

STATE OF MICHIGAN



GRETCHEN WHITMER, Governor

MICHIGAN CIVIL RIGHTS COMMISSION

RESOLUTION

RESOLUTION IN SUPPORT OF LEGISLATION FACILITATING THE OFFICIAL SELECTION AND DECLARATION OF IDENTITY

WHEREAS the Michigan Civil Rights Commission is a public body established under Article V, Section 29 of the Michigan constitution, which vests the commission with the power “to investigate alleged discrimination against any person because of religion, race, color or national origin in the enjoyment of the civil rights guaranteed by law and by [the] constitution, and to secure the equal protection of such civil rights without such discrimination”; and

WHEREAS the Michigan Elliott Larsen Civil Right Act prohibits discrimination based on gender identity; and

WHEREAS LGBTQ+ citizens have the legal and moral right to the enjoyment of the privileges and opportunities afforded other citizens of Michigan; and

WHEREAS the selection and declaration of gender identity is an essential expression and exercise of a person’s inherent civil and political right to “life, liberty

and pursuit of happiness”, and which serves as the foundation for the affirmation of being; and

WHEREAS according to a report entitled “Early Insights: A Report of the 2022 U.S. Transgender Survey” from the National Center for Transgender Equality, more than 20% of trans and nonbinary people reported that they were discriminated against for showing documents that did not match their presentation; and

WHEREAS according to a report entitled “The Report of the 2015 U.S. Transgender Survey” by the National Center for Transgender Equality, only 11% of trans individuals reported all their identification documents had an accurate name and gender marker; and

WHEREAS according to a report entitled “Gender Marker Changes on State ID Documents – State-Level Policy Impacts” from the UCLA School of Law Williams Institute, 78% of transgender Michiganders lacked accurate identification due to burdensome and costly requirements for updating one’s name and gender designation prior to policy changes beginning in 2019 by the Michigan Secretary of State; and

WHEREAS availing oneself of governmental privileges and opportunities to officially declare one’s gender identity should not be subject to the limitations of antiquated notions of gender identity that are inconsistent with current laws and prevailing rational sentiments; and

WHEREAS the citizens of the State of Michigan have, through the expansion of the Elliott Larsen Civil Rights Act, affirmatively recognized and protected multiple expression of gender identity; and

WHEREAS certain current Michigan laws that facilitate and dictate how a person’s gender identity is established for governmental and other purposes, is incongruous with the civil rights laws of Michigan and evolving notions of gender identity; and

WHEREAS the Michigan Legislature has before it several proposed Bills, including House Bills 5300, 5301, 5302, and 5303, that amend laws pertaining to changing one’s legal name, designation of gender on a vehicle operator’s license and chauffeur’s license, designation of gender on an official state personal identification card, and designation of sex on a certificate of birth, respectively; and

WHEREAS these proposed amendments are designed and intended to respect the right of self-determination and self-identification as embodied in the Elliott Larsen Civil Rights Act and Michigan law interpreting the same, remove legal barriers and promote the inclusion and acceptance of the transgender community into the larger Michigan community of tolerant and respectful citizens; and

WHEREAS the Michigan Civil Rights Commission, in observation of and in deference to its constitutional mandate, embraces all legislative attempts to protect and facilitate the civil rights of Michigan citizens; and

THEREFORE, IT IS RESOLVED that the Michigan Civil Rights Commission hereby supports and recommends passage of the aforementioned legislation and that it be signed into law, and commends the Michigan legislature to the continued vigilant protection, facilitation, and expansion of civil rights for the citizens of Michigan; and

IT IS FURTHER RESOLVED THAT this resolution be provided to the Sponsors of each individual bill, Speaker of the House, Speaker Pro Tempore, Majority and Minority Leaders of the Michigan House of Representatives, Senate President, President Pro Tempore, Majority and Minority Leaders of the Michigan Senate, and Governor Gretchen Whitmer.



Passed on Monday the 29th day of April 2024, by the
MICHIGAN CIVIL RIGHTS COMMISSION

Commissioner Gloria E. Lara, Chair

Commissioner David Worthams, Vice-Chair

Commissioner Luke Londo, Secretary

Commissioner Portia Roberson

Commissioner Zenna Faraj Elhasan

Commissioner Rosann Barker

Commissioner Regina Gasco