

## REPLY TO CITY OF LARGO PRELIMINARY RESOLUTION NO. 1924

### INTRODUCTION

Steven Stanton has worked for the City of Largo for 17 years and has served as the City Manager of Largo for 14 years. Throughout his tenure, Mr. Stanton has been an extraordinarily dedicated, effective, and innovative leader and has worked in close partnership with the City Commission and others to help make Largo a vibrant, thriving, and healthy city.

As has now been made public, for the past few years, Mr. Stanton has sought out professional medical advice and treatment for gender dysphoria, the medical diagnosis given to persons who are transgender. In consultation with his treating physician and counselor, Mr. Stanton has carefully followed the medical standards of care in this area, which require extensive counseling and preparation for the medical process of sex-reassignment. Mr. Stanton has also followed the professional guidelines developed by legal and human resources experts for transitioning in the workplace. In accordance with the best practices developed by these experts, Mr. Stanton disclosed his transgender status to the Mayor and worked with her to develop a detailed written plan to inform the Commissioners and other personnel and to address various issues that might arise.

Unfortunately, as Mr. Stanton was carefully following these recommended steps and preparing to share this sensitive information with the Commission, news of his transgender status was leaked to the press and made public prematurely. This unexpected development was not only unwelcome and painful, it prevented Mr. Stanton from disclosing this highly personal news to the City Commissioners in the careful manner he had planned. Mr. Stanton has deep respect for this body and sincerely regrets the abrupt manner in which the Commissioners learned that he is transgender, without the benefit of sufficient preparation or information. He appreciates this

opportunity to provide the Commission with some of the information that was not available to them on February 27 and that he had intended and prepared to share with each of the Commissioners in a more private setting. Mr. Stanton understands that, despite much progress in the public understanding and acceptance of transgender people, this is a new and, at least initially, disconcerting issue for most people. He very much hopes that this information will help to answer some of the Commission's questions and alleviate any concerns about his continued ability to serve this City and its residents.

In particular, Mr. Stanton wishes to address the Commission's preliminary decision, as reflected in its preliminary resolution of February 27, 2007, that the "City Commission finds it to be in the best interests of the residents of Largo, and hereby states its intent, to terminate the Employment Agreement between the City of Largo . . . and Steven B. Stanton[.]"

Mr. Stanton understands and wholeheartedly shares this Commission's desire to protect the residents of this City. He sincerely hopes that the information presented herein and at the hearing on March 23, 2007 will allay the Commission's fears and demonstrate that the best way to protect the best interests of Largo residents is to permit Mr. Stanton to continue serving as City Manager.

For 14 years, Steven Stanton has served as City Manager and the community has benefited from his knowledge, skills and abilities as a superior public administrator and a visionary leader. Unlike many other communities in Pinellas County, which have experienced the costly disruption of repeatedly hiring and replacing their city managers, Largo has benefited from Mr. Stanton's long years of dedication and commitment to the community. As a result of his professional accomplishments as City Manager and his partnership with this Commission and other city officials, residents of Largo enjoy a high quality of life in every aspect of the city

services. And perhaps even more significant, today residents are proud to proclaim “I live in Largo.” If given the opportunity to retain his position, Mr. Stanton’s operational focus in managing city departments and his unique close working relationships with city employees will ensure that he will remain a strong leader for many years to come. After nearly two decades of exemplary service to this community, he has earned the opportunity to demonstrate his continued professionalism and effectiveness as city manager. Equally important, the people of Largo deserve to have employment policies that are above reproach and that are based on objective performance criteria.

For the reasons explained below, Mr. Stanton asks the Commission to reconsider its preliminary decision and to permit him to continue serving the City he loves.

**I. Terminating An Experienced, Effective, And Highly Skilled City Manager Does Not Serve The Best Interests Of Largo Residents.**

Throughout his 14-year tenure as City Manager, Mr. Stanton has shown extraordinary devotion and commitment to the people of this City. Indeed, he has a proven track record as one of the most highly qualified and successful city managers in the country. Terminating Mr. Stanton will deprive Largo of an enormously talented, dedicated, and successful City Manager. This does not serve the best interests of Largo residents.

Through working in partnership with the Mayor, this Commission, and other colleagues, Mr. Stanton’s accomplishments and contributions include the following:

First, Mr. Stanton is the longest tenured city manager since the City’s incorporation in 1905. During his tenure, the city has been recognized as a dynamic, high-performing organization providing superior service and leadership to build a vibrant, distinctive community

through the responsible use of resources, innovation and technology. The city's strong culture of governance has been reinforced and supported by an administrative staff of department directors who have all been hired (or in the case of the Management Service Director, retained) by Mr. Stanton. His executive management team is all dedicated to providing essential service to the community, attracting and retaining a highly professional work force and improving the quality of life in the community.

Second, Mr. Stanton implemented a comprehensive Strategic Plan developed through a collaborative process managed by a citizen Strategic Planning Steering Committee. The Strategic Plan was developed with extensive public participation and exhaustive outreach efforts, stakeholder interviews, focus groups meeting, and thirty public workshops throughout the city. The adopted plan established the framework for redevelopment of the city based on four principles to redefine and intensify commercial corridors, establish a system of community streets, expand parks, trails and greenways and engage city neighborhoods to promote citizen involvement in their government. The Strategic Plan also included a detailed implementation action component that defined and identified responsible parties, phasing, order of magnitude cost and potential funding sources for strategic action approved by the City Commission.

Third, Mr. Stanton instituted a comprehensive effort to improve city services using a diagnostic change model for building a High Performance Organization. The citywide effort required all departments to examine change agents involving the city's leadership philosophy, community vision, municipal values, business strategy, organization structure and city systems. This training improved employee's skills to diagnose their own programs and activity in order to begin identifying opportunities for introducing positive change in their departments and to improve customer service. As an organization dedicated to excellence in municipal service, the

Police Department was nationally re-accredited by the Commission on Accreditation for Law Enforcement Agencies in 1991; the Fire Rescue Department was nationally accredited by the Commission of Fire Accreditation International in 1999; and the Recreation, Parks and Arts Department was nationally accredited in 2000 by the National Recreation and Parks Association and American Academy for Parks and Recreation Administration. The City has been awarded a Certificate of Achievement for Excellence in Financial Reporting continuously since 1992 and has continuously received the Distinguished Budget Presentation Award from the Government Finance Officers Association since 1987.

Fourth, Mr. Stanton helped expand the City's economic and property tax value by \$330 million dollars by the establishment of a multi-year Annexation Management Program in 1997. During the program's first four years, (1997-2004), the City annexed 1,560 acres of unincorporated commercial and residential property which generated \$9.8 million dollars of new revenue for the city. The program's success was based on the creation of a defined planning service area that established a future municipal boundary, an economic incentive program to promote voluntary annexation into the city and the adoption of a legislative policy which established City Commission support for the planned growth of the community and an enhanced state-wide leadership role promoting annexation reform within the State of Florida

Fifth, Mr. Stanton was instrumental in the creation of two community redevelopment districts in the city's historic downtown now ready for redevelopment. Property owners redeveloping their properties in accordance with the district's new development code did not have to pay site plan, building plan, plan examination or certificate or occupancy fees and were eligible for other development incentives. The redevelopment effort incorporated five development strategies with specific land use designations adopted to promote maximum

flexibility in pursuing a variety of redevelopment opportunities. Since its creation in 1999, the West Bay Drive Community Redevelopment District increased its total taxable value by \$58.1 million which represented an increase in total taxable value of 68.5% (1999-2004). Since its creation in 1996, Clearwater Largo Road Community Redevelopment District increased its total taxable value by \$17.5 millions which represented an increase in total taxable value of 34.2% (1996-2003).

Sixth, Mr. Stanton was instrumental in establishing the city as a destination for intellectual, leisure and cultural opportunities by the creation of a 170 acre regional municipal park, the development of a cultural center housing the Tonne Playhouse for the performing arts, the construction of a \$23 million dollar state of the art regional Library and the support of an active Main Street program to support community based programs and activities within the downtown redevelopment area. Educational programs in the city include summer theater camps, partnerships with area schools to coordinate performances by area youths and after school theater experiences with touring children's theater troupes

Seventh, Mr. Stanton helped create open access government in the community through the establishment of a professional marketing and communication office, a government television studio to produce programs showcasing city services and select meetings of city boards and legislative sessions, a citizen academy which provided an opportunity for citizens to learn the operations of their government and meet city employees, neighborhood compatibility meetings that required developers to meet with effected residents concerning the impact of proposed developments, recreation outreach programs located around the city in lower-income neighborhoods to provide education and after-school programming to children unable to travel to city recreational centers and numerous community based meeting where residents can have

direct interaction with city staff and elected officials without coming to City Hall or a formal City Commission meeting.

Eighth, Mr. Stanton has been committed to extensive professional development. In 2003, he obtained the status of a Credentialed City Manager (ICMA CM) from the International City/County Manager's Association (ICMA). The ICMA Voluntary Credentialing Program is a means of defining and recognizing an individual ICMA member who is a professional local government manager qualified by a combination of education and experience, adherence to high standards of integrity, and an assessed commitment to lifelong learning and professional development. A commitment to continuing professional development is the hallmark of the city management profession. The ICMA Code of Ethics obligates a member to periodically assess his or her development needs and to devote at least 40 hours annually to professional development. As a result of the high standards that ICMA has required to obtain credentialing, there are only 794 managers nationally who have achieved this very significant achievement.

Ninth, in 2005 Mr. Stanton received a Fannie Mae Foundation Fellowship to attend Harvard University, Senior Executive in State and Local Government, John F. Kennedy School of Government which recognized his outstanding leadership as a city manager. Most recently, he received a Silver Certificate of Achievement in Leadership, awarded by the National League of Cities Training Institute. He has extensive training in homeland security which has also ensured that all city departments are properly prepared in the state of the art emergency management.

Finally, Mr. Stanton has always received outstanding performance evaluations from both the current City Commission and its predecessors. In his last evaluation in September of 2006, he was given a large salary increase in recognition of his tenure and accomplishment. He has

never been disciplined by the city and has served with distinction and honor. Before terminating an employee with this record of achievement and dedication, this Commission should give Mr. Stanton an opportunity to remain on the job and demonstrate that he can continue to perform at the same high level.

**II. The City Should Base Employment Decisions On Objective Performance Criteria And Comply With Its Own Non-Discrimination Policies.**

Employment decisions should be based on objective performance criteria, not on approval or disapproval of characteristics that are irrelevant to job performance such as a person's race, religion, gender or – in this case – transgender status. Ensuring that employment decisions are based on job performance protects the interests of the City and the people of Largo by keeping the focus where it belongs – on getting the job done. In contrast, permitting employment decisions to be guided by subjective biases or fears undermines productivity, wastes taxpayer money, and sets a dangerous precedent by violating the City's own non-discrimination policy.

These considerations are particularly relevant in this case. Due to Mr. Stanton's long tenure, extensive training, and high performance, he is a particularly valuable employee. Finding a qualified replacement will be difficult and expensive. Mr. Stanton's replacement inevitably will lack Mr. Stanton's unique breadth and depth of knowledge about the City he has served for the past 17 years. It does not serve the best interests of Largo taxpayers to terminate such a highly skilled, effective, and experienced employee when there are no objective, job-related reasons to do so. In addition, violating the City's own non-discrimination policy undermines the City's integrity and credibility.



In 2004, Largo amended its non-discrimination policy to prohibit discrimination based on gender identity and expression. Nationally, many other employers have adopted similar policies. This includes other municipalities, such as the City of Decatur, Georgia, Houston, Texas, the City of San Jose, and many others.<sup>1</sup> It also includes a number of Fortune 500 companies, including such big names as Raytheon, Borders, Ford, Whirlpool, IBM, Xerox, American Airlines, Eastman Kodak, Morgan Chase, Nike, Best Buy, Levi Strauss, Motorola, Charles Schwab, General Mills, Prudential Financial, Molson Coors Brewing, Owens Corning, Pepsico, US Airways, Wells Fargo, Sprint, Hewlett-Packard, MetLife, Citigroup, Pfizer, Goldman Sachs, and others.<sup>2</sup> These employers recognize that a person's transgender status has no bearing on his or her ability to do a good job and that it can be costly and harmful to an employer to lose a capable and well-trained employee simply because the employee is also transgender.

Contrary to the fears that have been expressed by some, there is no basis for assuming that being transgender or undergoing sex-reassignment will interfere with a person's leadership or overall ability to do a good job. Many transgender employees have successfully transitioned on the job, and many companies, colleges and universities, and city and state governments have had positive experiences with transitioning employees. For example, Prudential Financial, one of the country's top 10 asset managers, worked with a high-profile employee to facilitate her transition from male to female.<sup>3</sup> The employee, Margaret Stumpp, remains the Chief Investment Officer of Prudential's \$60B investment management subsidiary, Quantitative Management

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<sup>1</sup> See Transgender Law & Policy Institute ([www.transgenderlaw.org](http://www.transgenderlaw.org)).

<sup>2</sup> Human Rights Campaign (HRC) Report, Corporate Equality Index 2006: A Report Card on Gay, Lesbian, Bisexual and Transgender Equality in Corporate America (available at [http://www.hrc.org/Template.cfm?Section=Get\\_Informed2&Template=/ContentManagement/ContentDisplay.cfm&ContentID=33909](http://www.hrc.org/Template.cfm?Section=Get_Informed2&Template=/ContentManagement/ContentDisplay.cfm&ContentID=33909)); see also HRC, Transgender Issues in the Workplace: A Tool for Managers (available at <http://nmmstream.net/hrc/downloads/publications/tgtool.pdf>).

<sup>3</sup> Stephanie Armour, USA Today, Transgender Employees See Changes in Colleagues, Too, June 9, 2005, [http://www.usatoday.com/money/jobcenter/workplace/2005-06-09-transgender-usat\\_x.htm](http://www.usatoday.com/money/jobcenter/workplace/2005-06-09-transgender-usat_x.htm).

Associates, LLC (QMA).<sup>4</sup> Dr. Stumpp and Prudential management worked together to both inform customers and to educate staff.<sup>5</sup> QMA experienced no loss in business due to Dr Stumpp's transition; in fact, over the ensuing 5 years, assets under management have grown by over \$20B.<sup>6</sup>

Transgender people in the public sector have also transitioned successfully. For example, former St. Paul, Minnesota deputy mayor Susan Kimberly transitioned from male to female in 1984.<sup>7</sup> Kimberly has had a long and successful career in public service and lobbying, spanning the years before and after her transition. In the 1970s, she was known as Bob Sylvester and was the president of the St. Paul City Council.<sup>8</sup> Later, as Susan Kimberly, she was appointed deputy mayor the then-mayor of St. Paul, conservative Republican Norm Coleman, who went on to serve in the U.S. Senate.<sup>9</sup> Kimberly then served as Senator Coleman's deputy director, and in 2004, she was appointed to be St. Paul's director of Planning and Economic Development.<sup>10</sup> In explaining his appointment of Kimberly to be deputy mayor, Coleman said, "I believe in recognizing people for their talent and competency."<sup>11</sup>

Another high profile leader who transitioned on the job is the Reverend Erin Swenson, a Presbyterian minister. Reverend Swenson transitioned from male to female in 1996, twenty years after being ordained by the Presbyterian Church U.S.A.<sup>12</sup> She remained at her Atlanta

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<sup>4</sup> Pensions and Investments, "Profiles of the 500 largest money managers" (May 29, 2006).

<sup>5</sup> Armour, supra.

<sup>6</sup> Ibid.

<sup>7</sup> Jackie Crosby, St. Paul names new planning director, Minneapolis Star-Tribune, June 9, 2004, at 7B.

<sup>8</sup> Ibid.

<sup>9</sup> Doug Grow, A change of heart for deputy mayor; Transgendered appointee has found happiness, new politics, Minneapolis Star-Tribune, December 20, 1998.

<sup>10</sup> Ibid.

<sup>11</sup> Grow, supra.

<sup>12</sup> John Blake, 'The war inside of one's self is incredible. It's like being at odds with your own molecules.', Atlanta Journal-Constitution, July 9, 2000, at M1.

church during her transition, making her the first known ordained minister to transition on the job, and she is still working as a Presbyterian minister in Atlanta today.<sup>13</sup>

Moreover, contrary to stereotypes, many transgender women have been able to transition successfully even in traditionally male-dominated professions such as fire fighting. Michelle Kammerer, for example, was employed by the Los Angeles City Fire Department as a Firefighter and Captain from 1969 to 2003. She transitioned from male to female on the job in 1991 and served with distinction until her retirement twelve years later.<sup>14</sup>

As these examples and countless others demonstrate, transgender employees are often accomplished and creative people who can contribute a great deal. Being transgender has nothing to do with a person's ability to perform his or her job. It is in the best interests of an employer to try to retain a talented employee whether or not he or she is transgender. In the 1960s, for example, IBM fired Lynn Conway, one of its most brilliant innovators in the new computer field, because she was transgender. She went on to make enormous contributions at other companies, and today IBM welcomes transgender employees.<sup>15</sup> In a highly competitive business environment, companies cannot afford to throw away their some of their best workers. The same is true for city governments who must compete for the most highly skilled and competent employees.

Mr. Stanton has a proven track record as one of the most highly qualified and successful city managers in the country. Many other transgender employees have transitioned successfully on the job, including those in highly visible leadership and management positions. There is

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<sup>13</sup> In Brief: Atlanta Minister Receives Award, Atlanta Journal-Constitution, February 5, 2005, at B2.

<sup>14</sup> PAW Member Michele Kammerer Honored, March 21, 2003, <http://prideatwork.org/public/documents/press/2003/PAW%20Member%20Michele%20Kammerer%20Honored.pdf>

<sup>15</sup> HRC Tool for Managers, p. 14.

every reason to believe that Mr. Stanton also will be able to transition successfully if he is permitted to retain his job. Mr. Stanton has been a faithful and effective public servant for many years. The fact that he is transgender does not change his qualifications or render him less capable of performing his job duties. Terminating Mr. Stanton will deprive Largo of an enormously talented, dedicated, and successful City Manager – to the detriment of Largo residents. Before taking this drastic step, Mr. Stanton asks this Commission to give him an opportunity to demonstrate that he can continue to perform at the same high level that he has consistently shown over the past 17 years of service and 14 years as City Manager. This is required by the City’s own non-discrimination policy and by the law. It is the right thing to do for Largo residents.

### **III. Mr. Stanton Followed Professional Guidelines For Disclosing His Transgender Status To His Employer.**

In deciding how and when to disclose his transgender status to the Mayor and to this Commission, Mr. Stanton carefully followed the recommendations of the experts in this field, who have established guidelines for both employers and employees. Many employers now welcome transgender employees and have experience accommodating employees who transition on the job. As a result, the best practices for dealing with transgender employees are well established. The steps an employer should take to accommodate a transgender employee are simple, straightforward, and well-documented.<sup>16</sup> Likewise, there is a recommended process transgender employees are advised to follow in disclosing their status to employers and

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<sup>16</sup> See, e.g., HRC Tool for Managers; Transgender At Work, TAW Checklist for Transitioning in the Workplace (available at <http://www.tgender.net/taw/tggl/checklist.html>); American Airlines, “Workplace Guidelines for Transgendered Employees” (available at <http://www.amrgleam.com/Workplace%20Guidelines%20for%20Transgendered%20Employees.pdf>).

developing a workplace transition plan. Based on these guidelines, most transgender people wait to inform their employers about their transgender status until they have taken the first several steps towards transition on their own.<sup>17</sup>

The process for treating gender identity disorder is well-established in the medical community, and is designed to ensure that a transgender person will not make a hasty decision to transition.<sup>18</sup> Therefore, the first stages are undertaken by the transgender person privately, without needing to inform the wider world, including employers. These stages include psychological testing, counseling, and monitoring, which typically requires several months. The next step is hormone treatment with follow-up monitoring, which may range from a few months to years.<sup>19</sup> After these initial stages, the transgender person moves towards living full-time in the new gender, which is a pre-requisite for any sex-reassignment surgeries.<sup>20</sup>

For most transgender people, it is more appropriate to wait to begin informing people at work until after undergoing hormone therapy for a period of time.<sup>21</sup> The best approach is to inform a small circle of one's supervisors first, starting with one person.<sup>22</sup> Then, the transgender employee and these supervisors should work together to create a timeline for transition, including when to inform other personnel.<sup>23</sup>

As one commonly used guidebook on this topic explains:

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<sup>17</sup> HRC Tool for Managers, p. 7.

<sup>18</sup> Ibid.

<sup>19</sup> HRC Tool for Managers, pp. 8-10.

<sup>20</sup> Ibid.

<sup>21</sup> Center for Gender Sanity, "Planning for Transition on the Job." (available at <http://www.gendersanity.com/plan.shtml>).

<sup>22</sup> HRC, "Transgenderism and Transition in the Workplace," at 3 (available at [http://www.hrc.org/AdminTemplate.cfm?Section=Content\\_Management&CONTENTID=11448&TEMP\\_LATE=/ContentManagement/ContentDisplay.cfm](http://www.hrc.org/AdminTemplate.cfm?Section=Content_Management&CONTENTID=11448&TEMP_LATE=/ContentManagement/ContentDisplay.cfm)).

<sup>23</sup> Center for Gender Sanity, "Planning for Transition on the Job" (available at <http://www.gendersanity.com/plan.shtml>).

By the time an employee informs the HR department that she plans to change sex, she has probably been dealing with this issue for many years. The typical transsexual person is aware that there is a discrepancy between her gender identity and her physical sex at age 5 or 6. She may have spent decades searching for the cause of her feelings or trying to make them go away. She is probably seeing a therapist who has helped her determine that this is the right path for her and the right pace.

Coming out at work is often one of the last steps in the transition from one sex to the other. . . . Before speaking to an HR professional, a transsexual employee may have gotten a driver's license, credit cards, accounts and other documents in her new name. She may have had electrolysis or cosmetic surgery and acquired a new wardrobe. She has been living part of her life in her new role and juggling two identities while still doing her job and meeting other responsibilities. She has probably been taking hormones for several months and has begun to see some physical changes, which she may have to conceal at work. Her decision about when to come out at work has been carefully coordinated with changes in her appearance.

Typically, by the time an HR professional is brought into the process, the transsexual employee has been in transition for several months. If a transsexual worker has been able to perform her job during this time, she has demonstrated an extraordinary ability to handle stress and manage the complex demands on her. Once she has comfortably assumed her new role at work, her life is likely to be less complicated and less stressful. If she has made it through the last several months, there should be no question about her ability to continue to meet her work responsibilities.<sup>24</sup>

In this case, Mr. Stanton was carefully following these recommended steps when, through no agency or fault of his own, news of his transgender status was leaked to the press and made public prematurely. Mr. Stanton deeply regrets that he was not able to inform the Commission personally, as he had intended and planned to do.

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<sup>24</sup> Janis Walworth, *Transsexual Workers: An Employer's Guide* (2004).

#### **IV. Transitioning Permits Transgender People To Live Healthy, Productive Lives.**

The medical community has recognized gender dysphoria, or transexualism, as a medical condition for several decades.<sup>25</sup> Gender dysphoria is medically defined as “a condition involving incongruity between an individual’s anatomic sex and personal sense of gender identity.”<sup>26</sup> A leading medical dictionary defines a transgender person as an individual “with the external genitalia and secondary sex characteristics of one sex, but whose personal identification and psychosocial configuration is that of the opposite sex.”<sup>27</sup> This conflict creates acute psychological distress. Many transsexuals simply describe their condition as a longstanding feeling of being trapped in the wrong body.

Current scientific evidence suggests that gender dysphoria has a neurobiological cause. Recent studies indicate that this condition occurs when an individual’s brain develops to be one sex while the rest of the body develops to be the other.<sup>28</sup> A recent decision by the highest state court in Maryland summarized the state of current scientific knowledge on this topic as follows:

Recent studies have suggested that this condition may be associated with certain conditions in the womb and certain processes in the developing pre-natal brain. As noted, there is evidence suggesting that the brain differentiates into "male" and "female" brains, just as the

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<sup>25</sup> The term transsexual first appeared in medical literature in 1924. See P. Cohen-Kettenis & L. Gooren, *Transsexualism: A Review of Etiology, Diagnosis and Treatment*, 46(4) *Journal of Psychosomatic Research* 315, 316 (1999).

<sup>26</sup> *Texas Medicine*, Volume 90, Number 5, May, 1994, *Treatment of Gender Dysphoria (transsexualism)*, Cole, Collier M., Ph.D., Emory, Lee E., M.D., Huang, Ted, M.D., Meyer, Walter J. III, M.D., p. 68.

<sup>27</sup> *Stedman’s Medical Dictionary 1865* (27<sup>th</sup> ed. 2000).

<sup>28</sup> See, e.g., William G. Reiner & John P. Gearhart, *Discordant Sexual Identity in Some Genetic Males with Cloacal Exstrophy Assigned to Female Sex at Birth*, 350 *New Eng. J. Med.* 333 (2004); Jiang-Ning Zhou et al., *A Sex Difference in the Human Brain and Its Relation to Transsexuality*, 378 *Nature* 68 (1995); Frank Kruijver, et al., *Male-to-Female Transsexual Individuals Have Female Neuron Numbers in the Central Subdivision of the Bed Nucleus of the Stria Terminalis*, 85 *J. of Clin. Endocrinology and Metabolism* 2034 (2000).

fetus's rudimentary sex organs differentiate into "male" and "female" genitalia.<sup>29</sup> These studies . . . clearly support the paradigm that in transsexuals sexual differentiation of the brain and genitals may go into opposite directions and point to a neurobiological basis of gender identity disorder. *In re Heilig*, 372 Md. 692, 705 (Md. 2003).

As the Maryland court went on to explain:

Regardless of its cause, the accounts from transsexuals themselves are startlingly consistent. . . . They grow up believing that they are not the sex that their body indicates they are. They believe that they have mistakenly grown up with the wrong genitalia. These disconcerting feelings often begin early in childhood, as early as three or four years.... *Doe v. McConn*, 489 F. Supp. 76, 78 (S.D. Tex. 1980) ("Most, if not all, specialists in gender identity are agreed that the transsexual condition establishes itself very early, before the child is capable of elective choice in the matter").....

*In re Heilig, supra*, at p.705.

In the 1950s, some therapists tried to "cure" transsexualism through electroshock treatments and other types of aversion therapy. These treatments failed, and today, they are considered to be unethical and futile. According to current medical knowledge and practice, sex-reassignment is the only medically effective and appropriate treatment for gender dysphoria. As one Texas court explained:

Most, if not all, specialists in gender identity are agreed that the transsexual condition establishes itself very early, before the child is capable of elective choice in the matter, probably in the first two years of life; some say even earlier, before birth during the fetal period. These findings indicate that the transsexual has not made a choice to be as he is, but rather that the choice has been made for him through many causes preceding and beyond his control. Consequently, it has been found that attempts to treat the true adult transsexual psychotherapeutically have consistently met with failure.

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<sup>29</sup> See Milton Diamond & H. Keith Sigmundson, *Sex Reassignment at Birth*, 151 ARCHIVES PED. & ADOLESCENT MED. 298, 303 (1997).



*McConn, supra*, 489 F. Supp. at 78.

While attempts to “cure” gender dysphoria through therapy do not work, the medical process of sex-reassignment is highly successful. The typical course of treatment for a person diagnosed with gender dysphoria is lengthy, often lasting several years. Treatment typically includes psychological or psychiatric evaluations (during which time a diagnosis is made), administration of hormone therapy to create desired secondary sex characteristics, completion of the “real life” experience (where the person lives in the desired gender), and finally sex reassignment surgery.<sup>30</sup> This process is governed by internationally recognized Standards of Care, which have been developed by the World Professional Association for Transgender Health, formerly known as the Harry Benjamin International Gender Dysphoria Association.<sup>31</sup>

These treatments are medically necessary to alleviate the profound negative health consequences of untreated gender dysphoria, which can be very serious. After undergoing sex-reassignment, the vast majority of transgender people are able to lead healthy, productive lives.<sup>32</sup>

Despite enormous gains in the medical treatment of gender dysphoria, however, many people still have negative misconceptions about transgender people, although public understating and acceptance of this community is growing. One of the most prevalent stereotypes is the belief that transgender people are sexually deviant or mentally ill. In fact, being transgender has nothing to do with sexuality or sexual deviance.<sup>33</sup> Similarly, apart from their gender dysphoria,

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<sup>30</sup> Texas Medicine, Volume 90, Number 5, May, 1994, Treatment of Gender Dysphoria (transsexualism), Cole, Collier M., Ph.D., Emory, Lee E., M.D., Huang, Ted, M.D., Meyer, Walter J. III, M.D., p. 68.

<sup>31</sup> Ibid. See also World Professional Association for Transgender Health, Inc., The Harry Benjamin International Gender Dysphoria Association's Standards Of Care For Gender Identity Disorders, Sixth Version, <http://www.wpath.org/Documents2/socv6.pdf>.

<sup>32</sup> Cole, *supra*, Treatment of Gender Dysphoria, 90 Texas Medicine 68 (1994).

<sup>33</sup> Ibid.

which is alleviated through sex-reassignment, transgender people are no more likely to suffer from psychological problems than anyone else.<sup>34</sup>

Another stereotype is based on the myth that transgender people are misleading or deceptive. In fact, however, by undergoing sex-reassignment, transgender people are manifesting their most authentic, true selves. For most transgender people the process of coming to terms with their true gender identity is difficult and takes a tremendous amount of courage. As with any other deeply personal aspect of human identity, there is great power in finally being able to be open. In the words of one transgender woman: “To be out is to claim the basic human feelings of dignity, self worth and the freedom to simply be. The ability to communicate about one’s own life in an honest and real manner, devoid of lies or subterfuge, without fear of discovery or embarrassment, just like any other person, is the deepest reason to come out.”<sup>35</sup>

For most transgender people, the relief of being able to be open about one’s identity and to live in accordance with that identity enables the individual to be much more effective and productive at work.

## CONCLUSION

Due to the unfortunate manner in which information about Mr. Stanton’s transgender status was disclosed, this Commission was placed in the difficult position of having to make an initial decision without adequate information or context. Mr. Stanton empathizes with the

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<sup>34</sup> Ibid.

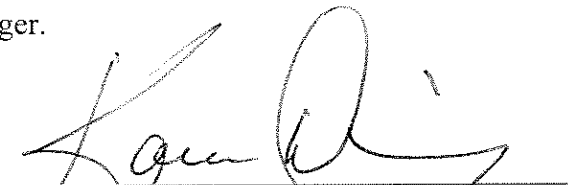
<sup>35</sup> Jennifer Diane Reitz, quoted by Human Rights Campaign, “Coming Out To Oneself As Transgender” [http://www.hrc.org/Content/NavigationMenu/HRC/Get\\_Informed/Issues/Transgender\\_Issues1/Transgender\\_101/Transgender\\_101.htm](http://www.hrc.org/Content/NavigationMenu/HRC/Get_Informed/Issues/Transgender_Issues1/Transgender_101/Transgender_101.htm).

difficulty of this position and sincerely hopes that the information provided in this reply and at the public hearing will help to address the Commission's concerns.

The past three weeks have undoubtedly been a challenge to the City Commission, the administration and its employees. However, today, the City Commission has an opportunity to show all city residents, and indeed the entire nation, that Largo is truly the "City of Progress" and deserves to display these words on its city seal.

Mr. Stanton respectfully asks that the Commission reconsider its preliminary decision and permit him to remain in his position as City Manager.

Respectfully submitted this 19<sup>th</sup> day of March, 2007, by Karen M. Doering, attorney for Steven Stanton, Largo City Manager.



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