



The Lies They Tell @sarahstuartxx

15 Aug · 44 tweets · [sarahstuartxx/status/1294620882116194304](https://twitter.com/sarahstuartxx/status/1294620882116194304)



‘How can we show up for this community?’ was the question repeatedly posed in this seminar.

Carlos, the host was a he/they and has a lead role at Californian Change Lawyers.

He was grateful so many had ‘shown up’.



Over 20 trans people had died already in 2020, Carlos told us, so what can we do as lawyers and activists to show up for the community?

The seminar was also ‘an emotional space where we value your identity’.

OTOH any cis people present needed to sit down and learn.

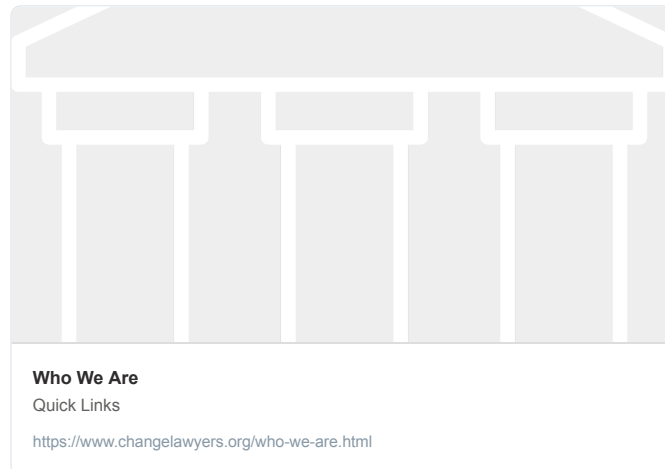
In the age of #BlackTransLivesMatter, how can lawyers and activists show up for trans and queer folks?

About this Event


2020 has been a year of wins for the trans and queer community, but also a year of pain and tragedy. At least 22 transgender or gender nonconforming people have been murdered, and most of them have been trans Black and women of color. The fight for liberation is far from over. How can lawyers and activists help dismantle repressive and racist systems that keep our community struggling? Alexander Chen and Dale Melchert, two activist lawyers, are here to offer their insight on the upcoming fights for trans and queer liberation.

California Change Lawyers SM (meaning Service Mark - so terribly corporate) was once the grown up sounding California Bar Foundation.

It's been traded that in for Social Justice Warriors and pronoun badges.



Riley Hewko is non-binary, queer, Latinx activist, and a *prison abolitionist*, who accepted a position as the 'Gender Equity and Vulnerable Populations Specialist' for Washington State prisons.



Riley Hewko
Activist, Organizer,
Social Justice
Lawyer

Riley Hewko (they/them) is a nonbinary, transqueer, Latinx activist, organizer, prison abolitionist, and reproductive justice lawyer focusing on issues of gender, sexuality, child welfare, incarceration, and healing. Their work centers on anti-oppression and creative community and movement lawyering. They are the founder of the Incarcerated Parents Project at the Washington Defenders Association in Seattle, WA and a founding board member of Surge Reproductive Justice. They have also served as an Equal Justice Works fellow at Legal Voice, an If/When/How fellow at the National Women's Health Network, and a California Changelawyers fellow at the Transgender Law Center. Most recently, they helped launch a prison oversight agency at the Washington State Governor's Office as the Gender Equity and Vulnerable Populations Specialist, supporting transgender, gender-nonconforming (TGNC), and intersex individuals and those who identify as LGBTQ (Lesbian, Gay, Bisexual, Queer) in Washington State prisons. They are currently an attorney at the Movement Voter Project, a contract policy analyst with Justice Strategies, on the board of Beyond Binary Legal, and support various community groups on dreaming up decolonized policy efforts, such as the Alphabet Alliance of Color in Seattle, WA.

Dale Melchert works for the Transgender Law Center (TLC) as Staff Attorney.

A circular portrait of Dale Melchert, a man with short brown hair, smiling. The portrait is framed by a pink and white circular border.

Dale Melchert
Staff Attorney,
Transgender Law Center

Dale Melchert is a staff attorney with the impact litigation team at the Transgender Law Center. Dale is lead counsel on the wrongful death case of Roxsana Hernandez and BAGLY et al., v. United States Department of Health and Human Services et al. Prior to joining TLC, Dale represented LGBTQ and HIV-affected survivors of violence in a client-centered, holistic practice at the New York City Anti-Violence Project. There, he represented survivors in family law, housing, matrimonial, immigration, name change and discrimination matters in the five boroughs of New York City. He also organized with, and trained other services providers to increase access to services and resources for LGBTQ survivors. Dale graduated from CUNY School of Law in 2014 with an emphasis on poverty law practice for transgender and gender-binary non New Yorkers. He was the recipient of the 2014 Dave Fields Prize for Student Leadership and Achievement, and served as the Stonewall Foundation Fellow at NYLAG's LGBT Law Project coordinating its life planning clinic in 2013. In his free time Dale enjoys biking and amateur culinary adventures.

According to a comment made in the chat by Riley, Dale helped draft the Assembly Bill 2119 which allows the 'gender transition' of children in foster care in California.



Harmful CA AB 2119 Approves Gender Transition for Foster Kids

Medical professionals push back against a new California law that allows kids in foster care to receive gender transition treatment, despite the fact that the treatment can cause sterilization and se...

<https://churchleaders.com/news/333764-ab-2119-california-bill-sex-change-treatment-f...>

Dale also worked on the case of Roxsana Hernandez, a convicted criminal. The TLC argued that Hernandez was not given enough water to drink and suggested physical abuse. Hernandez was remanded in a transgender unit until being transferred to ICU.





Independent Autopsy of Transgender Asylum Seeker Who Died in ICE ...

The autopsy raised questions about how Roxsana Hernandez Rodriguez, 33, a transgender woman from Honduras, was treated in custody before she died from illness.

<https://www.nytimes.com/2018/11/27/us/trans-woman-roxsana-hernandez-ice-autopsy...>

Alexander Chen was introduced as ‘something of a legend’ by Carlos for setting up the Harvard Law School advocacy clinic. She has he/him pronouns.

Chen now teaches ‘gender and sexuality and the law’ at Harvard.

She previously worked at the National Center for Lesbian Rights.



Alexander Chen
Founding Director,
Harvard Law LGBTQ+
Advocacy Clinic

Alexander Chen is the Founding Director of the Harvard Law School LGBTQ+ Advocacy Clinic. He is also a Lecturer on Law at Harvard Law School, where he teaches Gender Identity, Sexual Orientation, and the Law. Alexander's work focuses on expanding the rights of LGBTQ+ people through impact litigation, policy advocacy, and direct representation at both the national and local levels.

Previously, Alexander served as an Equal Justice Works Fellow at the National Center for Lesbian Rights, one of the nation's leading LGBTQ+ advocacy organizations. At NCLR, Alexander engaged in LGBTQ+ impact litigation and policy advocacy in education,

Riley Hewko was the moderator. Due to mic problems we could barely hear a word she said. Interestingly no one complained.

Riley had a voice which suggested a smidgeon of testosterone had been taken, and then stopped.

Dale spoke first and said that the TLC is the largest organisation in America arguing for self-determination of trans people. The focus at the moment was on movement building.

The Positively Trans Project was HIV focussed.

<https://transgenderlawcenter.org/programs/positively-trans>

A Black Migrant LGBTQIA group had been set up to battle racism and xenophobia.



There was also Black Trans Circles which combats the ‘epidemic rates of murders and femicides’.



A few days later I received an email from the Transgender Law Center that they had received a \$3 million donation from MacKenzie Scott, founder of Bystander Revolution (an anti-bullying organisation) and wife of billionaire Jeff Bezos.



Dale said that impact litigation team had to be in line with movement building, which I think translates to: we only help those cases which further our political position.

Her pronouns were he/him and they/them.

Alex was truly stuffed full of her own self importance.

In her ‘clinic’ she allows students to trial run advocacy for litigation work.

Alex boasted she had been involved in stopping a paediatric hospital from performing surgeries on ‘intersex’ children.

Conversely she had helped a man in prison gain access to have ‘gender confirmatory

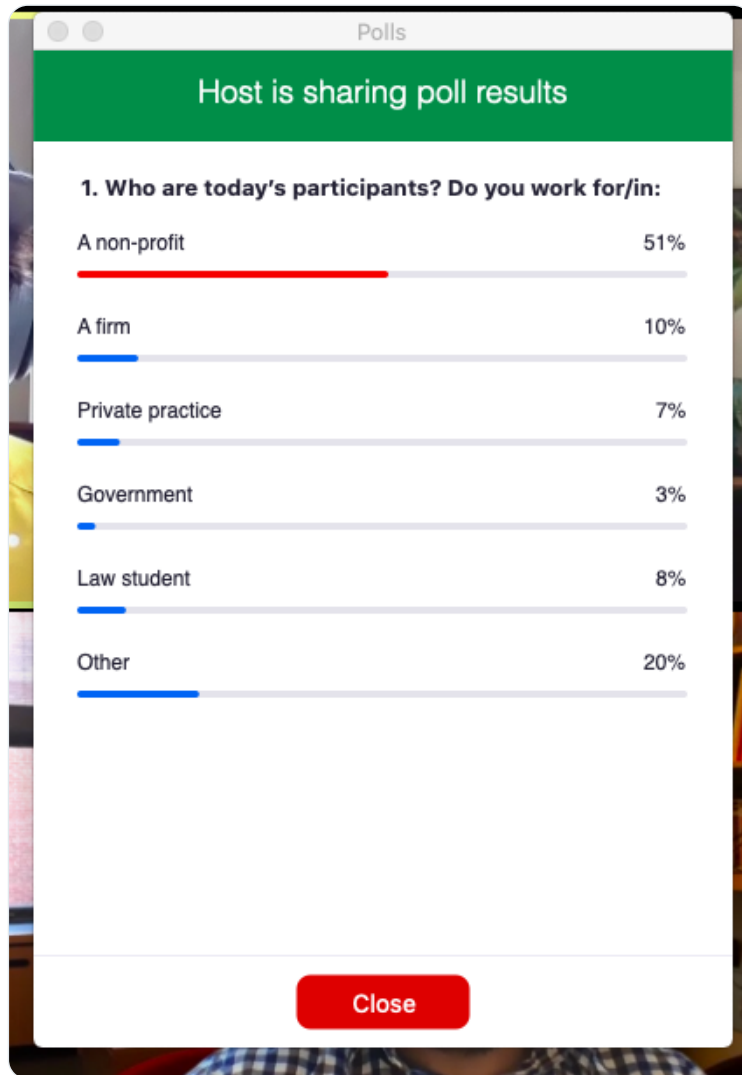
surgery' by court order.

Alex had also been involved in putting a legal handbook together specifically for children with regards to their rights.

The next project was to help non-binary people

in the workplace which she elaborated on later.

After introductions, Riley ran a poll to find out who was on the call. CLL hid from view how many people were on the call, but half worked in the non-profit sector.



The first topic of discussion was how trans people are criminalised just for being trans, especially BTW.

Dale said this issue was now getting more attention because of [#blacklivesmatter](#) and that it was important to be aware of white supremacy.

Dale said that statistics showed that trans people were 3.7 times more likely to experience police violence. TWOC were often profiled as sex workers and the phrase 'walking while trans' eluded to this constant public pressure.

She mentioned the case of Monica Jones, who was arrested for protesting against an anti-prostitution project. This amounted to being 'stalked and harassed in a public space' though I couldn't find a story telling Rose Project's side of things.



Arrested for Walking While Trans: An Interview with Monica Jones

In Phoenix, Arizona, you can be arrested for repeatedly stopping and engaging a passerby in conversation. This may, under Phoenix law, be evidence that you are "manifesting" an intent to engage in pr...

<https://www.aclu.org/blog/criminal-law-reform/arrested-walking-while-trans-interview-m...>

The Legal Aid Society sued the NYPD for wrongfully using 'solicitation for the purposes of prostitution' as a basis to harass black women and trans people.

Dale alleged the deposition included evidence there was a policeman who looked out for 'prominent Adams Apples' on women

(which doesn't really make sense, given many cover their necks).

Alex added something about the youth population. 11% of one LA County described themselves as gender non-conforming and 5.5% identified themselves as trans.

Alex said: 'As much as 40% of the population of a lot of girls facilities are people who identify as something on the LGBT spectrum, and it is higher in the male facilities as well.'

I have no idea what this means.

Alex said that trans people in prison were 9 times more likely to be victims of sexual assault. In some states having a criminal record made it more difficult/impossible to change your name and more resources and education was needed to rectify this.

Riley recounted a case from when she worked at the TLC.

Because Riley's mic was so bad it was hard to follow the story but I think it was this:

A trans person was badly beaten in a bathroom for being trans. The local DA was happy to prosecute the case 'until they heard the

person hurt was trans' and instead filed for perjury.

Furthermore, 'the person who caused the harm tried to out the person on the stand'.

(Something definitely doesn't add up here. I wonder what is missing?)

Riley said this was proof that the legal system didn't respect trans people.

The victim has 'permanent damage to his face' (so a woman beaten in a male bathroom possibly?).

Dale said we should continue to push for 'prison abolition' and 'defunding the police' and was pleased that there was so much more knowledge about these issues since this summer.

The TLC wanted to have immigration detention centres scrapped.

The next topic was employment discrimination and Alex said the recent Title VII ruling was a huge leap forward but that it didn't address bathrooms or clothing.

Alex thought 'story telling' was important for the movement.

Dale said that she was 'in awe' of the other two women and looked genuinely moved.



Employment discrimination was a huge problem, a survey carried out by the National Center for Transgender Equality in 2015 had found 1/3 of respondents had experienced 'adverse discrimination'.

77% had had to delay transition/hide who they were.

Such discrimination pushed trans people into criminalised economies.



SCOTUS & Trans Discrimination

The Supreme Court will hear the case of a Michigan woman fired from her job of six years after she came out as transgender.

<https://transequality.org/blog/scotus-trans-discrimination>

Topic 3 - healthcare for trans, NB and intersex people.

Riley bled for some time introducing this subject.

It's pretty amazing that no one pointed out that she was virtually inaudible.

Dale said the Bostock decision could be used to challenge other areas.

Right now TLC was litigating a case to challenge the recent attempts of the Trump administration to roll back health care for trans people.

I've heard it alleged a thousand times that trans people have to educate medical professionals about their conditions, but Dale is the

first to allege that trans people face assault in medical settings.

'Many of us rely on healthcare intervention to live our authentic selves,' Dale said.

Alex was hoping the Bostock decision would give opportunity to litigate for non-binary people. There was a common

misconception that non-binary people didn't transition and that trans people always do.

Alex felt there was a case to educate the legal system on what types of pronouns NB need and what kind of dress codes employers should allow them.

For example, it would give an opportunity to 'present a story' that NB kids might need their own separate bathroom, or they might want access to the bathroom they preferred.


Alex felt 'we just need to be a little bit creative in how we frame it'.

Q&A

Dale answered a question about 'trauma informed' communicating and said the legal profession was 'inherently racist' and it was important to think about power relationships. Get to know your client at a personal level and share things about yourself with them.

From [REDACTED] (they/he) to All panelists and other attendees: 8:27 pm
Hey everyone, I'm [REDACTED] they/them (2L, Berkeley Law). I'm curious if y'all (the panelists) have advice on being a trauma-informed communicator in interactions with trans and GNC clients, and how to handle vicarious trauma, particularly when you share identities with the clients you work with.

Dale said that people who work in the non-profit sector are subject to overworking and vicarious trauma (see below - thank god these people never became paramedics). It was important to take care of yourself.



Vicarious Trauma Toolkit Model

Work-Related Trauma Exposure → Vicarious Trauma → Secondary Traumatization

SIGNS AND SYMPTOMS TO WATCH FOR

- Experiencing self-blame
- Loss of hope
- Negative outlook
- Emotional numbness
- Feeling overwhelmed
- Withdrawing from friends and family
- Intense rage and/or bouts of crying

Vicarious trauma is the emotional residue of exposure that counselors have from working with people as they are hearing their **trauma** stories and become witnesses to the pain, fear, and terror that **trauma** survivors have endured. It is important not to confuse **vicarious trauma** with "burnout".

www.counseling.org > fact-sheet-9---vicarious-trauma PDF

Vicarious Trauma - American Counseling Association

It was asked what could people do to 'show up for the community'.

Dale recommended that you always ask your new intake their pronouns and their sexual orientation and to make sure that there was a gender neutral bathroom.

From [REDACTED] to All panelists and other attendees:

Hi! My name is [REDACTED] my pronouns are she/he. I am interested in learning more about how I could proceed with a law degree to help my and other underserved communities.

From [REDACTED] to All panelists and other attendees:

Hey y'all, I'm [REDACTED] He/him. (Berkeley Law 2L/ ChangeLawyers Scholar). I'd like to know what tactics movement lawyers have used to best support LGBTQ+/ QTPOC activists and organizers on the ground. I.e., supporting without falling into the "lawyer as savior" trope.

Riley was concerned that IT departments should immediately facilitate name changes and that work policies should be fully supportive of transitioning.

Alex suggested pro bono work should be undertaken for the TLC, and if you weren't an attorney donate money.

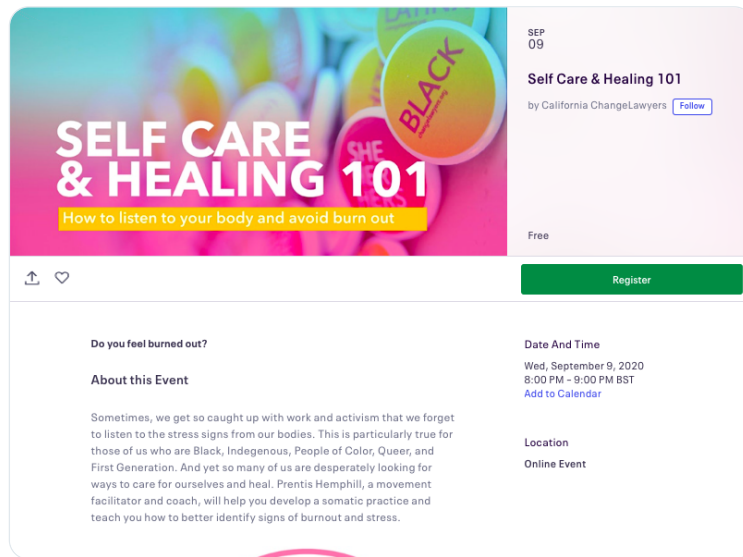
Dale also recommended hiring black trans people ('make them leaders') and paying bail.

Riley said people could learn more about prison abolition, join the TLC network and Instagram (?).

Carlos, the host, popped up at the end to thank the panel for answering the (non) questions.

Carlos was feeling rejuvenated and healed and asked how we could release the stress in our bodies?

This lead nicely into a plug for California Change Lawyer's next event - 'Self care and Healing 101'.



SEP 09

Self Care & Healing 101

by California ChangeLawyers [Follow](#)

Free

[Register](#)

Do you feel burned out?

About this Event

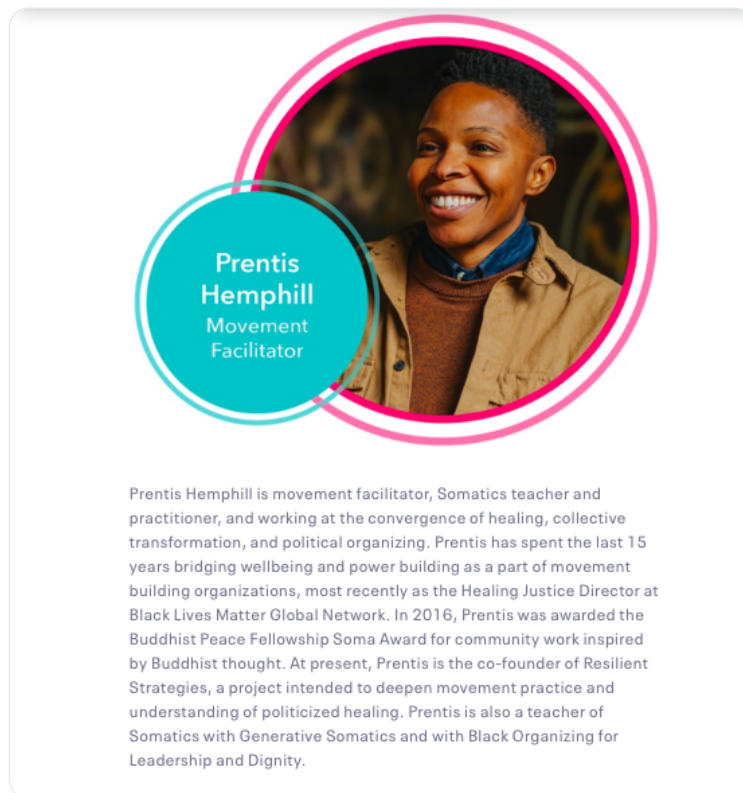
Sometimes, we get so caught up with work and activism that we forget to listen to the stress signs from our bodies. This is particularly true for those of us who are Black, Indigenous, People of Color, Queer, and First Generation. And yet so many of us are desperately looking for ways to care for ourselves and heal. Prentis Hemphill, a movement facilitator and coach, will help you develop a somatic practice and teach you how to better identify signs of burnout and stress.

Date And Time
Wed, September 9, 2020
8:00 PM - 9:00 PM BST
[Add to Calendar](#)

Location
Online Event

A black queer woman with a made-up sounding name involved in the BLM movement is the facilitator.

Of course. 🙄



Prentis Hemphill
Movement Facilitator

Prentis Hemphill is movement facilitator, Somatics teacher and practitioner, and working at the convergence of healing, collective transformation, and political organizing. Prentis has spent the last 15 years bridging wellbeing and power building as a part of movement building organizations, most recently as the Healing Justice Director at Black Lives Matter Global Network. In 2016, Prentis was awarded the Buddhist Peace Fellowship Soma Award for community work inspired by Buddhist thought. At present, Prentis is the co-founder of Resilient Strategies, a project intended to deepen movement practice and understanding of politicized healing. Prentis is also a teacher of Somatics with Generative Somatics and with Black Organizing for Leadership and Dignity.

[@threadreaderapp](#) please unroll