

**Combined Testimony of
TransOhio and Equality Ohio**

**May 22, 2019
Judiciary Committee**

Testimony of James Knapp, Esq. TransOhio:

Chair Eklund, Vice Chair Manning, Ranking Minority Member Thomas, and members of the Ohio Senate Judiciary Committee, my name is James Knapp, and my pronouns are he, him, his. As chairman of TransOhio, and on behalf of my community and myself, I am pleased to submit testimony in support of Senate Bill 11, the Ohio Fairness Act.

I'm native Ohioan, and I've lived here for over 30 years. I went to a private, single-sex Catholic school in Akron, Ohio, which I mention only because it still is an all-girl school; and that's a part of my history that you would never guess by looking at me. I graduated with honors, went on to law school in Michigan, and returned home—because Ohio is my home. And I, like all members of the LGBTQ community, have every right to live, work, and play here, and enjoy the full protections of the law, as they are applied to everyone else.

I'm fortunate in that both my home town and where I currently live and work—Cleveland—have comprehensive nondiscrimination laws, like here in Columbus. But discrimination still exists in these places, and over 2/3 of Ohio lack these laws, leaving thousands of Ohioans with no legal recourse when they've been wrongfully terminated, evicted, refused service, or asked to leave... all because they are, or are perceived to be, a member of the LGBTQ community.

Sadly, as a leader of TransOhio, I have received reports from some who, because of just being in the community, were asked to leave restaurants and public venues. I ask you—is that the message of welcome we want to have for visitors who come to our state?

Each week, I receive messages from members of the community who have been denied jobs, fired like the young man near Athens who was terminated when his employer found out he was transgender or the young woman in Delaware who was denied work despite her talents and was told that she was not employable due to her being transgender.

Another member of our community just recently told me that they cannot even think about coming out and living authentically because they fear being kicked out of their apartment by their landlord who has made it clear that people like them are not welcome to live there.

A recent survey of Ohio transgender residents by the National Center for Transgender Equality revealed that 26% of our community are in poverty. This same survey also revealed that 30% of those who held or applied for a job during that year reported being fired, being denied a promotion, or not being hired for a job they applied for because of their gender identity or expression. Of respondents who visited a place of public accommodation where staff or

employees thought or knew they were transgender, 32% experienced at least one type of mistreatment in the past year. This included 16% who were denied equal treatment or service, 26% who were verbally harassed, and 1% who were physically attacked because of being transgender. This same survey also revealed that 25% of respondents experienced some form of housing discrimination in the past year, such as being evicted from their home or denied a home or apartment because of being transgender. 33% of those surveyed have experienced homelessness at some point in their lives, and 15% experienced homelessness in the past year because of being transgender.¹

Employers who come to Ohio seek a diverse workforce. Members of the transgender community are talented people who offer rich life experiences, a wide range of skills, and a commitment to producing high-quality results, all of which make us a great asset for these employers and a meaningful addition to the talented diversity they seek in their companies and organizations. The State of Ohio should send a clear message that our state is open to all who come here to work, to live, and to visit, and that when they do so, they will find a welcoming state.

That welcome should extend to the LGBTQ community as well. There is no better message that Ohio can send to employers, organizations, citizens and visitors alike, than with the passage of The Ohio Fairness Act, which will announce loud and clear that Ohio welcomes all to establish business, work, and live, as well as travel freely, about our great state without fear of discrimination.

I am pleased to take questions of the committee, but would like to first invite my colleague in this work, Alana, to share further perspective from our partner organization, Equality Ohio.

Testimony of Alana Jochum, Esq., Equality Ohio:

Thank you, James.

My name is Alana Jochum (she/her), and I am the executive director of Equality Ohio, Ohio's statewide LGBTQ education and advocacy organization.

We are long overdue for the basic protections afforded in the Ohio Fairness Act, and we are grateful for this hearing today so that you may see the varied and diverse support that exists throughout Ohio for LGBTQ people having equal access in housing, employment, and public accommodations.

Over 200 individuals, businesses, professional experts, and faith leaders have submitted written testimony in support of SB 11 today. This significant support from a wide range of perspectives shows the Ohio Fairness Act is good for Ohio's economy and is the right thing to do.

¹ 2015 U.S. Transgender Survey: Ohio State Report, National Center for Transgender Equality, accessed 5/22/19: <http://www.transequality.org/sites/default/files/docs/usts/USTSOHStateReport%281017%29.pdf>

We hope that by flipping through these testimonies you will hear that fellow Ohioans want these protections—whether that is because they’ve experienced discrimination as an LGBTQ person personally, are fearful for their LGBTQ children, want to attract and retain their LGBTQ employees, or want to see Ohio thrive with a vibrant economy.

Sometimes we are asked: does this really happen? Do LGBTQ people really experience discrimination?

In short: yes.

As James shared, we are the organizations that LGBTQ Ohioans turn to when they experience discrimination. It is our phones that ring when an LGBTQ person in Ohio feels they have no one else to turn to.

In addition to the stories and testimony you have in front of you, there are many who are not here who have much to tell because they cannot be their full selves in society.

The people who use their initials on their return envelopes in order to disguise that they are in a same-gender relationship from their post office delivery person and third parties to whom they send mail;

the person who tells me that the interview for the job went great until he let the pronoun of his spouse slip in conversation;

the couple for whom apartments are suddenly not available once the agent suspects they are more than roommates; and

that person turned away from the convenience store when the clerk believes they are transgender, because “we don’t serve your kind.”

Because we work to prevent discrimination, people often call us for help when these things happen. Because 24 localities in Ohio have adopted local protections, sometimes we have good news to share for folks experiencing this kind of harassment. But most of the time, we don’t. Those 24 localities only cover about 27% of Ohioans—meaning most LGBTQ Ohioans just have to deal with legalized discrimination. And it’s not fair.

It’s not fair for the kid from Lima who doesn’t want to leave his friends and family just because he thinks he has to move to the “big city” to live his life and be accepted. A person shouldn’t have to hide who they are based on their zip code.

It’s not good for Ohio’s economy and our future. This is why Ohio Business Competes—a nonpartisan coalition of businesses that support our legislature acting to protect LGBTQ people in housing, employment, and public accommodations—has formed and has more than 630

members. Many of these businesses, large and small, have submitted testimony in the book before you and have contacted your offices directly.

It comes down to this: *everyone*, no matter where they live, should feel safe and that they can provide for their family if they work hard. That's the essence of all of this, the common chord among the diverse voices we seek to bring into this room because they cannot otherwise be here—out in public about who they are—absent the very protections we seek today.

Thank you for listening to the chorus of voices here today urging you to pass SB 11. Thank you for also listening to the great number of voices who are not here today, which collectively speak volumes.

James and I are both attorneys who are very familiar with this bill, and we welcome your questions here or at any point as you consider this important legislation. Thank you.