

# **Identity Documents Information Privacy and Transgender People**

**John Otto, MLIS**

- **Who I am...**

## John Otto

- Master of Library and Information Science
- BA in multidisciplinary gender/sex studies
- former Privacy and Documentation Program Manager,  
National Center for Transgender Equality  
Washington DC
- activist

# Introduction

- **Purpose/Goal**

**Demonstrate government intrusion  
and regulation of trans lives**

**“Canaries in the mine shaft”**

**Preparation for the Information Age**

**Introduction**

- **Purpose/Goal**

**“what is left out of academic accounts of transsexuality is any real understanding of what everyday life is like for transsexuals”**

**Vivian Namaste**

## **Introduction**

- **Terminology**

**transgender**  
original meaning  
umbrella

**transsexual**

**trans**

**transpeople**

**Introduction**

- **Overview**

1. Information Age and Information Privacy
2. Transgender Identity Documents
3. Intersection of the Information Age and Transgender Documents
4. What Can We Do?
5. Q & A

# Introduction

- **Disclaimer:**

**not legal advice**

**not a legal Q & A**

**Introduction**

# **Information Age and Information Privacy**



- **What is privacy?**

“the more general right of the individual to be left alone”

Warren and Brandeis, *The Right to Privacy* (1890)

**Information Age & Information Privacy**

- **What is the Information Age?**

databases  
databases  
databases  
databases  
databases  
databases  
databases  
databases  
**Databases!**

**Information Age & Information Privacy**

- **What is the Information Age?**

**Unprecedented capacity to**

access

store

retrieve

organize

copy

process

**INFORMATION**

**Information Age & Information Privacy**

- **What is the Information Age?**

# **Revolution!**

**Information Age & Information Privacy**

- **Upside...**

Access to information

Connection with individuals & communities

- vast information grounds
- Trans community

**Information Age & Information Privacy**

- **Downside...**

“an ever-growing series of records is created about almost every facet of a person’s life”

Daniel Solove  
*The Digital Person: Technology and Privacy in the Information Age* (2004)

## **Information Age & Information Privacy**

- **Downside...**

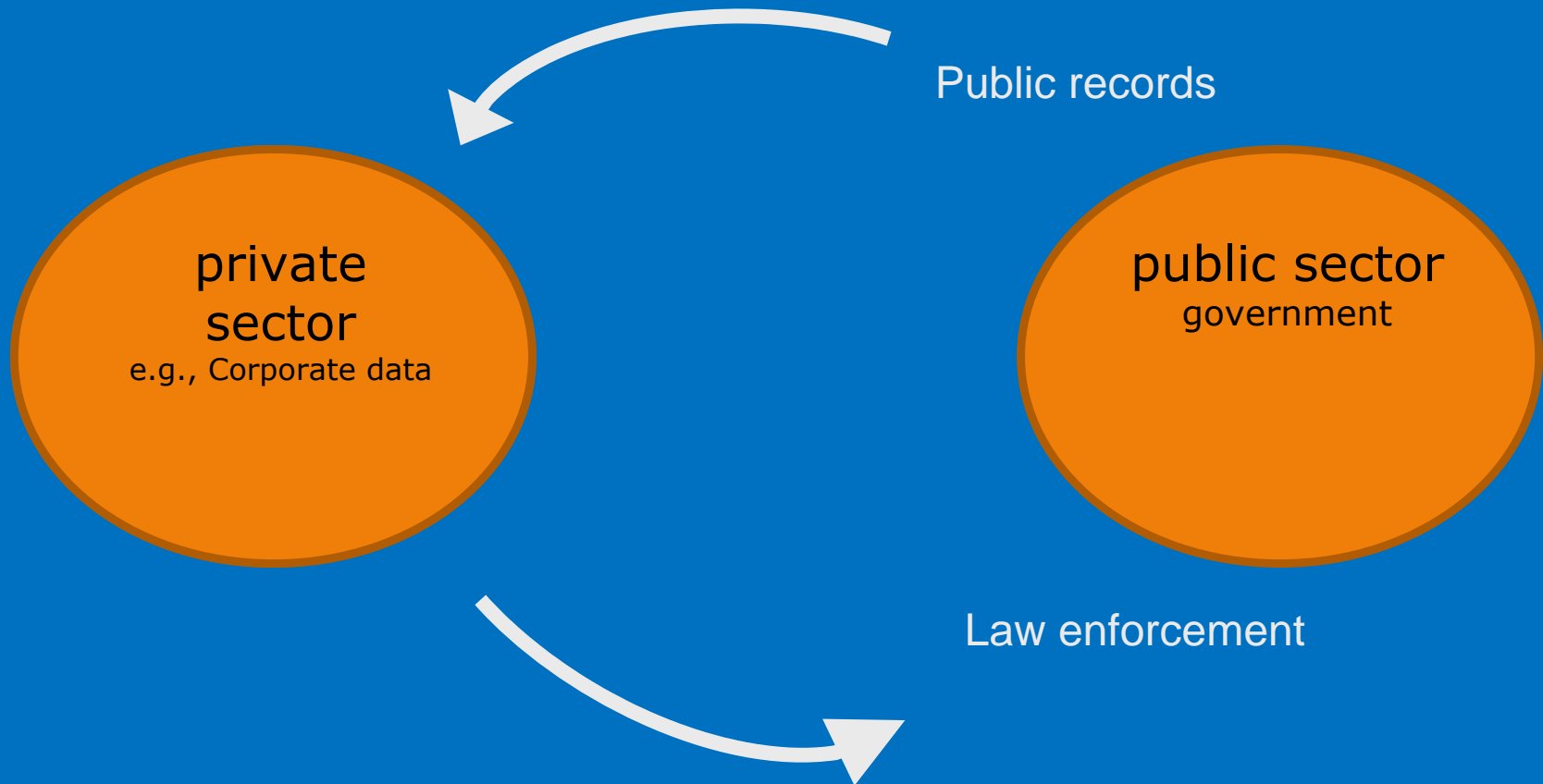
Digital biography

...or dossier

shards of data, assembled and analyzed

**Information Age & Information Privacy**

- **Information Flow**



# Information Age & Information Privacy



# • Information Flow

## Conceptualizations of privacy

### Orwell's *1984*

- malicious
- spying

### Kafka

impersonal  
bureaucracy gone  
amuck

### Panopticon

self-censored behavior

# Information Age & Information Privacy

# Transgender Identity Documents...

What are the rules?

- **What are the rules?**

## **Name changes**

file name change petition with local court

Driver license/state ID

Birth certificate

Social Security records

Passport

Others

## **Transgender Identity Documents**

- **What are the rules?**

Name changes

## **Driver license/state ID**

policies vary by state

medical evidence often required

Birth certificate

Social Security records

Passport

Others

## **Transgender Identity Documents**

- **What are the rules?**

Name changes

Driver license/state ID

## **Birth Certificate**

policies vary by state

medical evidence always required (SRS)

court orders sometimes required

Social Security records

Passport

Others

## **Transgender Identity Documents**

- **What are the rules?**

Name change

Driver license/state ID

Birth certificate

## **Social Security records**

letter from surgeon confirming SRS completed

Passport

Others

# **Transgender Identity Documents**

- **What are the rules?**

Name changes

Driver license/state ID

Birth certificate

Social Security records

## **Passport**

letter from surgeon confirming SRS completed  
provisional passport available

Others

# **Transgender Identity Documents**

- **What are the rules?**

Name changes

Driver license/state ID

Birth certificate

Social Security records

Passport

## **Others**

- School transcripts
- Bank accounts
- Professional certifications
- Military discharge papers
- Credit reports
- More...

# **Transgender Identity Documents**




- **What are the challenges?**

## **Policies**

- increasingly restrictive
- misunderstand gender transition

# **Transgender Identity Documents**



**Intersection of The Information Age  
and  
Transgender ID Documents**

- **Databases**

Government data verification and data aggregation

- ❖ **REAL ID Act**
- ❖ **Social Security No-Match Letters**
- ❖ **Voter ID laws**
- ❖ **Department of Motor Vehicles (SSOLV)**

**Plus...acquisition of data from private sector**

**intersection Transgender Identity Documents information age**

- **Example: Indiana**

## **Indiana Bureau of Motor Vehicles**

November 2007 – SSOLV

## **Indiana Voter ID Law**

Supreme Court case requiring government ID for voting

**intersection** Transgender Identity Documents **information age**

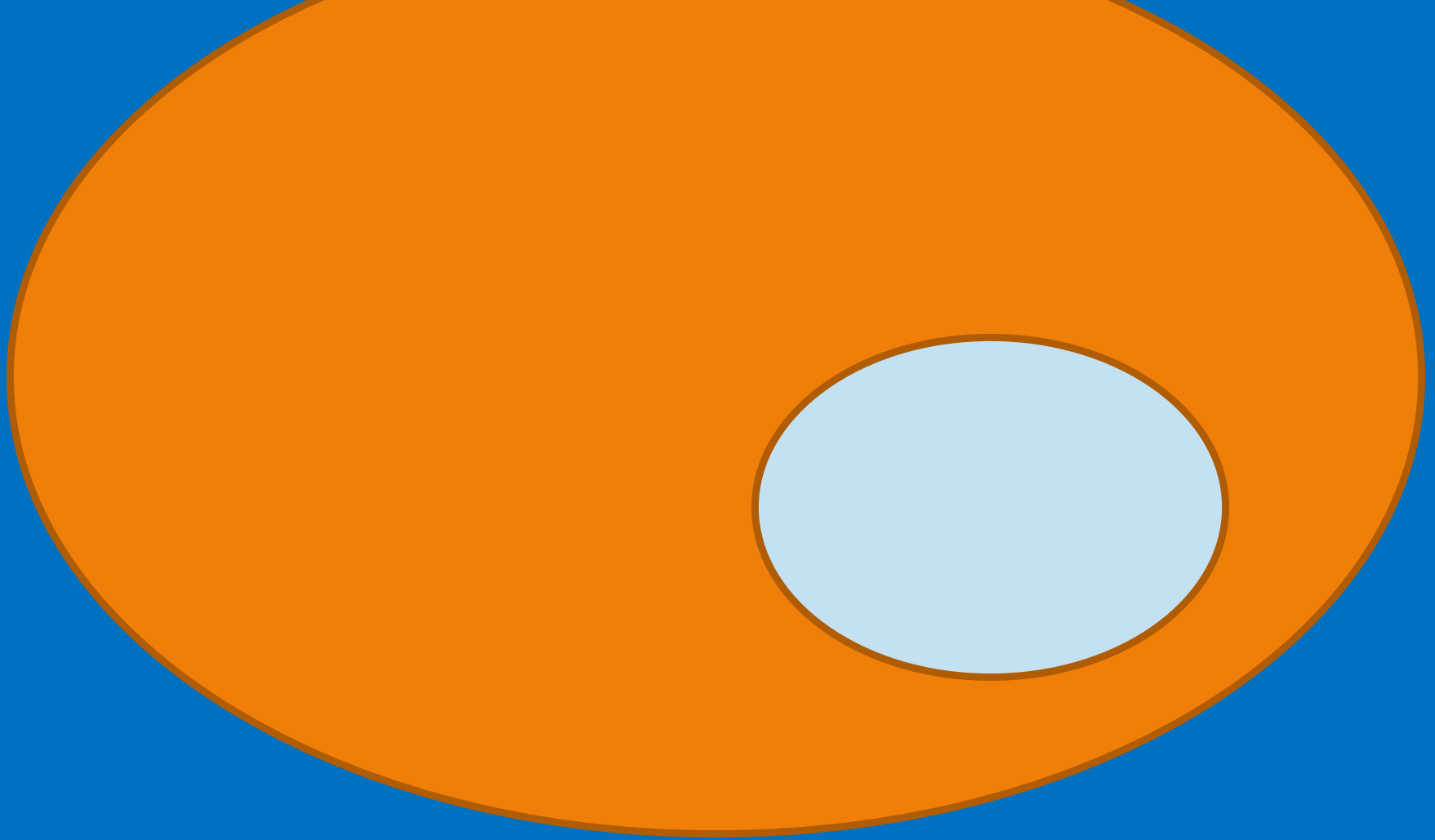
- **Air Travel**  
& international travel

**passports**

**full body scans**

**biometrics**

**intersection** Transgender Identity Documents **information age**



**What can we do?**

- **Personal actions**

**develop information savvy**

**control your information**

- “loyalty” shopping cards (e.g., Safeway cards)
- product registration cards
- online registrations
- contest registrations
- opt-out and opt-in
- Facebook, etc.
- search engine results

**What can we do?**

- **Activist actions**

**Urge your state to resist REAL ID**

**Work with local, state, and national organizations**

**Promote policies that protect info privacy**

Research surveys, questionnaires, etc. (gratuitous data collection)

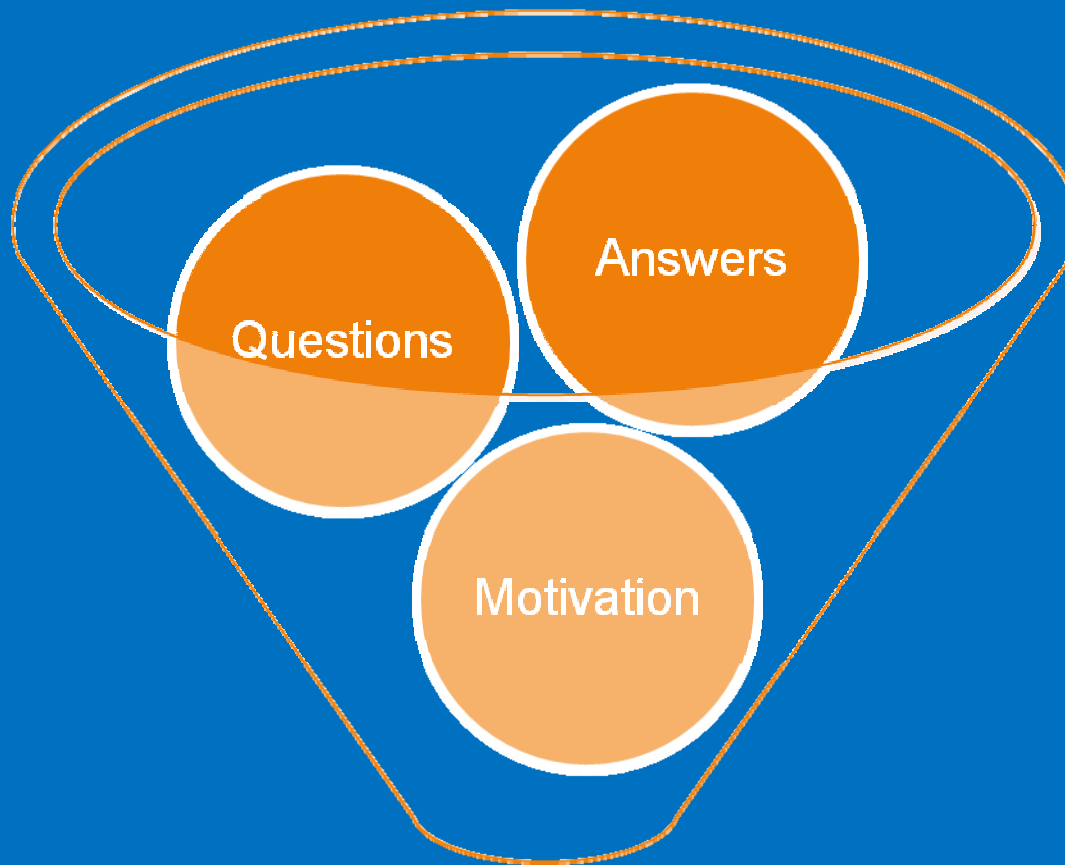
Regard gender data as private medical info

**Get your ID documents in sync!**

**Know when NOT to act** (avoid backlash)

**What can we do?**





**Creating Change**

**Q & A**