

Position Statement on Discrimination Against Transgender and Gender Diverse Individuals

Approved by the Board of Trustees, July 2018

Approved by the Assembly, May 2018

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“Policy documents are approved by the APA Assembly and Board of Trustees. . . . These are . . . position statements that define APA official policy on specific subjects. . . .” – *APA Operations Manual*

Issue:

Being transgender or gender diverse implies no impairment in judgment, stability, reliability, or general social or vocational capabilities; however, these individuals often experience discrimination due to a lack of civil rights protections for their gender identity or expression. As a result, transgender and gender diverse persons face challenges in their marriage, adoption and parenting rights, are regularly discharged from uniformed services and/or rejected from enlisting due to their gender identity, and have difficulty revising government identity documents. Incarcerated transgender and gender diverse persons suffer risks to their personal safety and lack access to comprehensive healthcare. Furthermore, transgender and gender diverse individuals may be inappropriately assigned space in gender-segregated facilities such as inpatient psychiatric units, homeless shelters, and residential treatment programs. Transgender and gender diverse people are frequently harassed and discriminated against when seeking housing or applying to jobs or schools and are often victims of violent hate crimes.

The APA declares in its vision statement that it is, “the voice and conscience of modern psychiatry.” Thus, this position statement is relevant to the APA because discrimination and lack of equal civil rights is damaging to the mental health of transgender and gender diverse individuals. In addition, APA’s values include “advocacy for patients.” Speaking out firmly and professionally against discrimination and lack of equal civil rights is a critical advocacy role that the APA is uniquely positioned to take.

Position:

Therefore, the American Psychiatric Association:

- 1. Supports laws that protect the civil rights of transgender and gender diverse individuals**
- 2. Urges the repeal of laws and policies that discriminate against transgender and gender diverse individuals**
- 3. Opposes all public and private discrimination against transgender and gender diverse individuals in such areas as health care, employment, housing, public accommodation, education, and licensing**
- 4. Declares that no burden of proof of such judgment, capacity, or reliability shall be placed upon these individuals greater than that imposed on any other persons**

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