

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

Speakers: Kim-Monique Johnson, Joe Lunievicz

Joe Lunievicz: All right, welcome everybody. My name is Joe Lunievicz. I'm project director at NDCI and I'm pleased to bring to you Gender Identity and Transgender Participants in Treatment Courts, and the trainer, Kim Monique Johnson. Before we get her up and rolling just a couple of points. Number one, this is a Bureau of Justice Administration funded program. So, we're always pleased to be able to say that and say that this is offered free of charge because of that. So, let's keep that funding coming.

What I'd like to do is we've got a pretest for you. So, we'll take a couple of moments. It's five questions, relatively famous. We'll do the same as a post test after to get a sense of where people are at. So, if you all, let me queue up our pretest. There it is. Take a moment and simply answer and scroll until you get to the fifth question. Let's see if we can get everybody to do it. Get our heads in the right places to get things started. I believe music, oh, there it is. Music is back. [Music]

All right folks, let's get to those pretest questions. The sooner we get to them, the sooner we get to Kim Monique, that is a good idea.

Bonnie Greenslade: We've got about 55 percent responded [00:04:11]

Joe Lunievicz: Okay. When we get to around 75.

Bonnie Greenslade: All right, I'm going to go ahead and close the poll. We should have results.

Joe Lunievicz: Well, set them, okay, the poll is closed. We'll see those again at the end. So, it's my pleasure to introduce you to Kim Monique Johnson, who is both colleague and friend. Known her for 20 plus years. We've worked together in different formats, different places over the years. She has 25 years of public speaking experience, not just speaking experience. We're talking about facilitation, coaching. She has had human resources background, which is really wonderful to have, and it really influences the work that she does in a way that's I think unique to her presentation. She has been diversity, racial equity, and equity inclusion work and helping organizations implement those strategies for this whole time period. She started as an HIV educator, just like myself. She has worked with HIV specifically with the criminal justice system and drug addiction. She has been a trainer with NDCI faculty with us for a number of years. And pleased to say that she was one of the original designers of the three-day cultural competency training, for those who can remember when it first came out way, way, way back when. It's great training and she our initiator of it. It's still around and still being used, a modified version, which is terrific. She has also worked across the globe and as a sexuality education teacher volunteer in Gabon and Central Africa. And she also led the first LGBTQ multi year training for healthcare providers in Lima, Peru. And with that, I'll hand over the training to your speaker, Kim Monique Johnson. It's a pleasure to have you.

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

Kim Monique
Johnson:

Well, thank you so much, Joe. It's so good to be with you again. And thank you, Bonnie. Thank you all for joining and for those special request for a little bit of Seventies Jackson Five music. Appreciate the love there. Thank you. I think the most important thing about what Joe just said and what I want to share, what's really coming to my spirit right now is that all of that experience that we talk about transgender and gender nonconforming participants and treatment courts, will all of my experience, what I'm here to tell you today is that I made a mistake. Like even as a cis gender black lesbian, right, as part of the LGTBQAI community, some years ago, I made a mistake. And so, that mistake was really not understanding gender identity, certainly not understanding transgender identity, gender nonconforming identity, binary identity. And so, I share that with you because it is okay for us to be in a space of learning, of stretching, and really understanding that even if we don't understand, we have an enormous opportunity to make our treatment courts welcoming and affirming for transgender and gender nonconforming folks.

So, with that, I thought why don't we just start with before content and everything else, why don't we just start with who are we serving and who are we as teams. So, Bonnie is going to launch the first sort of question just to sort of get a sense of who is actually here serving folks who identify as transgender or gender nonconforming or nonbinary. So, Bonnie, would you go ahead and launch that, so we get a sense of whether or not folks are currently serving transgender and gender nonconforming participants in your programs. So, I invite you to continue humming the song that you heard or any other song that you have on your heart these days as the poll is launched. And I'll just leave it to Bonnie to let us know when we've reached our critical mass to get a sense of whether or not folks are actually seeing transgender folks or gender nonconforming participants in programs.

Bonnie Greenslade: All right, we've got just about 80 percent and I will end it and share that.

Kim Monique
Johnson:

Excellent. Thank you so much. Great, yeah, so we see just under half of you, 43 percent are saying yes, some, right. And some are seeing increasing numbers. Some are saying like you know, not, not sure, unsure. That's pretty common. And then we have a no. So, what's so interesting about that is that I'm wondering about that is that I'm wondering about how many that 25 percent that say no might actually be folks who are transgender or gender nonconforming or nonbinary. And the thing that I think we can lean into today is whether or not we are able and open and skilled to help make that a welcoming and affirming place for maybe the people who maybe no who actually might be yes, all right. All right, thank you for that.

And so, the next question, now that we've talked about your participants, let's talk about you. So, we're going to open up another poll and for those,

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

again, this is anonymous, right. When I say talk about you, I'm really meaning your teams, your treatment support staff, right. So, how about currently considering your staff or colleagues. Do you currently have transgender and/or gender nonconforming staff or colleagues? And so same thing, just takes a moment to hum along if you like, if you need that the music in the background in your head do that, and consider yes, some increasing numbers, no, unsure. And then there is the question as to why are we asking in the first place. Some of you may be asking that question. That's all fair game as well.

Bonnie Greenslade: All right, and that is shared.

Kim Monique

Johnson:

Yeah, look at that. So, we see it's going to affect, interesting, right. So, I'm going to invite Joe to share any reflections as well as we look at the, the two kind of comparisons, right. It's not about tracking except we see that there is more of a no for those who identify, may identify as transgender or gender nonconforming. And certainly, there is room for folks to say pretty unsure, yeah, yeah, so thank you for that.

And the reason why we open this up this way is because, again, it's important to center why it is we even are having this conversation and why it is that it is important for us to think about not only our participants, but how we reflect on our staff how our staff can be a representation of our participants, right. We talk about this often. We talk about equity work and racial equity. So, this is an opportunity also to think about gender equity, yeah. All right.

I want to acknowledge one thing as well that I am a New Yorker, so I tend to talk fast, and this is a topic that's pretty dear to my heart. So, if I get pretty animated and talk fast, just wave your hand or let Joe or Bonnie know and I'll make sure to slow down.

Okay, so let me go back to the reason why this is important for me. So, as Joe said, I started out as a social worker doing HIV/AIDS treatment work and testing in substance use organizations and substance use agencies, and also working in county correctional centers and in jails.

And so, it was back in the Nineties when I mentioned making a mistake. And that mistake was working with a person who identified as transgender. This was a person who was really transitioning. This is a persons who was assigned male at birth but did not feel that that assignment really connected with her identity. And so, as this person assigned male at birth, was a male presenting at first, but over time, was presenting more female. And at the time, we were really excited to be able to offer support services for her at that time what we called the Gay Support Group. And the Gay Support Group were all men. And at that time, this person who was assigned male at birth, but was transitioning to be a transgender woman was looking for support. And at that time, I made the mistake of making that referral for this

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

transgender woman to go to the gay men's group. Really inappropriate. Really not the same thing. Gender identity and sexual identity, sexual orientation, not the same. And so, this is why it's important for us to think about what it is that we need to understand and know about these terms, about identities, and how we can make it welcoming and affirming for people to be who they are when they are in our programs, all right.

So, next question I'll ask you is when you think about identification and you think about identity, and you think about representation, I'd like to ask you about pronouns, right. So, as you can see, we've got our pronouns here next to our names. So, you don't have to put this in the chat. You can just think about it on your own, but it is important to think about why are pronouns important, right. Why are they important and how do they help to understand the needs of folks who are transgender and gender nonconforming. So, just keep that tucked in the back of your mind for a moment. And then I'm going to share some thoughts to help us think about gender to begin to have this conversation. And I'll just invite Joe to check into chat and see if there's anything there that may come up in terms of the question for us to make sure that we answer., okay. All right. Again, think about, think about your own use of pronouns. That can help you think about how you can be representation, be a representation of gender affirming and welcoming to your, to your participants. All right, so please join.

Anything in the chat while I get this all set up here?

Joe Lunievicz: Sure, we've got one, Judge Whitham, we just had that discussion today with our VTC team, the veterans treatment court team. I think there is still a lot of stigma when with our vets when it comes to the old Don't Ask, Don't Tell mindset.

Kim Monique Johnson: Hm, uh-hm, uh-hm.

Joe Lunievicz: And someone else asked the question: how do you approach this topic in a veteran treatment court that's root in the Don't Ask, Don't Tell?

Kim Monique Johnson: Yeah, yeah, sure, sure, yeah. That's a tough one, right. Do you need, so, one thing we'll say about that is, you know, we recognize why it's important, right. Then you can identify. You can use pronouns as a way to just sort of normalize it, right. So, it's one thing to sort of ask the question. It's another thing to just make it explicit because this is how you are identified. This is how you make it apart for yourself. All right.

So, let's talk about gender and why we are focusing on gender separately than LGB, right, lesbian, gay, and bisexual, or other sexual identities. That's because gender is different than sexual orientation. So, I am going to show you a picture and I want to ask you what gender are these lions? And you can

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

drop that in the chat. And of course, Joe is going to be the reader out of the chat. Thank you, Joe. What gender are these lions? What would you say is the gender of these two lions here? Joe, what are we getting?

Joe Lunievicz: It says we don't know from looking. Someone is saying male, male, gender at birth male. Those are male lions.

Kim Monique Johnson: Those are male lions, yeah.

Joe Lunievicz: You can't tell. I've got a lot of male.

Kim Monique Johnson: A lot of male, right. Now, how do we know these are male lions, right? How do we know? Oftentimes we know by physical appearance, right? Oftentimes we know by male lions having very large manes that you see here, right, yeah, right. And some of you are very on it, right. You're like well, we really can't tell, right. They may be assigned male at birth, good pick up.

These are actually five lionesses, female lions in Botswana that have grown a mane and are showing male like behaviors. These, these lions are actually female, but they have taken on sort of like the masculine presenting phenotypes, so masculine presenting behaviors as well, right. Some are even roaring and mounting other females. And so, while male lions are distinguished by their mane, right, which is used to attract females, and they roar to protect the territory or basically call in their pride, right, this is not only male lions that do this. We actually see in nature in Botswana, it's called the Mmamoriri lions that have taken on, right, this identity as well. And you might be like all right, Kim Monique, great, these are lions right. We're talking about people. What does this have to do with people in my participant court, right, and my treatment courts.

Well, it all comes down to gender diversity. We recognize it happens in the animal world. It happens in the human world, right. That gender is not as clear as we may think it is. It's based on genotype. So, what's happening in the genetics, right. It's also based on phenotype, the physical traits like we just talked about with manes on lions for example. Then there are all sorts of chemical considerations, right, that happen on a hormonal level. That's a term in gender. And then if someone said rightly so, right, oftentimes with humans, it's an assignment at birth based on the external genitalia. Right. Now, the piece at the bottom here that I really want us to home in on, particularly in our conversations today, is that when we talk about gender, we want to also really be clear that gender that someone's self identifies is what's important, right. The gender of someone's self identifies is important.

And so, I don't remember where everybody is coming from but just drop in the chat if you are in California, if you can drop C-A in the California, if you are coming from that state or if you have any connection to California.

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

Why do I raise that? Because in California in 2017, California recognizes the third gender, right, 2017, the third gender, gender X. So, we know that things have changed and shifted in terms of recognizing that while there always have been many genders, it's just that society has decided to categorize like what gender going to be accepted and what gender expressions are going to be accepted.

All right, so, let's talk a little bit more about this just so we can slow down and really understand the constructs because this is going to be, I say, even more important than the data, the research around, you know, transgender disproportionate representation in substance use programs, and things like that. Let's make sure we understand the terms so that we can have again, the conversations we need to have with our teams so we can make our programs welcoming and affirming.

So, we don't often get this, this history or this understanding, right. The constructs of gender identity. And so, there is a biological construct, right. It's the one that says gender begins with genitalia. And then there is the person-centered construct. And I'm hoping this resonating with you all, particularly as again there have been shifts in the language in terms of how we use person centered language to talk about people living with addiction, as opposed to a person being an addict, right. So, this person-centered construct around gender identifies gender being here, how one think and feels about their gender.

Another way to look at it is with the gender bread person. Now, bear with me here. I know this is going to look a little kindergarteny. And I know we've got some Ph.D.'s and some researchers, and some judges, and some treatment professionals here. But just look at this as a simplified way of understanding gender expression and in particular, and gender identity, and in particular, understanding the difference between gender identity and expression and sexual identity and sexual orientation, right. So, you use the gender bread person off to the left there again, the sex, the biological sex is but one aspect. Of it. The art is where someone may, you know, have attraction. And if you look on the bottom there, the attraction may be again, arranged, right. In this particular image, it's showing a binary range, right, where someone may be attracted to someone of a binary gender. This is what we're used to seeing. This is why I'm offering it first, right. The binary meaning man or woman. Actually, I am going to start. We reverse that because woman actually comes first in terms of you know, the gestation in the uterus and the fetus, right. It's actually—I'm getting too deep in biology. But anyway, it's woman and then the man as a binary construct, okay.

And gender identity is what someone believes and feels themselves to be, right. So, another way of thinking about it is sexual identity is who I am attracted to and if we are talking about romance, if we are talking about physical attraction, who I am attracted to, gender identity is who I am.

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

Okay, so, another way to think about it, and again, bear with me with another kiddie example here. In fact, let me pause. Why am I using kiddie slides? Well, I am going to ask a little trivia question here. At what age does a person understand their gender? At what age does a person understand their gender? So, go ahead and drop that in the chat. What ages does a person really understand their gender and whether it's man or woman, the binary, or whether it's girl, boy, binary, or somewhere in between, what age?

Joe Lunievicz: We've got a range of three to 12. Someone said one, one to 12, most around three to five.

Kim Monique Johnson: Excellent. You got, yeah, appreciate that. So, I guess I gave it away by referring to these kiddie slides. What was that, Joe?

Joe Lunievicz: We got a lot of people.

Kim Monique Johnson: A lot, okay, yeah, so good, good, good. It's really the age of three to five. So, most children typically develop the ability to recognize and really label stereotypical gender roles, what it means to be a boy, what it means to be a girl, how we are socialized, what we're expected to do, right. And so, this, this categorization begins really young. And so, this is why it's important to think about why folks are coming to our participant, coming to our programs as participants, right. What has been available to them to really support their gender identity from as young as 3-years old. Were they given the support, were they encouraged to be who they fully are, or, as we'll see some examples in a little bit, you know, have they been stigmatized, have they been discriminated against, have they been denied who they really are from an age as young as 3-years old, right.

So, again, what I'm hoping to do with you all today with the quick hour that I have in a webinar is really focus on what's behind the need for people who are struggling with substances and who may be transgender or may be gender nonconforming. What need is there to help them feel affirmed in who they are when for so long they may have, not all, but for so long or so many, some people may not have been affirmed, and that could be, could be something to assess for in terms of why people are struggling with mental health and struggling with substance abuse.

Okay, so, I am going to go on now. And just quickly do a quick reminder, again, when we talk about LGBTQ plus, we're talking about sexual orientation and sexual identity, right. And there are many identities. So, side bar, I have an old school lesbian friend, mentor of mine. She says, "You know, back in the day, there was just, there was just gay, gay and lesbian. I can't keep track of all these letters." So, drop yes in the chat if you feel like you can't keep track of all the letters and just knowing you're not alone, right. And so, what I say to her is like, "You know what, thank goodness we've lived long

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

enough to be around to witness this expansiveness and to witness this change in language that is more inclusive.

So, what you see here on the left, right, are terms that people are using now that are relate to sexual identity and sexual attraction. On the right, we're talking specifically and only about gender identity, right, transgender, gender nonconforming, nonbinary, and queer. Let me pause there as well and make sure I can just cover the bases here, right. So, when we talk about gender and gender being related to someone being assigned at birth or phenotype or genotype or self, right, so, when all those things are aligned, and someone's gender identity is aligned with how they were assigned at birth, we call that cis gender, being on the same side. So, Latin root, being on the same side. So, I'm a cis gender woman because when I was born, the doctors looked at my genitalia and said little girl. As I grew up, I'm like, yeah, I'm a girl. I'm a woman. I'm cis gender, right.

For transgender people, there is the other side, Latin meaning the other side, right. So, folks who are transgender or gender nonconforming, don't feel and know that their bodies and how they identify themselves are aligned.

For those who are gender nonconforming, I'll just ask you to think about people like, I don't know, Prince, or Annie Lenox, or Janelle Monae, or anybody who plays with gender and rejects the norm that they must act a certain way, right. Think of those lions, those female lions that are growing a mane, right. Gender nonconforming, nonbinary, saying that either one of those binaries don't really fit, okay. So, here is where we get into you know, overall understanding of the word queer, which again, can related to sexual orientation and identity or it can relate to more, more gender identity, anyone who rejects, again, the social so-called norms about how someone is supposed to be based on their bodies, right.

Let me pause there to see any questions or anything in the chat that we need to pay attention to, Joe.

Joe Lunievicz: We've got lots of yeses from your answer.

Kim Monique
Johnson:

Okay, great, great, all right. So, now, we're going to take a look at another way in which people talk about something that doesn't get talked about often, right. And so, I'm going to let folks talk about it themselves and I'm going to ask Joe and Bonnie to make sure that we can the audio is working well. I'm going to come out in just a second. So, yes. You're looking at definitions. And here people will talk about who they are themselves.

[Video]

Pigeon: Raise your hands if you have testes.

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

[Music]

Pigeon: I'm Pigeon.

Alice: I'm Alice.

Emily: I'm Alice.

Saifa: I'm Saifa.

All: And we are intersexy.

Emily: Intersex describes a person who doesn't fit the typical definition of male or female.

Alice: I have XY chromosomes, but typical female genitalia.

Emily: I'm a girl who has testes and XY chromosomes.

Pigeon: I identify as a queer, gender nonconforming intersex person.

Saifa: I identify as a black intersex man.

Pigeon: Intersex is not new. It's been around since the beginning of human existence. I mean there's probably even intersex dinosaurs if you think about it.

Emily: Transgender has to deal with your gender identity whereas intersex has to deal with your biological characteristics.

Saifa: Often, intersex people get surgeries that they don't want, and transgender people have to fight for surgeries that they do want. They gave my mom the excuse that the internal testes were cancerous, that I would develop cancer.

Pigeon: They didn't even come up with an excuse basically in terms of a health-related reason. They instead just said about the appearance.

Emily: A lot of doctors are very uncomfortable with the idea that I have testes and they're still trying to get them removed. But I'm perfectly healthy and there's nothing wrong with them.

Alice: They did a surgery to remove my testes and told my parents to take me home and just raise me as a girl. And I didn't find out about it myself until I was 12.

Saifa: There aren't a lot of options or medical providers don't explore other options. My mom would put me in dresses, and she would be like, "Oh, aren't you so cute. And you're so pretty." And I would be like, "No, this is horrible." I was put on hormonal treatment which consisted of estrogen and progesterone. I

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

just wanted to belong. I wanted to fit in. I didn't want to be different. So, even though I knew something felt amiss, I conformed. He was very condescending. He was like you intersex activists don't know what you're talking about.

Emily: It's difficult for intersex people to find each other because from an early age, we're told not to talk about our bodies.

Saifa: I did feel like I was the only one.

Emily: My doctors always told me there was no nobody else like me. And so, it just perpetuates a vicious cycle of shame and stigma that we can't break out of.

I would tell another intersex person that you are worthy. You are lovable.

Saifa: Your body is beautiful. You are beautiful.

Alice: Intersex people don't need to be fixed. There is nothing wrong with them.

Pigeon: I know you feel like might not be able to get through this. I know you might have really dark thoughts. But I want you to know that meeting other intersex people and finding a community or a support group can be one of the most important aspects in your human process. And we're out there. We're out here. We're here. And I just hope you can find us.

Kim Monique Johnson: Helpful. So, I would just love to get some reactions, thoughts that came up for you listening to intersex people talk about their lives and experiences.

Joe Lunievicz: Well, folks are saying that they had, this is had a term they've had a hard time getting a grasp of, but it was helpful.

Kim Monique Johnson: Helpful.

Joe Lunievicz: Some angry.

Kim Monique Johnson: Very helpful, yeah. I'm going to push a little bit. What specifically was helpful? What can we name here that was helpful? What else are we getting, Joe?

Joe Lunievicz: Getting still makes me so sad this was done to kids and still happening. Very moving and enlightening. Familiar with the existence but the term is new. The definition itself is what is enlightening. Very helpful and interesting. I didn't realize the issues with surgeries and doctors being unwilling to discuss it and how harmful it could be. Heartache. I would like to learn more.

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

Realizing that this happened against children's will. This is the term with people with both parts? That's the question.

Kim Monique
Johnson:

Yeah, yeah, I love the question. Thank you for that vulnerability, right. Yeah, so, yes, the answer is yes, right. It's, you know, people who are intersex right, have genitalia that again is not the genitalia that people with clearly defined and clearly assigned one way or the other, right. So, in terms of the binary ways, right, we understand male and female. So, you hear young people talk about the abuse, right, the harm to their bodies, right. And then what about that one doctor who had no regrets. And I want to pause there, again, and make this point, right, why we are talking about this for you all as service providers, who are counselors, for those who are in the treatment profession. There are people who may come to you who you may know are transgender, gender nonconforming, or intersex or you may not know. But you could probably best believe that if they do have any of those identities, they may have experienced some trauma by a health provider in the past, okay. So, I don't have the stats in this presentation, but there are some stats that talk about folks who are trans or intersex and non, gender nonconforming have been abused and not just abused with discrimination and harassment, but even physical abuse by going to a provider, right. And we can share those abuse stories.

So, why is this important? Because again, if the goal is for us to be able to provide welcoming and affirming services, we need to know this from a trauma informed lens. I know that's language and I know that's a lens that we are used to. So, I ask you to apply that trauma informed lens when working with folks who are transgender, who are gender nonconforming. All right, thank you for that. Thank you for those shares in the chat. Looks like there is a question also in the Q&A. So, maybe we can hold that, and I'll come back to it.

I do want to get now to, again, sort of the segue into you know, what it is that we need to know about in terms of transgender and gender nonconforming folks in treatment courts. So, first I want to do, I want to do is to share, again, a little bit of a, you know, if you can see my screen, are you seeing the umbrellas.

Joe Lunievicz:

Yeah.

Kim Monique
Johnson:

Excellent, love the teamwork, right. So, again, just to repeat, right, because it can be a lot to take on, even my 71-year-old lesbian friend is like "I don't get all these terms," right. So transgender, right, is the overall umbrella term, right. Underneath that in terms of gender identity, you may find people that show up to your treatment programs were like, "You know what, I don't fit either one of those," right. The binary is that I'm trans. I'm a trans man or I'm a trans woman, just like there is a binary or cis gender man and cis

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

gender woman. Be prepared if you don't have it already, for folks to show up into your program or on your staff who are like, "I am gender queer. Don't put me in a box, neither one of those are me." Right. So, you see some terms there. Everything from genderqueer to agender, and more. And so, I'm going to ask this question before we go on. Are you able to help someone and serve someone if you don't completely 100 percent understand their gender identity? Are you able to provide services and help someone even if you don't completely understand their gender identity? And you can use that as a rhetorical question, or you can be brave and share that in the chat as well.

Joe Lunievicz: We've got a lot of course, yes.

Kim Monique
Johnson:

Excellent, excellent, great, love to hear that, okay. So, let's move on then. So, as we are ready to service people with that, and of course, and yes, even if we don't completely understand all the terms and where people are in their gender identity spectrum, right, here is what we want to know about transgender people and the criminal justice system or the criminal legal system as some of my colleagues say, right.

So, here is some data, right. So, what I would like you to do is sort of take this quiz, right. What percent of U.S. adults report having spent time in prison or jail? So, rather than, I don't know if you have it as a poll, Bonnie, but it's okay. We can just. Okay, fine, we can just use this. Look at that, right. So, yeah. So, what do you think? What's the percent? You can drop it in the chat. Of all U.S. adults, what percent report having spent time in prison or jail? And Joe, please shout out.

Joe Lunievicz: Got a whole range.

Kim Monique
Johnson:

Good, all right. We've got a range. So, we'll give the answer. For those of you who selected five percent, you're correct, okay. So, five percent of U.S. adults report having spent time in prison or jail. And let's look at the disparate impact for those who identify as transgender and gender nonconforming. What do you think the rate is for them reporting having spent time in prison or jail? Go ahead and drop those in the chat. What did we get there, Joe?

Joe Lunievicz: We've got looks like, again, all over the place. A lot of C, a lot of D, and B.

Kim Monique
Johnson:

Okay. It's the B's that have it, yeah, 16 percent, right. So, you see that jump. So, again, you know, it tells us, right, that there is something going on about versus the U.S. population and those who identify as transgender, gender nonconforming, yeah. So, what's happening? What is, what's contributing to this percent of adults reporting time spent in prison or jail. Look at the rate for transgender women. Look at again the rate for all transgender and gender

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

nonconforming people, 16 percent. Look at the rate for transgender men. And again, comparing it to all U.S. adults.

Why do you think that is? Right, well, some of it has to do with, again, if you look at the bottom of this chart, some of things that you may already know, maybe this is something that is, again, affirming what you know around rejection, homelessness, people being unsafe in schools, or unfair disciplinary policies, right. You heard an extreme example where someone was getting surgery against their will, right, or against their own sense of safety and agency, right. So, then there are these passive discrimination, things that happen in life, right, in terms of employment, all kinds of data that point to the employment challenges for those who are transgender, gender nonconforming. People are explicitly being told, “You can’t show up here to work with us looking this way,” right. Housing. There are still some laws on the books in places throughout this country where it’s legal to discriminate against someone because of their gender identity and their expression, right.

Identity documents. And this is what I start to hint towards now again, what is it in our treatment course that we’re doing to either welcome trans and gender nonconforming or nonbinary folks. What are we doing to push them away? What forms and what formalities make it welcoming for them to identify themselves or what’s actually making it hard for them to do that?

And of course, healthcare, and again, we head and example of that in the extreme case.

Joe Lunievicz: Monique, do you want to take a statement or a question?

Kim Monique Johnson: Sure thing.

Joe Lunievicz: We have got it is extremely difficult to adjust the terminology and relating to the person. We cannot be expected to be a specialist, only a generalist. This is very difficult to resign, and problem solve. It’s a challenge.

Kim Monique Johnson: Yeah, and I think I’m getting. It’s probably getting to you know, some of the other regulations, right, and regulatory practices, right, that happen in courts, right. Understandable things like documents, things like you know, bathrooms, which we’ll talk about. And so, thank you for raising that because it is challenging. It is hard, right. And so, another thing I say to that is the work isn’t easy in many respects. So, what other challenges, what else has been hard for us as providers that we’ve been able to address. So, the other thing I’ll add to that is go back to your why, right. Why is it important to do this work? Why is it important to acknowledge someone’s gender identity? Yeah, okay.

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

So, we know that folks are more vulnerable, right. We also know that folks are pushed into the system. So, if you look at the second half of this chart, right, you've got laws. You've got policies that make them add to, that contribute to the reasons why transgender and gender nonconforming people are overrepresented in the criminal justice system. So, if they are there, what's the likelihood for those of you who answered you have some or little in your program, what's the likelihood that they are going to be increasingly showing up in your program or being referred to your program. And here is the other thing I'm going to ask, right. If they're not, and we know there is a need, then what does that tell us, right. Who is not, who is overrepresented in terms of having to spend time in prison or jail, and then who is underrepresented in terms of receiving services? And what are we prepared to do about it. All right.

Joe Lunievicz: There is something nice, is nicely said in support of what you're saying. I don't think you have to be an expert to learn how to respect people's pronouns, their identities, or their personhood. It's their own stuff that we show the basic respect of others different than us.

Kim Monique
Johnson:

Yeah, thank you for that. I love how you all kind of supporting each other, thank you. Because it goes back to the question, right. Do you have to fully understand every nuance of someone's gender identity, who they are, in order to help them, right. There were some resounding no, of course I can, right. Of course, we can help folks even if they are not fully understanding and even if there are other systems and structures in place that also don't understand who that person is. Yeah, so thank you for sharing that in the chat. I really appreciate lifting that up.

So, now, let's look more at some of the data again, some of the reasons why this is so challenging for some of our transgender and gender nonconforming folks. What do you see here from the Prison Policy Institute in terms of folks who identify as black, indigenous, people of color, BIPOC, right? These are folks who are disproportionately harassed by police. So, again, you know, all this is leading to the importance of why we want to make our programs welcoming and affirming, because the folks are out here, right. Folks are disproportionately being impacted.

And then looking at the differences along racial lines regarding lifetime rates of incarceration, right. So, we see again, when we talk about the equity work that I know many of you are doing, and looking at racial equity, right, it's also important to understand the intersections of those who are also transgender and gender identity. Intersectionality is the sort of like the double jeopardy or triple jeopardy when you take into consideration, right, rates of harassing by police or incarceration based on racial identity and now add onto it gender identity. And you can see how it can be so much more important for us to make sure we are not separating, but really helping people

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

in identifying folks who are needing our services based on those intersections.

Okay, now, let's look at substance use. I want to do this by again, having you listen to someone speak in her own words, right. And so, as I get ready to do this, just what are some of the things that you all are seeing that contributes to substance use for folks who are in your participants, I keep saying participants, for participants who are in your program who identify as transgender, gender nonconforming. What are some of the things that you are seeing as reasons why folks are using substances? What are some of those reasons? Anything coming through on the chat yet, Joe?

Joe Lunievicz: Someone is asking if they ask questions. But we've got trauma, past trauma, mental health issues, trauma, grief, family rejection, got a lot of trauma, shame, lack of family support, injuries.

Kim Monique Johnson: Yeah, yeah, thanks so much. So, let's hear an example. So, drop yes in the chat if you are familiar with the award-winning TV show that was on Netflix called, titled "Pose" that featured the lives of transgender folks living in New York City around the 1980s. So, Joe, are we getting anybody who recognizes that show?

Joe Lunievicz: Oh my god, we've got a lot.

Kim Monique Johnson: Got a lot, okay, all right. The reason why I want to lift this up is because I am going to show you one of the lead characters in that show, name is Dominique Jackson, transgender woman. And I want to show this because it's not all about the, the pain, the problems, and the pathology, right. I want to lift up the promise and the real, the yeah, the promise and the power that folks have, right. Even in spite of the trauma and the situations that led to folks using substances. So, I am going to show a couple of minutes of Dominique Jones.

[Video]

Dominique Jackson: Religion was always a part of of my life, but religion also frightened me. Those times I didn't feel like I didn't feel like I had any connection to God, even though I am religious, and I just didn't feel like He loved me or cared for me--

Bonnie Greenslade: I think we're just seeing your desktop right now.

Joe Lunievicz: Yeah.

Kim Monique Johnson: Okay.

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

[Video]

Dominique Jackson: --because I was told that I was an abomination for being myself. Years later, I got a phone call saying that one of the acolytes had passed away. It was from AIDS complications. And so, when I heard that the priest may have HIV, in my entire being, all I heard was run, run.

Narrator: By age 15, Dominique had experienced enough fear and abuse to last a lifetime. Now, she believed the only home she'd ever known seeking the one thing she needed the most: family.

Person: She came here to Baltimore. I said, "Okay, that's fine. You can stay with me." And basically, that's when let us know both his new lifestyle. It was a shock to everybody.

Dominique Jackson: I was being hot in the booty. Went Downtown Baltimore, snuck away from home. I needed to find a place that helped me find some kind of feeling that I was normal. I met this guy, taller than I was. And I'm standing there and I'm, "Yeah, are we going to go out?" And then here these people come, trans women. I didn't even know what trans was. But I'm thinking to myself, okay, something's different about them, and I relate to it. And they're like, "Oh, you're not dating him." "I don't know you." "No, you're not dating him." They told me he contracted HIV and the way that he dealt with it was to do this thing called gift giving. His idea was someone did it to me, so I'm going to do it to everyone else. And they held me, and they walked me away. But they were from Ballroom. Ballroom saved my life that night.

Kim Monique Johnson: That's just a snippet. You can watch the whole episode on Hulu. It's called "Defining Moments with Ozzie." So, just from that snippet, right, what did you hear as, again, contributing factors to the Dominique Jones, being at risk for using substances. Thanks, Joe, again, for lifting up what comes up in the chat.

Kim Monique Johnson: Yeah, what do you hear? What were some of the health and safety needs of being--

Joe Lunievicz: Being a—rejection from religion, no community or support, vulnerable, family rejection, misgendering, family trauma, rejection coming up a lot, self-loathing because of church, need for support, not being able to find it.

Kim Monique Johnson: Yeah.

Joe Lunievicz: Lack of education, housing, unworthiness, inadequate government support.

Kim Monique

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

Johnson: Yeah, really powerful, thank you for those, right. So, again, when we listen to the needs of transgender folks, right, and we listen to their experiences, we hear what's behind, right. We hear the trauma. We hear the isolation. We hear the rejection. And so again, the point I want to make, folks, when we hear this, it seems to me that this is so much more compelling, right, for us to use that to be intentional about providing the exact opposite, right, the exact opposite of isolation, to offering welcoming place, the exact opposite of rejection, to offer affirmation, right, the exact opposite of folks feeling like they have nowhere to turn that they can't be themselves. So, this is what we want to offer them next, right. So, what are some of those strategies then? Please let me know if I am sharing my screen or if I'm sharing my computer, all right, great. So, yeah.

So, would it be helpful to have culturally relevant strategies as a self-assessment to really help you, right, for those who say this is hard. And I get it, right. How am I supposed to remember or how am I supposed to like, you know, what am I supposed to say and do, what can I do in the constraints of my own practice and my own court, right. So, drop yes in the chat if something like a tool might be helpful to give you some of that language, give you the ability sort of check, you know, what it is you may need to really look at because you might not consider. So, I just want to know if there some energy there around you know, what skills assessment tool could look like for.

Joe Luniewicz: Just passed 20 yesses.

Kim Monique
Johnson:

Okay and the TGNC stands for Transgender and Gender Nonconforming, right, so again, more letters. My dear friend, Pat, would like her mind would be blowing right now. But again, thank goodness we've lived long enough where people can see and share and who they are, right.

All right, so what I am going to do now is share with you just a couple of these questions in this self-assessment tool. You can get the whole, you'll get the whole article with the full complete checklist. But let me just give you an example of what this looks like.

So, there is one section that is just based on ethics. So, think back to the first question we asked at the beginning of this webinar, in terms of you know, are you seeing, are you servicing participant, do you have colleagues, are you yourself out as a transgender or nonbinary person, right. The ethics that just simply says that at the very beginning, the baseline, almost like a doctor, right, first do no harm. So, the very beginning, this question is I do not knowingly engage in any behavior that is harassing or demeaning to persons based on their gender identity, based on their expression, their gendered preferences, interests, or behaviors. That's number one, right.

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

And then another example is working within your own boundaries. Can you answer yes or no to any of these questions, right. Do you work within your own boundaries of competence, or do you seek things that you know, you know what, I'm trained this way, and this is the way I'm going to treat everybody? Everybody is the same. Or do you knowingly seek appropriate consultations, some other trainings like this, to help you really understand the needs of transgender and gender nonconforming folks.

Another example from this checklist is going to focus on the environment. So, again, the setting, right. What does your treatment court look like? What are the policies and procedures, right, what do the intake documents say? Understanding or know different municipalities have different regulations and laws about what you can ask and what you can't ask. Invite you to think about how in the places that you can make make changes. How can you ensure that even for your employee contracts who again, you notice I'm not only talking about participants? I'm actually talking about your team, your staff, right. Who on your staff is welcomed in the firm to be who they are because they may also help bring in those participants who are in need of services? So, what do your forms look like and any other paperwork that requires documentation? Do you have a blank fill in the blank spot for people to add their gender and their pronouns?

What about your marketing materials? What does your website look like, right? How easy is it to get images of people who are gender nonconforming? Side bar, there is a website that a lot of us are using these days called Unsplash. You can find images there, free stock photos of folks who are representative of folks with different gender identities.

And what about the infamous question about the bathrooms? Does your organization have an all-gender bathroom Or is there a written statement that anyone can use the bathroom that aligns with their identity? Or maybe you have both? Yeah.

Joe Lunievicz: We have got one courthouse that says our courthouse has signs outside the bathrooms that say that you can choose the bathroom that matches your gender identity.

Kim Monique Johnson: Yeah, yeah, that's amazing. That's amazing, yeah. Sure. Because again, that's just not be reminded, right. For those of us who have the privilege of being cis gender, it's not a question of which bathroom we use and how safe we are going to be just to go to the bathroom. Yeah, so thank you for that. Appreciate that.

Speaking of bathrooms, right, I know this is also an important topic. What are your policies around to help me out with the language here, Joe, it's been a while. But what is your policy around giving urines and having to have the urine samples be observed. So, I may say that kind of awkwardly, right, but

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

in terms of, because there is a reason for it and I'm going to get to it in a moment. It is awkward, right. It's awkward to have to go into a bathroom and observe someone leaving a urine and maybe awkward for someone who is trans or gender nonconforming. Anything coming up in the chat around that Joe, in terms of whether or not people are having that challenge?

Joe Lunievicz: This is a huge, someone said the huge issue on topic. We've got a couple of questions just around this. We have tried to draft policies and statutes that are gender neutral but using they/there is difficult. It's an ongoing fight with the attorneys. Any suggestions?

Kim Monique Johnson:

Yeah, so, here is why I am going to refer back to what Joe said at the beginning that this webinar is a reflection of my thoughts and my position, and not the position of the Bureau of Justice Assistance, okay. And here is Kim Monique Johnson's thoughts on this, right, and I know this may be controversial. I go to another place with this, folks. I go to why are we, why do we have people observe anyway in the bathroom when they are giving urine. What is it that we are saying to our participants when we have someone go in and watch them give urine? And I know this is controversial. I know this is an issue. I know they have regulations around this. But I go to another place in terms of what's the psychological safety that we are saying or is available to our participants when we say, you know, we are not, we don't believe you, right. What does that say about our treatment programs that questions someone's truth regarding whether or not they've used a substance or not. What is it that says about whether or not they have to "lie" or use someone else's urine? What does that say about our ability to be accepting of you know, of what they may be going through, what may be the "relapse." And now, more specifically, what does that say about the truth where people who are transgender or gender nonconforming? What does that say about us questioning their truth, right. Because again, let's go back to what we've been talking about all along, how people have been discriminated against, challenged, based on who they are, and being challenged on based on them sharing the truth of who they are.

So, I submit to you that when we are focused on who is going to be in that bathroom observing someone giving urine, we are actually retraumatizing gender nonconforming and transgender people, right, or intersex people as well. People who have had to really battle with folks questioning their truth based on what their bodies look like. And so, I just offer that as a non-answer and an answer that is not as specific to, again, some of the policies that you have. And so, there is that.

And then there is always the universal question if that is something that you do need to do, ultimately what we would recommend is ask the person who they feel most comfortable with. And when you ask someone who they feel more comfortable with, what you're doing is you are centering their safety.

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

You are centering their comfort. Because they are the ones in the program. They are ones in need of that kind of support.

So, thank you for allowing me to be on my soapbox around that. Again, these are my thoughts. Anything else coming up in the chat there, Joe?

Joe Lunievicz: Oh my god, it's overflowing. I'm going to take a couple for you.

Kim Monique Johnson: Okay.

Joe Lunievicz: People are in danger in bathrooms even if it is a just a gendered presentation. It's not what people think it should be. We've got folks who used oral swabs if they were uncomfortable. We've got we let our clients pick which, whichever gender and we ask which staff is okay. We are to ask persons who they prefer to watch them, but then we have staff who feel their rights are being violated. Tampering is some concern. Devices are concern. Chain of custody is an issue. Go ahead.

Kim Monique Johnson: Thank you, yeah, no, thank you, Joe, appreciate that. And again, what's so great is that you all are really chiming in, and you are getting different perspectives and different examples of how you are managing this, right. What folks are doing and the different variations that folks are using in order to respect that process. So, thank you for that. And I really just want to come back to one of the things you lifted up, Joe, in terms of again bathroom safety. At the core of it, that's what we're talking about, bathroom safety for the participants, yeah. Thank you so much.

So, as we wind down, let me just go back to I think another question that came up again around pronouns, right. And so, you see this quote here that I just, again, want to keep lifting up in terms of what we can do to signal that someone's gender identity and their pronouns are welcome. And for some who may say I can't keep track, I am just call you by your name. That actually is a way to misgender, right. And in some places that's actually considered, that actually is sexual harassment. So, if you don't use the gender pronoun of the person who is telling you their gender pronouns is what it is and you are misgendering, you may have a different problem on your hands.

And the quote here is similar to again, let's go back to what we have been learning and exploring around racial equity, right, inclusion, right. So, we know that saying I don't see color is not supportive and welcoming and affirming. By saying, you know, just going to like ignore someone's pronouns because it's too much to remember, that's also not welcoming and affirming.

So, I'm going to show one more video around pronouns and see if that helps a little bit with some of the what folks have been talking about. And again,

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

Joe, while you please do the honors of just checking chat for me while I do the set up.

Joe Lunievicz: Yeah.

Kim Monique Johnson: See if anything is coming through. You let me know. Are you seeing my screen?

Joe Lunievicz: Yeah, you're all set.

[Video]

Person: You can call me he. You can call me she. You can call me Regis and Cathy Lee.

Person: Simple, pronouns are not hard, but people's understanding of them apparently is.

Person: Simple.

Person: Simple, you know, I just feel like I'm not stabbing myself in the leg every seven days with testosterone for them to call me she.

Person: Respect. I think it's always important to ask someone what they use, what honors them, and to use that.

Person: Gender, the way people look isn't necessarily descriptive of who they are inside.

Person: It's difficult as someone who considers themselves nonbinary. I have a lot of trouble interacting with people who have never interacted with someone who uses they/them pronouns.

Person: When people hear that I use he/she and they pronouns, I think they get a little bit nervous because what if they start using one pronoun and then they say a different pronoun in the next sentence, then everyone will think they messed up.

Person: He, she, it, they, it's just the words.

Person: I don't like it when people call me a he. I feel like they need to be corrected right on the spot.

Person: When someone knows about my fluidity and chooses a pronoun that resonates well with me in the moment, hey.

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

Person: He, to educate oneself about who you let into your life and how they want to be identified.

Person: Useful, if anything, I would be more hung up on the, on the needs some people feel they attached preferred that could give people an inaccurate idea of what being trans is because my pronouns aren't preferred. They just are because my gender is not you know, a desire that I have or like a wish or something. It's who I am. It's just part of me.

Person: Useful. I mean it's, it's easier to talk to somebody when they know how to address you.

Person: Feel good about pronouns. It feels great to have the ability to choose your own pronouns.

Person: Constant. That is a thing that I constantly have to fight for. All my friends and family are on board, so I don't have to worry so much, but I always worry about what pronouns strangers are using for me in their heads, which is really just a silly thing I should not even be thinking about.

Person: Individuality, given that they might not know how to address you unless you tell them or if they ask and you answer them.

Person: I would say patience would be the word I think of. When somebody miss, you know, uses my pronoun, I don't get angry. I just recorrect them and help them really understand, you know, the importance of how misusing somebody's pronoun could be offensive.

Person: Identity, and you better get it right. In the workplace, people who persistently misgender you are actually guilty of sexual harassment. So, what's more important, how you see me or respecting how I see me.

Kim Monique

Johnson: Thank you for that. Mindful of time, so I do want to just check in to see where we are. Anything coming up in the check, just again wondering you know, what's a takeaway as you listen to folks talk about pronouns?

Joe Luniewicz: We've got all kinds of responses. Let's see, pronouns and gender are not the same. They do not have to match. Asking someone their pronouns is fine and it can help to share yours first but asking someone their gender could be invasive if you don't have a legitimate reasons for asking that. That's interesting. Pronouns are difficult, especially when we somehow manage to remember their names, drug of choice, instant offenses, non-associates, workplaces, partner's names, make and model of vehicle, criminal handle, and 100 other pieces of information just fine.

Kim Monique

Gender Identity and the Participant of Transgender Experience in Treatment Courts
June 9, 2022 – Webinar

Johnson: Wonderful, thank you so much. Thank you so much. I just want to end with sharing this image of this person who gave a recent talk about gender identity and when they did, it was mind blowing. Randall Leonard is a Licensed Clinical Social worker in the Maryland area working with transgender and gender nonconforming people. They identify as nonbinary. And so, again, just to end in the words and the image of folks who are living these lives so openly and as an inspiration for all, particularly for your participants who may be struggling and need to see representation of themselves. So, I believe I am at time. I am going to stop there and say thank you very much. Joe, I think I need to kick it over to you for the next piece.

Joe Luniewicz: Okay, we've got our posttest which will come up our five questions. Bonnie, are we all set? And there it is. So, this is a chance to kind of meditate on where you were when you first came in, into the virtual space, and then where you are now after an hour or so with Kim Monique, with thought provoking information, discussion.

I do have a question for you if you want to answer one more while we're waiting. This has been in the chat box, I mean in the question box for a little bit. Oftentimes we see trans and nonconforming folks especially use being at risk for being discriminated against within public policies. What can we do to best advocate for them in these situations, locally, state, nationwide?

Kim Monique
Johnson:

That's a good question. You know, it reminds me of a slide we didn't get to in terms of this is being Pride month, right, and it makes me think the origins of Pride month were all about protests. And so, there is a meme going around that says people think Pride is rainbows and parades. But what it really is is activism, right, it's protests. This is dismantling discrimination, discriminatory policies. So, what I would say is to engage those who are most impacted, most affected. There are activist communities out there, right. And so those are the ones that in which we can support, and those are the ones we can really look to for looking it dismantles some of those discriminatory practices and systems. Let's see if we can find that as we head out. But in the meantime, thank you.

[End of video]