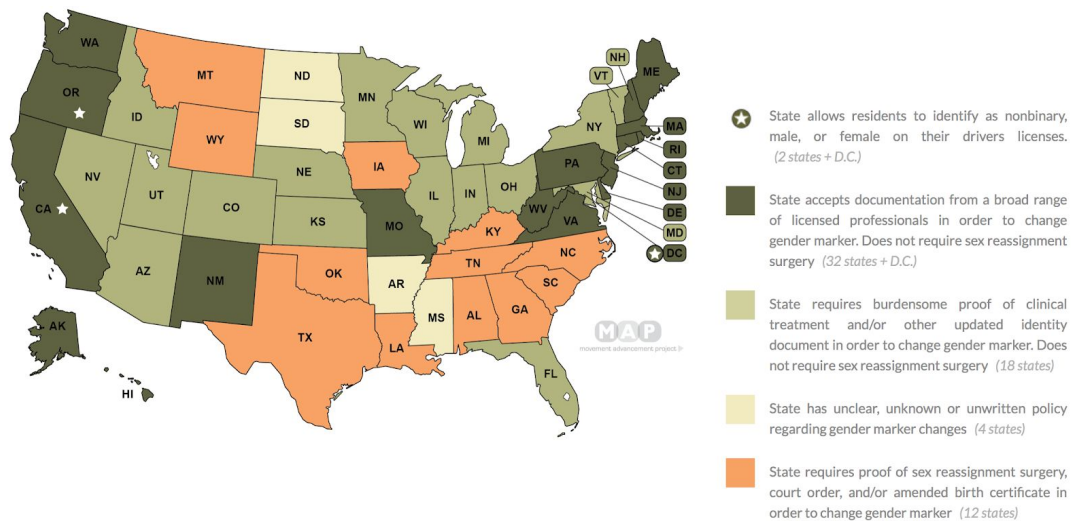


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Reclaiming the Right to Vote:  
Transgender Inclusion Training for Poll Workers

The University of California, Los Angeles' Williams Institute estimates that in the United States there are roughly eight million adults who identify as lesbian, gay, or bisexual, as well as 700,000 self-identifying transgender adults (Kimberly 2015, p. 74). Unfortunately, because trans people make up less than an eighth of the LGBT community, "transgender policies are rarely discussed on their own terms. Instead, they are often lumped together with policies related to gay rights" (Lewis et al. 2014, p. 155). As a result, most people are under the incorrect assumption that since the gay rights movement has progressed so impressively over the past two decades, trans rights have similarly progressed. In reality, grouping all members of the LGBT community together often leaves trans people overlooked in both studies and advocacy campaigns (Taylor and Lewis 2014, p. 109). The trans community is so often left out of LGBT narratives that many citizens of the United States are unaware that trans individuals are not legally protected from workplace discrimination in thirty states ("Non-Discrimination Laws" 2018); "Transgender non discrimination statutes are particularly hard to pass because they are contentious...discourse shifts to morality politics or access to sex-segregated facilities, which eventually leads to resistance to the entire bill or the omission of transgender individuals as a protected class" (Sellers 2014, p. 190). Due to the omission of trans advocacy from the larger LGBT narrative, members of the transgender community often struggle to exercise even their basic civil right of safely voting in an election.

While voting is a constitutional right afforded to every able-minded, law-abiding adult citizen of the United States, trans individuals have a more difficult time casting their votes than others do, in large part, to prejudice, ignorance, and exclusion. In early 2016, thirty-four states implemented strict photo identification laws, which require their residents to present a photo ID upon arrival at the polling venue (Brydum 2012). These laws were allegedly established to prevent voter fraud; however analyses have concluded that voter fraud in elections has occurred only ten times since the year 2000 (ibid.). Voter ID laws that are issued in certain states have already been struck down by federal courts since they “disproportionately affected immigrants, the elderly, people of color, the poor, [and] women” (ibid.). These bills also have an extremely negative impact on the trans community since changing one’s name and gender marker on a photo ID can be a long and expensive process that varies from state to state; “transgender individuals...face the challenge of a legal gender transition, which is further augmented due to each state having its own policy on permitting transgender citizens to obtain these documents” (Kimberly 2015, p. 74).



State-by-state policies for changing the gender marker on one’s driver’s license (“Identity Document Laws and Policies” 2018).

As a result of the difficulty involved with changing one's photo identification, many trans individuals who have physically transitioned do not have updated IDs to match their new names and appearances (Identity Document Laws and Policies 2018). Arli Christian, spokeswoman for the National Center for Transgender Equality, told the Thomson Reuters Foundation, "A transgender voter may show up at the poll with a valid ID, however if they have not been able to update the gender marker or photo on that ID, a poll worker may be confused and refuse them a ballot" (Malo 2016). Most poll workers do not have experience interacting with trans people and are often ignorant to the barriers associated with legally changing one's identification records. Consequently, many poll workers who encounter trans voters and their identification documents think the voter is trying to deceive them with "dishonesty about their identity" (Kimberly 2015, p. 80) in order to commit voter fraud. This usually results in the trans person being turned away from the polls, the police being called, or violence from transphobic poll workers or onlookers.

Intimidated by these potential scenarios, "transgender people may avoid the polling place because of a lifetime of experience associated with harassment and violence at the hands of government officials, lack of adequate identity documents...or a whole host of other factors" (Kreider and Baldino 2016, p. 413-15). In fact, forty percent of transgender respondents to a 2011 survey by the National Center for Transgender Equality said they were "harassed when they presented an ID that did not match their gender identity" (Malo 2016). The possibility of harassment at voting centers causes many trans people to forgo voting, while those who are able and determined to participate send in an absentee ballot. While this may seem like a viable solution, the Transgender Legal Defense & Education Fund's Jillian Weiss insists, "Let's not forget that this is a workaround for the equal protection of the laws that people are otherwise

entitled to” (Malo 2016). The Williams Institute has predicted that at least 25,000 trans people do not have an updated photo ID in the thirty-four states with strict photo identification laws and thus may be turned away at the polls in 2018. While 25,000 disenfranchised people will not change the outcome of an election, members of the transgender community deserve the same voting rights as cisgender U.S. citizens.

Being able to vote is especially important in today’s political climate. Policies such as the “Bathroom Bill,” banning trans individuals from using public restrooms that correlate to their gender identity (“‘Bathroom Bill’ Legislative Tracking” 2017), and the “Military Service by Transgender Individuals” memorandum, banning some transgender people from serving in the military (“Military Service by Transgender Individuals” 2018), directly affect the lives of transgender individuals and many threaten their basic human rights. Members of the transgender community also experience employment discrimination, lower incomes, police bias, and increased rates of homelessness and incarceration, so it is essential for them to be able to advocate for themselves through the democratic process (Kreider and Baldino 2016, p. 413-15). Exclusively allowing people who do not understand trans experiences weigh in on potentially life-changing decisions is absolutely unacceptable. Trans people must be able to vote.

One of the most prominent transgender advocacy organizations in the United States is the National Center for Transgender Equality (NCTE), which aims to combat discrimination and violence against the transgender community by educating the general public about trans people (“History: The National Center for Transgender Equality” 2018). Working at the local, state, and federal levels, the NCTE maintains a powerful presence protecting and improving the rights of transgender people. The NCTE has achieved many impressive victories, such as playing an

instrumental part in the signing of the first federal law protecting transgender people from hate crimes and lobbying for transgender inclusion in the Employment Nondiscrimination Act (“History: The National Center for Transgender Equality” 2018).

Though the NCTE has yet to motivate legislation to benefit the voting rights of transgender individuals, their website offers a myriad of resources and information on the trans voting process. The page, “Voting While Trans: Preparing for Voter ID Laws,” provides suggested materials for transgender people to bring with them to the polls, such as a voter registration card, a utility bill (to reference the area in which they are registered to vote), and other identification methods (“Voting While Trans: Preparing for Voter ID Laws” 2014). If, despite having the proper documentation, one still faces complications at the voting booth on election day, the NCTE provides the National Election Protection Hotline phone number, 1-866-OUR-VOTE, for transgender voters to call for assistance (ibid.). The hotline operators speak to the poll workers, explain the laws surrounding transgender voters, and advocate for the individual to be able to vote (ibid.).

The advocacy work of the NCTE directly aligns with our goal of increasing the number of transgender voters the United States. In order to achieve this goal, we must make the voting process both safer and easier for trans voters. To do so, we propose to work with the NCTE to produce a training website with video modules that will teach poll workers the correct protocol for checking in transgender voters. Trans individuals already face an inordinate amount of social and political barriers, and voting should not be one of them.

According to current protocol, poll workers are trained extensively on their state’s voting operations. In the District of Columbia, for example, poll workers are required to complete at

least 4 hours of training, receive certification by the Board of Elections & Ethics, and sign an oath to honestly and promptly perform the duties required (United States Election Assistance Commission 2016, p. 31). Training tends to rely heavily on the election equipment and in states with voter identification laws, on how to properly assess authentic identification documents:

Poll workers are relied on to perform a number of duties. They must inform voters about using election technology, verify the voting eligibility, and assure that the polling place operates smoothly. And in each locality, there are most likely provisions that are working well and lessons to be learned as to what could be improved upon. (The Importance of Poll Workers: Best Practices and Recommendations 2008)

Poll workers' responsibility to verify voter eligibility means that they hold the power to turn away transgender voters. Through our transgender inclusion training module, we aim to educate poll workers on the concept of gender identity and how transgender people may have conflicting information on their voter registration or identification cards.

We will create a series of gender identity training videos including: an introduction to gender identity, transgender political issues, discrimination, voting barriers, and proper protocol for checking in a transgender person at the voting center. Our videos will feature transgender and non binary individuals of all ages sharing their stories and encouraging the viewers to see their perspective with the aim of increasing poll workers' sympathies and reducing prejudice toward transgender people. Although these will not be in-person trainings, watching a personal video of a "real-life" trans person articulating the barriers and stigma they face may reduce the poll workers' prejudices, uncertainties, and/or fears. Unfortunately, this solution does have its limitations. We cannot require states or precincts to adopt new poll worker requirements, but by partnering with the NCTE, we will be able to better market this training module and encourage communities to present the videos to all poll workers during their pre-election mandatory group

training. We truly believe that this module has the potential to ameliorate the voting experience for transgender individuals.

The proposed poll worker trainings will both be influenced by and contribute to political socialization research in a variety of ways. First and foremost, these trainings incorporate Gordon Allport's well-established Contact Theory, which "holds that contact between two groups can promote tolerance and acceptance" (DeAngelis 2001). By incorporating trans individuals' stories into the informational videos on the training website, poll workers will learn about specific experiences and struggles of trans people, which will ideally help them become more sympathetic towards members of the trans community. When a poll worker who has seen the training video checks in a trans person to vote, they will hopefully have a new perspective on what it means to be trans and will know the correct protocol when asking for a photo ID.

These trainings also involve peer-to-peer socialization theory, which is tangentially related to contact theory. The peer-to-peer theory argues that one is able to learn more effectively and become more engaged with a topic when a peer is teaching the material (Shea and Harris 2006, p. 342). According to Shea and Harris' 2006 study, "Benefits often attributed to peer-based learning are the development of skills related to collaboration, a deeper level of reflection and collaboration, exploration of new ideas, and the relatively modest costs for such programs" (ibid.). Trans people of all ages will be incorporated into the training videos, so no matter the age of the poll worker watching, they will have an on-screen peer to relate to and learn from.

These trainings are not only heavily influenced by past political socialization research, but they also provide an opportunity for unprecedented studies of the transgender community and the public's perception of transgender individuals. As previously mentioned, there has been

a lack of research on all aspects of the trans community; “Very little is known about the public’s political opinions on transgender individuals’ rights due to the lack of studies that have teased apart the issues related to the transgender community from lesbian and gay concerns” (Kimberly 2015, p. 73). Once the the trainings become well-established, the poll workers who take them will constitute a viable sample for a plethora of in-depth studies.

Most importantly, the proposed poll worker trainings stem from a glaring need of the transgender community- the need to be able to vote without being unlawfully turned away or experiencing harassment. It is unacceptable for a group of already marginalized people to also be disenfranchised. Now more than ever, political candidates and the populace are forming strong stances on transgender rights, and citizens vote not only for representatives, but also for ballot measures that directly affect the lives of trans people. For instance, the Gender Identity Anti-Discrimination Veto Referendum will be on the ballot in Massachusetts in the 2018 midterm election (“Massachusetts 2018 Ballot Measures” 2018). Members of the transgender community must be able to safely vote in order to have a say in their future. As Arli Christian of the National Center for Transgender Equality tells the Thomson Reuters Foundation, “It’s a shame that a trans person would have to put themselves at risk of scrutiny, harassment, discrimination to exercise something as basic as their right to vote” (Malo 2016). The first step towards stopping this cycle of violence and gatekeeping is to implement transgender inclusion trainings for poll workers on how to best assist trans individuals in carrying out the civil right afforded to every eligible United States citizen: the right to vote.



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