom door. Munt (1998) argues bathrooms can serve as sites where gender is tested and proved. A simple lack of confidence can affect the delivery of a trans person’s presentation and draw attention where it is not wanted. Halberstam (1998) explains,

The bathroom problem severely limits transgender person’s ability to circulate in public spaces and actually brings them into contact with physical violence as a
result of having violated a cardinal rule of gender: one must be readable as a glance. (p. 23)

Thus, the toilet presents equivalent expectations for violence to occur, as it does for not attaining safe passage.

**Transintolerance**

Frequently, trans-directed violence begins in bathrooms, where traditional attitudes about sex and gender intersect and conflict with other more fluid interpretations of gender, leading to threats directed at the gender non-conforming person. Transphobia is the feeling of unease or even revulsion towards those who exhibit gender variant identities (Hill & Willoughby, 2005). Several studies (Hill & Willoughby, 2005; Human Rights Campaign [HRC], 2010; Lombardi et al., 2001; Namaste, 1996; NCAVP, 2009) report the discrimination, harassment, and violence recurrently directed toward transgender people. The crimes against most gender non-conforming persons tend to be intensely violent (NCAVP, 2009).

For instance, Gwen Araujo was subjected to forced genital exposure in a bathroom, after which it was announced, “he was really a man.” Not surprisingly, this event hastened Araujo’s subsequent torture and death by three males believed to have had sex with her earlier in the evening (Reiterman, Garrison, & Hanley, 2002). Hate crime occurs when the perpetrator of a crime intentionally selects a victim because of the victim’s identity. The Human Rights Campaign further defines these acts of hate as felonies:
A violent hate crime is intended to “send a message” that an individual and “their kind” will not be tolerated, many times leaving the victim and others in their group feeling isolated, vulnerable and unprotected. (HRC, 2010, para. 1)

**Hate Violence**

As mentioned in Chapter 1, the 2009 National Coalition of Anti-Violence Program’s (NCAVP) statistical report on Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) hate violence, listed the deaths of 22 victims of hate murder. LGBTQ violence had risen to the second highest level in the past 10 years. However, notably, the single largest increase was reported during the signing of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, in October 2009. This legislation expanded United States federal hate-crime laws to include crimes motivated by a victim’s actual or perceived gender, sexual orientation, gender identity, or disability (Johnson, 2009). The increased number of deaths during this time may inform a correlation between visibility, vulnerability, and the targeting of this population. A near majority, 79% of the victims of these hate murders were racial minorities, with the bulk of them being either transgender women or feminine-presenting persons (NCAVP, 2009). For many years, the deaths of transgender persons went unnoticed until a woman from the east coast became so angered at the death of a young woman named Rita (Smith, 2010).

**Saying Goodbye**

Gwen Smith created the 1998 website *Remembering Our Dead Project* in response to Rita Hester’s killing in Massachusetts. Today this web page lists an array of
names, and, when clicked, revels the age, location, and circumstances of the trans person’s death (Smith, 2010). For instance, Alina Marie Barragan, 19, a transgender woman from San Jose, California, was strangled and stuffed into a car trunk. Donald Fuller, a cross-dressing teen from Austin, Texas, was found with his throat cut and 60 stab wounds. Tracey Thompson, 33, was beaten to death with a baseball bat on a country road in Georgia. Although, most of the crimes remain unresolved, unprosecuted, and obscure, the murder of Brandon Teena had an opposite effect and acted as a catalyst for the mid-1990s trans activism in the United States (Stryker, 2004).

About a year after Gwen’s initial memorial, an independent commemorative was created, in San Francisco named the Transgender Day of Remembrance. This memorial was designed to focus on those lost each year, and highlight issues of anti-transgender violence. The event has grown to become the largest multi-setting transgender event in the world (Smith, 2010). May each of the transgender persons who have died in violent ways and alone, whether known within these ceremonies or not, be allowed to rest.

**Solutions**

Feasible rationales are present to defend the implementation of gender neutral, single user bathroom facilities for everyone. These genderless bathroom would be welcomed by dads and moms, and make childcare less complicated for parents. Gender-neutral, single user bathrooms allow opposite-gendered caregivers to stay with the person for whom they care without requiring a litany of permission requests from other users, as happens with gendered restrooms. These genderless and single user bathrooms would
provide some increased safety for women by eliminating the potential for a man-on-
woman crime as the door is locked upon entrance (Matiek, 2003). However, without this
type of bathroom available, there is one observable group continuing to be at risk for
harassment and violence as they attempt to execute this essential function. It is safe to
say gender variant persons are tired of “holding it” to accommodate the wishes of others
who have unfounded concerns.

Summary

This review of literature characterized the difficulties of the transgender people’s
experience when attempting safe access to gendered public restrooms. In Western
societies, gender and sex have become confused. This fusion of sex with gender has
distinctly negative implications for transgender persons, who are seen by gender
conforming people as not fitting either of two sex-gender categories, (i.e., male/
masculine or female/feminine). Gender variant persons transgress these acceptable limits
of gender presentation, by merely entering a sex-segregated public bathroom, where they
then run the risk of being assaulted verbally and/or physically. The gendered nature of
public toilets enforces a binary opposition between men and women and encourages
gender policing to sustain heteronormativity. For transgender persons to “pass” this
gender coding in order to gain access to public bathrooms is very dangerous and
discriminatory.

Social workers are called to serve members of all marginalized populations and
need to have a personal awareness of each group to become effective advocates. It is the
responsibility of all social workers to enlighten one’s self about the needs of all clients. If transgender persons are having difficulty in achieving safe access to gendered public restrooms, at work, school, and in our communities, social workers need to know what services can assist these individuals. If advocacy is needed for protection and rights, social workers need to recognize what threatens this community and become involved in how to overcome these dangers. Solution-focused advocacy is necessary to eliminate the discrimination transgender people receive when merely trying to execute this personal and essential human function.
Chapter 3

METHODS

Introduction

This was an exploratory study regarding the experiences of transgender people. This study investigated transgender person’s safe access to sex-segregated public restroom facilities. This chapter describes the research design and methodology used in implementing this study.

Design

An exploratory research design was used with a qualitative methodology being applied. The design and methodology utilized for this community-based study were most effective in portraying the circumstances experienced by members of this often veiled transgender community. Royse (1999) suggested, “Qualitative researchers seek to understand the life experiences of those who may not be visible or well-known to mainstream society” (p. 277). The qualitative researcher inquires about the experiences of selected individuals, explores phenomenon, and examines the processes involved in shaping and altering of people’s lives. Within these processes, the investigator becomes the research tool with all the data sifted through the researcher’s senses. The role of a qualitative researcher is that of learner, and reporter, but not as the expert. Thus, these investigators retain their assumptions until the later phases of analysis when these elements may then be compared with other findings. The analyses produced from these
qualitative investigations are representative of the participants’ responses to the exploratory researcher’s open-ended inquiries (Royse, 1999).

**Participants**

The participants consisted of seven transgender adults presently living in Sacramento, California and consenting to take part in this study (see Appendix A for consent form). Each of the study participants fulfilled the following conditions prior to commencing the study: participants must self-identify as transgender, and be a minimum age of 21 years old.

Also involved were the staff at the Gender Health Center (GHC), a non-profit counseling agency for the transgender community, who discussed this study with their transgender clientele. If clients volunteered to participate in this study, clients were given a release form, a copy of the questionnaire, and were told how to sign up for an interview appointment by their counselors. The study participants included two M-T-Fs and five F-T-Ms transgender persons.

**Instrumentation**

To ensure interviews were performed reliably and with parity for all participants, a one-page questionnaire was developed and utilized in each interview (see Appendix B). In developing the questionnaire, the researcher reviewed the limited scholarly literature regarding life experiences of transgender people. In addition, the researcher conducted various Internet searches, and explored multiple on-line transgender organization websites and blogs. The resultant information offered the researcher a variety of issues
affecting transgender people, and in particular, some strategies currently being utilized by trans persons to achieve safe access to sex-segregated public bathroom facilities (Abernathey, 2010; CSUS Pride Center, 2007; GLBT.com, 2010; Matiek, 2003; NCAVP, 2009; Safe2Pee, 2010a; Smith, 2010; Trans-Academics, 2009; Transgender Law Center, 2005, 2009).

**Data Gathering Procedures**

Participants learned about volunteering for this research study through their counselor at the Gender Health Center (GHC). Participants interested in participating in this study were asked to read and sign the consent form, which assured their study participation would be kept confidential. The consent form outlined the voluntary status of participants and their agreement to participate in a face-to-face interview with the researcher. The consent form further explained the purpose, content, possible risk of participation, and benefit of study participation (see Appendix A).

Prior to each interview, and after signing and being given a copy of their signed release form, participants were asked to complete answers for questions 1-4 and to bring the form to their scheduled appointment. The aforementioned questions covered demographic information and included participant age, ethnicity, preferred personal pronoun, and gender identity. In question 5, participants were asked to place an X corresponding to their level of being out/open regarding their gender identity. Question 6 requested the participant to place a mark on the blank listing family, friends, and/or health care providers with whom they were out/open about their gender identity.
Answers to questions 7-11 were completed during the face-to-face interview with the researcher (see Appendix B).

The participants were informed that the study was based on their experiences. In the face-to-face interview, the participants were asked about their experiences regarding safe access to public gendered restrooms and were instructed by the researcher not to answer any question they felt was too personal or made them feel uncomfortable. Participants were told the results of this study would be made available by the researcher to the Gender Health Center (GHC) for review by staff or clients associated with the GHC and this study.

**Protection of Human Subjects**

There was the possibility of minimal risk to the participants involved in this study. There was concern that study questions might evoke discomfort in some participants, by recalling experiences from the past. The following procedures were employed in order to maintain a minimal risk study.

1. The participants were interviewed at the Gender Health Center (GHC), which was known to them as a safe space since they attended counseling at this center.
2. Participants were given the option to drop out of the study at any time and without cause.
3. Confidentiality was clarified and secured and no identifying information was collected. Recordings and written transcriptions of interviews were stored
separately in locked file cabinets. All recordings and written documents were destroyed following the completion of the study.

(4) Each participant was made aware that if their study participation caused any discomfort, they were to contact their counselor at the Gender Health Center, (916) 455-2391, to receive free and confidential counseling services.

(5) The Research Committee of the Division of Social Work approved the Protection of Human Subjects protocol as a “minimal risk.”
Chapter 4

THE PROJECT

Introduction

The experiences of transgender individuals were explored using a format of open-ended questions within seven face-to-face interviews. Participants were a minimum of 21 years old, ranging from 25 through 43 years old. This study recruited participants through the Gender Health Center (GHC), a Sacramento, California non-profit counseling agency for the transgender community. These volunteer participants were comprised of five transgender men (FTM) and two transgender women (MTF). All were Caucasian and undergoing varying stages of transition from their assigned birth gender. One participant was “stealth” with the remaining participants being “out” to their families, friends, and health care providers. Six participants were “out” at school or work, and one transgender man, who could not afford to be fired again, was now closeted at his workplace.

The purpose of this research was to provide the social work community with basic and accurate information about the daily oppression being experienced by transgender people while using gender-controlled public bathrooms. A gender-variant person encounters this bathroom problem whenever failing to meet other patrons’ expectations of femininity or masculinity, and this situation quickly escalates into a threat of public safety and, in some cases, breaking the law. As demonstrated in the following excerpts from participant interviews, transgender persons often felt insulted, belittled, and at-risk
from comments, glances, and actions directed at them in public gendered bathrooms. Three themes emerged from these interviews, and each will be discussed in the following section.

**Common Interview Themes**

The first theme shared by each of the participants were the varying degrees of gender “policing” each had received from cisgender persons, vis-a-vis glances, comments, and/or actions. As Butler (1999) explained, one’s gender is under constant surveillance and is continually monitored through social interactions and ways of walking, talking, and dressing. One transgender man, a disabled war veteran who was new in his transition, spoke about his discomfort in using gendered public restrooms. On a couple of occasions, he had been forced to show his identification to security guards as he came out of the store bathrooms. Being required to provide proof of one’s gender identity had not only been embarrassing, it had also contributed to increased feelings of anxiety for this man. Although, he had experienced this type of harassment in using public bathrooms on other occasions, it was not his primary reason to stop using all women’s restrooms. That decision was explained in this excerpt:

The last time I used one, an older woman was washing her hands as I walked in and went into the stall. She didn’t leave, but waited for me outside the stall and when I opened the door she maced me! After that, I was done using any of the women’s bathrooms.
After this event, and because he was not yet feeling confident enough to use the men’s restroom, this transgender man decided he would stop going out, and if out, he would wait and come home to use the bathroom. This would help him avoid any further public displays of violence. The basis of this kind of transphobic sentiment directed toward gender non-conforming persons stems from heteronormative beliefs, which regulate gender as a binary system within this culture. Through this lens, gender-variant people are viewed as transgressing the dominant heterosexist imperatives by merely being present in a gender segregated public restroom (Halberstam, 1998). This type of gender “monitoring” created countless uncomfortable moments for several participants involved with this study. Another transgender man recalled when two cisgendered females came into a campus bathroom where he was washing his hands. Each of them did a double take, walked out and looked at the door, then walked back in, and began mumbling and giggling at him. It is easy to understand his frustration as he yelled out at them, “If you want to know what gender I am, ask me! Cause I am right here!” As Munt (1998) offered, restrooms are frequently places where gender is challenged and proved.

One of the two transgender women in this study spoke about the stages in her transition and what it was like to stop using the men’s restroom and begin exclusive use of the women’s restroom. This change ended years of being relegated to a bathroom that reflected an external and birth assigned gender identity. Now she had gone through the door (bathroom of course) and become her authentic gender identity, but there were some added pressures and new experiences of anxiety in this restroom.
I used the male restroom, all the way, up until…I started going full-time as female, and started using the female restroom, and had no problems after that…I have had some anxiety, it’s always tough. You think, that everybody knows. You think someone is going to harass you and there’s a lot of anxiety.

This change in bathrooms not only reinforced her preferred gender identity, but it also boosted confidence in her ability to “pass.” The subject of “passing” was the second theme to emerge from this research with transgender persons. Kate Bornstein (1995) clarified that one’s ability in “passing emphatically equals membership…you know, which public bathroom to use and when you use it, people don’t stare at you, or worse” (pp. 126-127).

Each of the participants agreed that their confidence level was a crucial part and sometimes the determiner of whether they would “pass” as their preferred gender. One transgender man spoke of the first few times he had gotten up the courage to go toward the men’s restroom, then little by little, he dared to go inside, if no one else was around. He recalled he was in his first year of transitioning.

I don’t think I was on T (testosterone) yet, I remember being, very anxious and especially when other guys would come in or were already in there. I was afraid I would be read. I was very afraid someone would question my presence in the male bathroom, just as I had experienced for years upon years in the female bathrooms.
Another participant echoed the same feelings about “passing.” For her, as a transgender woman, the true test of passing, was when others viewed and accepted her as being a woman; this then signaled to her that her confidence was apparent to others.

Passing has to do with believing they accept me as a woman, if you don’t have confidence in yourself then people are going to read you, no matter how good you look. It takes a long time, a year or more before you believe you’re passing. She spoke of her initial confusion around changing bathrooms and initially having to stop and read bathroom signs aloud to herself because she had been socialized to use the men’s restroom and this had become a habit. She talked of transgender people being told how they were in the wrong bathroom and this came from their inability to “pass” as the descriptions on the bathroom doors, otherwise nothing would ever be said to them. She then asked, “Why not remove the words men’s and women’s from bathroom doors?” A concept Loree Erickson, featured speaker in the film *Toilet Training* (Matiek, 2003), totally agreed with and who suggested the entire issue of gender could be avoided by removing gender control labels and leaving only the word “bathroom,” which would make facilities safe (i.e., gender neutral) and accessible to everyone.

A final theme began to take shape from participant interviews. It was regarding preferences in bathroom designs and other suggestions for transgender people’s safety in accessing public bathrooms. One transgender man explained his views and how, at the conceptual level, these public spaces needed to be rethought, which would benefit every person.
I think changing the way we think about bathroom space when we create it, is a good solution. We need to think about personal space in a different way. Trans people may bring up these issues but they apply to so many subcultures and other communities. One solution is to have individual stalls, with locking doors, a general area to wash your hands. This would be a European style for individuals, families and persons with attendants.

Generally agreeing with him, one transgender woman, believed there should be a choice of three bathrooms giving everyone a selection in bathroom, one for the family where everyone is welcome and gendered ones for male and female identified people. Another transgender man spoke about a single-stall, gender-neutral restrooms as being the safest choice for transgender persons.

I have always felt safe in single-stall restrooms. It’s your own private space. You don’t have to worry about who else is going to be in there. I would always choose a men’s single-stall or a gender-neutral bathroom.

While the following transgender man suggested there was no need for a special type of bathroom and saw the problem as a barrier that resides in our culture and language:

There isn’t this or that, there is a spectrum and how do you decide where to draw that line? For years I went into this bathroom, even though I felt this other one was closer to who I was. So the idea we’re going to draw a line and say who goes in this one and who goes in that one, is just stupid.
Another transgender women agreed that the culturally enforced gender binary system had stifled many people’s gender identity and expression and it was inaccurate to think of gender as being either this one or that one.

Summary

This chapter illustrates the participants’ shared personal experiences regarding three themes. First, a participant’s gender was frequently monitored by the glances, comments, and actions of other bathroom patrons when using gender-segregated public bathrooms. Secondly, as participant’s confidence level in “passing” as their preferred gender increased, participants experienced a decrease in being “read” to being in the wrong bathroom. Third, the participants preferred using a gender-neutral, single-stall restrooms prior to, during, and in some cases even after transition. These findings can provide the social work community with basic and accurate information about the daily oppression being experienced by transgender people using gender-segregated public bathrooms. Chapter 5 is an explanation of the conclusions, recommendations, limitations, and implications of this study. Suggestions for policy implementation is also discussed.
Chapter 5

CONCLUSIONS AND RECOMMENDATIONS

Introduction

This chapter summarizes the conclusions obtained from this research. There is a brief discussion of the purpose of this study followed by the main themes that emerged from participants’ narratives about their experiences in using gender-controlled public restrooms. Recommendations for future research studies along with study limitations are also presented. This chapter concludes with implications of study findings for social work policy and practice.

To ensure interview consistency, a questionnaire format was designed and implemented to gather information on this marginalized population, material that may be useful for social work researchers and practitioners. The following findings express the experiences and needs of a larger transgender community though voiced through the narratives of seven transgender men and women. The goal of this study was to provide the social work community with useful and accurate information about the daily oppression being experienced by many members of the transgender community when attempting safe access into public bathrooms.

Conclusions

Bathroom challenges or being told, “You’re in the wrong bathroom,” and “You don’t belong in here,” happened to all of the study participants when they were using either of the gendered public bathrooms. The gender binary codes assigned at birth in
Western societies are the cause of this distress for transgender persons, who are just trying to negotiate going to the bathroom. Rigidly imposed gender rules restrict safe access for transgender people, whose gender performance does not conform to societal standards and challenges masculine or feminine stereotypes. The movie, Better Than Chocolate (Wheeler, 1999) helped frame transgender issues within public bathrooms for this project. In one scene, Judy Squires, a transgender woman and performer, sings about being a transgender and not being a drag queen. In the next scene, Judy experiences the violence often directed at transgender people within public bathrooms, which epitomized how numerous gender variant people become targets of hateful slurs, public humiliation, and violence. This research study investigated the problems experienced by gender non-conforming people and the potential solutions to issues they face on a daily basis. The following three themes were supported in the literature and reflect in the feelings and experiences of seven transgender volunteers who participated in this research study.

Themes capture the transgender bathroom problem and offer solutions to gaining safe access in public school, the workplace, and community restrooms. Participant interviews informed three themes. The first them is gender surveillance from bathroom patrons, vis a vis double takes, verbal harassments, and negative acts were commonplace and universally offensive to study participants. Such discriminatory deeds made participants feel awkward, embarrassed, and unsafe. Participants recalled multiple encounters in having their gender monitored by other patrons. One transgender man was reported to security guards on several occasions and had become practiced in providing
identification to prove the difference between his birth gender (allowing for legal
bathroom access) and current gender expression, which was in conflict with signs on the
bathroom door. Another transgender man spoke of constantly being told as a child, “Hey
kid you’re in the wrong restroom.”

A second theme that surfaced from participants’ observations was whether the
participants were able to “pass” or if they were being “read” by other patrons who were
using the restroom. The second theme involved demands placed exclusively upon
transgender individuals in this society, which require transgender people to “pass”
heteronormative gender expectations, prior to being offered safe access into public
restrooms. This societal requisite of appearing suitably “masculine” or “feminine” is an
outrage to human decency and discrimination. As mentioned in the Chapter 2, the failure
to “pass” these bathroom administered gender tests effectively denies safe access to
transgender people. One study participant stated, “I was afraid I would be read. I was
very afraid someone would question my presence in the male bathroom, just as I had
experienced for years upon years in the female bathrooms.”

Given the constant reminder, one maybe discovered as being in the wrong
restroom contributes significantly to the stress transgender people must manage prior to
entering a public bathroom. A transgender woman explained, “I have some anxiety, it’s
always tough. You think everybody knows...there is a lot of anxiety.” Being safe in a
public bathroom has a lot to do with believing one passes as the desired gender. As this
participant reported, “No matter how good you look. It takes a long time, a year or more before you believe you’re passing.”

The last theme emerging from interviews dealt with suggestions by participants on how to gain safe entrance to public bathrooms; this, of course, was the bathroom problem and the purpose of this study. The prior two themes of gender policing and successfully passing and not getting “read” were easily remedied by one study participant’s suggestion, “We need to think about personal space in a different way. Trans people may bring up these issues but they apply to so many subcultures and other communities.” Through this rethinking of gendered spaces and the creation of “family” and/or “gender-neutral” public bathrooms, issues of being in the wrong bathroom are circumvented. The gender-free bathrooms offer parents, disabled persons (with opposite gendered children and/or attendants), and transgender people alternatives to the rigidly defined men’s and women’s public bathrooms at the heart of the bathroom problem. By increasing the number of genderless bathrooms, choice and safety in using public restrooms would be expanded.

The rationale has been presented to defend implementation of gender neutral, single user bathroom facilities for everyone. Parents and persons with disabilities having opposite gender children and/or attendants would welcome gender-free bathrooms. The gender-free bathrooms would provide some increased safety for women and transgender persons by eliminating the potential for harassment and perhaps violence. One person at a time would use the restroom and the door would be secured by inside locks. It is
recognized, in these times of economic difficulties that the funding to remodel public bathrooms may not be available for some time. However, one very cost-effective solution, may be as easy as the changing of the gendered signs on single stall public restrooms and making them gender neutral.

**Recommendations**

It is essential for future social work curriculum to include an in-depth discussion of gender, including transgender issues. Equally important is that social workers understand gender identity and their own gender biases. Advocacy forms the basis of the social work profession, and it is critical for each social work practitioner to be fluent in trans-respect and in trans-discrimination in order to be effective advocates for the often invisible gender-variant person. The bathroom problem as discussed in this research is but one area of harassment and hate violence directed at the members of the transgender community.

It behooves social workers to become aware of transgender issues, as these clients are within our caseloads currently, yet remaining closeted, and await engagement from caring and knowledgeable social work professionals. To increase the social worker’s knowledge base, please see Appendix C, which lists some local and national resources for locating safe public bathrooms, legal services, and medical providers for your transgender clientele.
Limitations

A larger sample size may have been desirable to obtain substantive data; however, the sample of seven participants, while not generalizable, did allow for an introduction into the multiple issues facing gender-variant persons’ attempts at safe access into gendered public bathrooms. In future research, it would be beneficial to study transgender persons’ feelings regarding their experiences within health clubs, high school or college gyms, or activities that require transgender persons to choose one of the either/or, gender-controlled, areas or activities.

Implications for Social Work Policy and Practice

The implications of this research suggest information focusing upon the life experiences of transgender people is deficient within the social work profession. Moreover, the bathroom problem as defined in this research and encountered in the daily lives of this marginalized and oppressed population is not being addressed in social work research, curriculum, or advocacy. Social work professionals need to become acquainted with issues of gender-variant persons and show trans-respect to all clients prior to receiving a transgender client’s call for help. Social workers can apply these findings to practice, in advocating for local, state, and national policies, and in demanding safe access for transgender persons in gender-controlled restrooms within our schools, workplaces, and communities.

Unfortunately, even well-meaning social work professionals lack knowledge of these daily bathroom struggles transgender persons currently face. This results in
policies and practices that continue the marginalization and oppression of this ever-
expanding community. At the time of this writing, there were a few colleges that have
stepped up to provide protection for transgender students by providing gender neutral
single stall restrooms for transgender persons on their campuses. However, overall
within America’s public bathrooms, the hate violence thrives. This researcher challenges
those who read this page to advocate for one gender-neutral public bathroom at the local
college, in your workplace, or within the community in which you live. Our human
values require we do something to end this discriminatory practice of targeting
transgender people who merely want safe access to the bathroom.
APPENDIX A

Consent to Participate in a Research Study

You are being asked to participate in a study conducted by Cynthia Clark, an MSW candidate, in the Division of Social Work at California State University, Sacramento (CSUS).

Purpose:
The purpose of the study is to explore beliefs & experiences of transgender persons about safe access to public gendered (men and women’s) restrooms. This study is not designed to delve into deep or personal feelings but instead seeks to increase awareness of transgender safety and access to public bathrooms.

Procedure:
You will be given a participant form and to fill out and then asked the questions on the form regarding your beliefs and experiences of using public gendered restrooms. The interview will last approximately an hour and will be recorded for ease of transcription. However, participants may choose not to be tape recorded during their interview. All interviews will be held in a private office located at Gender Health Center to ensure confidentiality for participants.

Risks:
There is minimal risk to you by participating in this research study. However, if you feel uncomfortable answering any of the questions, you may skip them or you may discontinue the interview and withdraw your consent at any time without consequence. If participation in the interview causes you discomfort, please contact your counselor at the Gender Health Center, (916) 455-2391, for free and confidential counseling services.

Benefits:
This study may benefit the transgender community by raising awareness about issues of access and safety for transgender persons in public gendered bathrooms. It is hoped this study will highlight areas where more knowledge is needed among social workers, researchers, and educators.

Confidentiality:
To ensure participant’s confidentiality in this study, all information gathered from interviews will be kept in a secure and locked location. The information gained will be used strictly for this study and all tapes will only be listened to and transcribed by the researcher.
Compensation:
As a participant, you will not receive any compensation for taking part in this study.

Contact information:

This study is being conducted by a graduate student from the Department of Social Work at California State University, Sacramento. If you have any questions or comments regarding this study, please feel free to contact the researcher, Cynthia R. Clark by calling (916) 708-1776 or by email crc284@saclink.csus.edu, or by contacting the supervising Professor, David Nylund, LCSW, Ph., d at dknylund@csus.edu or by calling him at 916-278-4152.
Your Participation in this research is entirely voluntary. Interviews will be taped for ease in transcribing and you are free to not answer questions, to decide not to participate, or to decide at a later time to stop participating. The researcher may also end your participation at any time. By signing below, you are certifying you have received your own copy of this form, you understand the risks involved in this research and you agree to participate.

__________________________________________                    _________________
Signature of Participant             Date

__________________________________________
Participant’s Name (please print)

Thank you again for your participation
APPENDIX B

Participant Interview Questions

Participant information:

1. Age: ______
2. Ethnicity_______________________________
3. Preferred personal pronoun_______________
4. Gender Identity_________________________
5. How open are you about your gender identity at this time?
   (Place and X on the line below that best describes your status)
   closet process of coming out out to everyone

       1  2  3  4  5  6

6. Where are you out? (Place and X on all lines that best describe your current status)

   Family ______
   Friends ______
   Health care providers ______

7. How has your gender identity shaped your choices in restroom usage? Why?

8. When using public gendered restrooms what have your experiences been?

9. Can you offer any suggestions to help others with the issues you have experienced?

10. That completes the interview, do you have any questions?

11. Is there anything you would like to add?

Thank you very much for your time and your participation in this research project.
APPENDIX C

Resources

CARES
(916) 914-6305
http://www.caresclinic.org/

Gender Health Center
(916) 455-2391
http://www.thegenderhealthcenter.org

Lambda Transgender Support Group
http://www.saccenter.org

PFLAG Sacramento
(916) 978-0410
http://www.pflagssacramento.org/

Sacramento State Pride Center
http://www.csus.edu/pride/

Sacramento Transgender Coalition
bhudson@sactgc.org
Rhudson@sactgc.org
http://www.sactgc.org/

Sylvia Rivera Law Project
(212) 337-8550
http://srlp.org/

Trans Families Sacramento
http://www.sactgc.org/transfamilies

Transgender Law Center
(415) 865-0176
http://transgenderlawcenter.org/cms/  (see Peeing in Peace)

University California at Davis
UCD Lesbian, Gay, Bisexual, Transgender resource center
(530) 752-2452
http://lgbtcenter.ucdavis.edu/
REFERENCES


