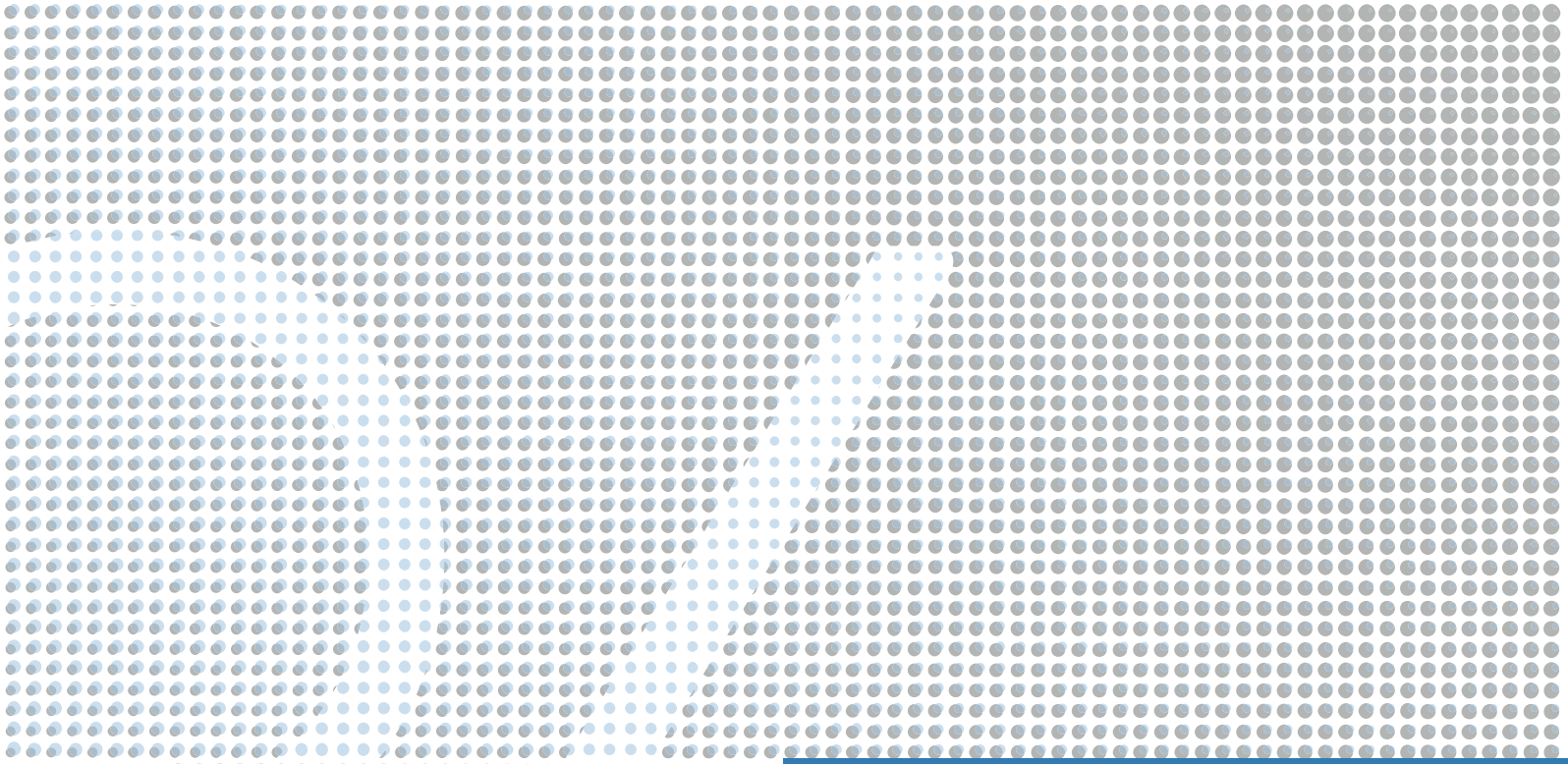

RESEARCH THAT MATTERS

GENDER MARKER CHANGES ON STATE ID DOCUMENTS

State-Level Policy Impacts

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EXECUTIVE SUMMARY

Many transgender people in the U.S. experience substantial barriers to having identity documents (IDs) that list the correct gender marker. Having inaccurate IDs can subject individuals to harassment, discrimination, and can negatively impact mental health. State-level gender marker change policies vary across the country and impose unique burdens on transgender people that can impact whether one is able to obtain an accurate ID. Transgender people also face the same barriers to having correct IDs as the general population, such as having low income or a disability.

In this report, we utilize data from the 2015 U.S. Transgender Survey (USTS) to estimate the number of transgender people without accurate IDs, assess the relationship between state-level policies and having accurate IDs, and provide a real-world example where having inaccurate IDs may cause problems for travelers. We find that:

- 55% of respondents to the 2015 USTS who live all the time in a gender different from their sex assigned at birth had no IDs with the correct gender marker, which suggests that 476,000 transgender adults in the U.S. are without IDs with correct gender markers.
- Transgender respondents to the 2015 USTS who were born in or live in states with the least state gender change policy barriers are significantly more likely to have accurate birth certificates and driver's licenses than those in states with the most policy barriers.
    - 46.5% of those living full time in a gender different from their sex assigned at birth have corrected the gender markers on their driver's licenses in states with the least policy barriers, compared to 25.8% of those living in states with the most policy barriers.
    - 15.7% have corrected the gender markers on their birth certificates in states with the least policy barriers, compared to 8.4% of those born in states with the most policy barriers.
    - The relationship between having corrected the gender marker on these IDs and state gender marker change policies remains significant, even when controlling for age, education level, poverty, race, gender, and state-level characteristic.
- Having inaccurate IDs can cause problems in a variety of settings, including when traveling.
    - TSA officers were more likely to question the name or gender on IDs of people without corrected gender markers on their driver's license (26.0%) or passport (17.6%) compared to those who had corrected the gender markers on their driver's license (8.9%) or passport (6.0%).

State-level policies that make it less burdensome on transgender people to obtain IDs with the correct gender marker result in higher proportions of transgender people with accurate IDs, which can reduce the prevalence of harassment and discrimination and even improve mental health. State and federal policymakers should review statutes and regulations that govern changes to official IDs and enact necessary changes to make these processes easy and accessible for transgender people.

INTRODUCTION

Identity documents are often required for a variety of activities, such as driving, applying for loans or services, traveling, and voting. While the federal government establishes rules for obtaining and updating certain identity documents, such as passports and social security records, states establish these rules for official state identity documents, such as driver's licenses and birth certificates. Transgender individuals may wish to correct the gender marker on their identity documents (IDs) to accurately reflect their gender identity.[1] Having inaccurate IDs can create difficulties for transgender people and can negatively impact mental health. Transgender people who present inaccurate IDs report suffering discrimination and harassment.[2] Having inaccurate IDs has been associated with higher rates of psychological distress and suicidal thoughts among transgender adults.[3] Yet, analysis of the 2015 U.S. Transgender Survey (USTS) reveals that 55% of respondents who live all the time in a gender different from their sex assigned at birth had no IDs with the correct gender marker.[4]

One potential barrier to obtaining accurate IDs are the requirements established by states to update the information listed on state IDs. There is substantial variation across states in the processes transgender people must go through to correct the gender marker on their state-issued IDs.[5] States with the most burdensome requirements may require proof of gender-affirming surgical care in order to correct the gender marker on driver's licenses or birth certificates. States with less burdensome requirements may require individuals to fill out specified forms or submit an affidavit to correct the gender marker on their IDs. Currently, 20 states and the District of Columbia allow a gender marker of "X" on driver's licenses and 13 states allow an "X" gender marker on birth certificates, providing a more accurate option for nonbinary people and those for whom M or F are not appropriate.[6]

The U.S. State Department establishes rules for obtaining and changing U.S. passports. Federally-issued passports are usually required for international travel, but can be used as an ID in many situations domestically, such as when traveling domestically or when voting in a state that requires an ID to vote.[7] Requirements for changing the gender marker include providing other forms of ID and submitting a letter from a licensed physician that states the individual has received "appropriate clinical treatment for transition."[8] Nationally, 26% of USTS respondents who live all the time in a

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[1] Transgender people may also want to correct the name on their identity documents. Due to the unique requirements transgender people face to correct the gender markers on their IDs, we focus on gender markers in this report.

[2] James, S. E., Herman, J. L., Rankin, S., Keisling, M., Mottet, L., & Anafi, M. (2016). *The Report of the 2015 U.S. Transgender Survey*. Washington, DC: National Center for Transgender Equality.

[3] Scheim, A.I., Perez-Brumer, A.G., & Bauer, G.R. (2020). Gender-concordant identity documents and mental health among transgender adults in the USA: a cross-sectional study. *Lancet Public Health*, 5, e195-203.

[4] James, S. E., et al., 2016. Additional analyses of USTS data completed by the authors.

[5] *Identity Document Laws and Policies*. (n.d.). Movement Advancement Project. Retrieved May 7, 2021 from https://www.lgbtmap.org/equality-maps/identity_document_laws.

[6] *Identity Document Laws and Policies*. "X" gender markers were not available in any state nor the District of Columbia at the time of the 2015 U.S. Transgender Survey, which is the time period we consider for the analyses in this report.

[7] O'Neill, K. & Herman, J.L. (2020). *The Potential Impact of Voter ID Laws on Transgender Voters in the 2020 General Election*. Los Angeles, CA: The Williams Institute.

[8] *Change of Sex Marker*. (n.d.). Bureau of Consular Affairs, U.S. Department of State. Retrieved May 24, 2021 from https://travel.state.gov/content/travel/en/passports/need-passport/change-of-sex-marker.html.

gender different from their sex assigned at birth had corrected the gender marker on their passports.[9]

In this report, we estimate the number of transgender adults, both nationally and at the state level, who live all the time in a gender different from their sex assigned at birth and are without IDs that list their correct gender.[10] Next, we assess whether there is a relationship between state gender marker change policies and the proportion of transgender people who have corrected the gender markers on their driver's licenses and birth certificates. Finally, we consider an example of public life where ID documents are required: when traveling. We assess whether there is a relationship between having accurate driver's licenses or passports and ease of travel through TSA checkpoints.

METHODS

Data for this study come from the 2015 U.S. Transgender Survey (USTS), conducted by the National Center for Transgender Equality, which is the largest survey of transgender adults in the U.S. to date (n=27,715).[11] The USTS asked respondents about the status of their ID documents, including whether they had corrected the gender marker on specific IDs, such as their driver's license, birth certificate, passport, and other identity documents. The USTS also asked about respondents' state of birth, state of residence, and experiences when using their IDs.

In addition to USTS data, we utilize information on state gender marker change policies from the Movement Advancement Project (MAP). State-level policies were coded as having "least barriers," "some barriers," and "most barriers," using MAP's categorization of how burdensome state-level policies were for transgender people in addition to original legal analysis by Williams Institute researchers. We also utilize national and state-level transgender population estimates from Flores, et al., (2016).[12]

We utilize Pearson's chi-square tests of independence, with Rao and Scott correction for weighted survey data, and multilevel mixed-effects logistic regression to assess the relationship between state-level policies and proportion of USTS respondents with accurate IDs. Statistical significance is noted where findings are presented. We limited analyses to those who reported living all the time in a gender different from their sex assigned at birth (*n*=16,580). More detailed information on methods and results can be found in the Appendix.

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[9] James, S.E., et al., 2016.

[10] The 2015 USTS included respondents who live none of the time, some of the time, and all of the time in a gender different from their sex assigned at birth. We limit our analyses to those living all the time in a gender different from their sex assigned at birth because it is clear that in all situations in day-to-day life they would be without accurate IDs if they have been unable to correct the gender markers on their IDs.

[11] The USTS study was based on a national purposive sample of 27,715 transgender adults. This sample provides the best available data on experiences of discrimination among binary and nonbinary transgender adults in the U.S. The USTS data were used with the permission of the National Center for Transgender Equality. To find out more about the U.S. Transgender Survey, visit http://www.ustranssurvey.org/reports.

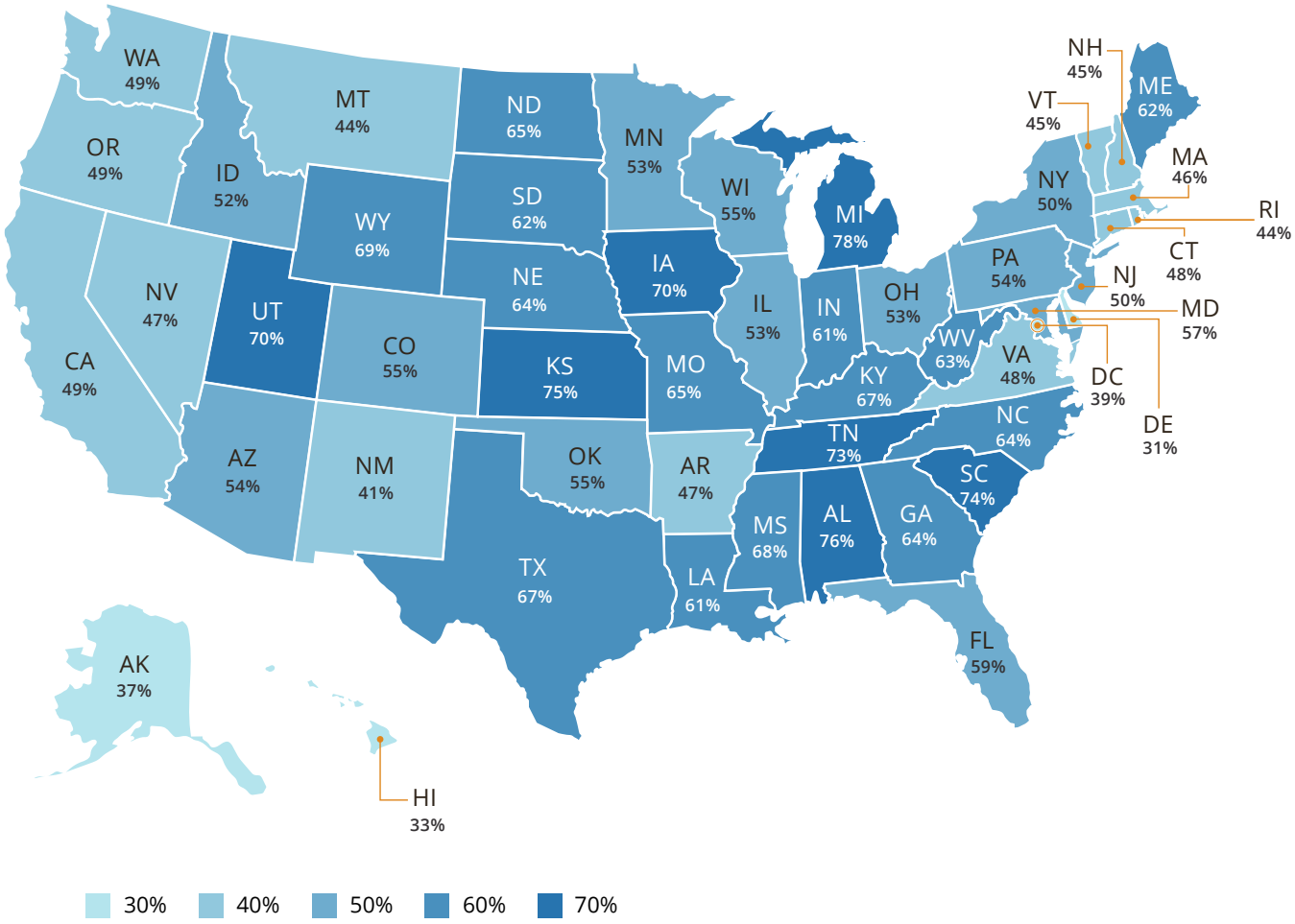
[12] Flores, A.F., Herman, J.L., Gates, G.J., & Brown, T.N.T. (2016). *How many adults identify as transgender in the United States?* Los Angeles, CA: The Williams Institute.

RESULTS

NUMBER OF TRANSGENDER PEOPLE WITH INACCURATE IDS

Among USTS respondents who live all the time in a gender different from their sex assigned at birth, we find that 54.8% have no ID of any kind with the correct gender marker. This suggests that over 476,000 transgender adults in the U.S. who live all the time in a gender different from their sex assigned at birth have no ID of any kind with the correct gender marker.[13] At the state-level, Michigan has the highest percentage of transgender adults who are without an ID of any kind that lists the correct gender (77.7%), which suggests that nearly 15,000 transgender adults in Michigan are without any accurate ID. Delaware had the lowest percentage of transgender adults without an ID of any kind that lists the correct gender (30.5%). The estimated percent and number of adults without any accurate IDs for each of the 50 states and the District of Columbia can be found in the Appendix.

Figure 1. Percentage of transgender adults living all the time in a gender different from their sex assigned at birth with no IDs that list the correct gender, in the 50 states and the District of Columbia

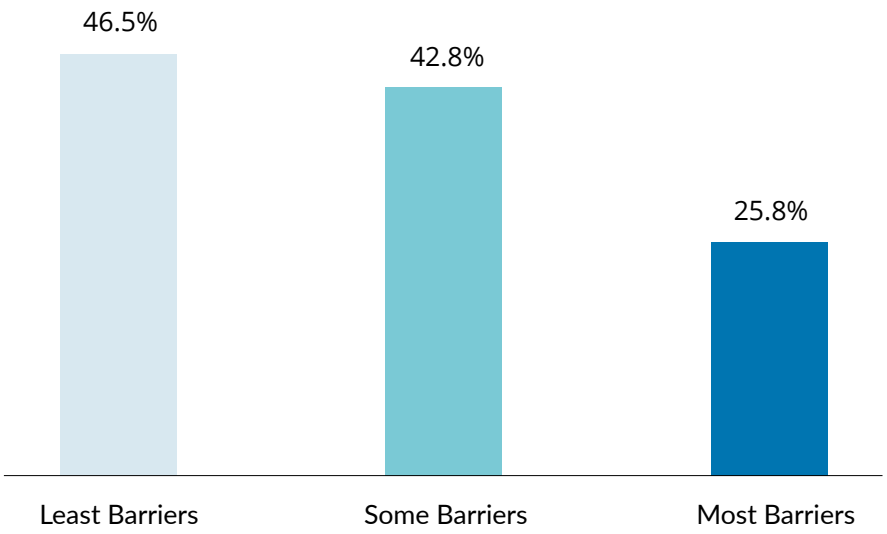


[13] The U.S. and state-level population figures from Flores, et al., 2016 were multiplied by findings about inaccurate gender markers on IDs from the 2015 USTS to produce the estimates presented in this section of the report. Estimates presented in this report are limited to transgender adults who live all the time in a gender different from their sex assigned at birth. For information about the estimates provided in this report, see the Appendix.

RELATIONSHIP BETWEEN STATE POLICIES AND ACCURATE IDS

We assessed whether there was a relationship between state-level policies and the proportion of transgender adults who have IDs with the correct gender marker. We first looked at the proportion of USTS respondents who reported they had corrected the gender marker on their driver's license.[14] Nationally, 42% of USTS respondents who live all the time in a gender different from their sex assigned at birth had corrected the gender marker on their driver's license.[15] We compared proportions for respondents who reside in states with the least state gender marker policy barriers, states with some state gender marker policy barriers, and states with the most gender marker policy barriers for driver's license gender marker changes (Figure 2).[16] Those who reside in states with the most gender marker policy barriers for driver's licenses were significantly less likely to have corrected the gender marker on their driver's license (25.8%) compared to those living in states with the least barriers (46.5%).

Figure 2. Percentage of USTS respondents who corrected the gender marker on their driver's license by state gender marker policy barriers for driver's licenses in the state where they reside



Note: Analysis limited to those living all the time in a gender different from their sex assigned at birth; n =16,531; F = 112.12; p<0.001

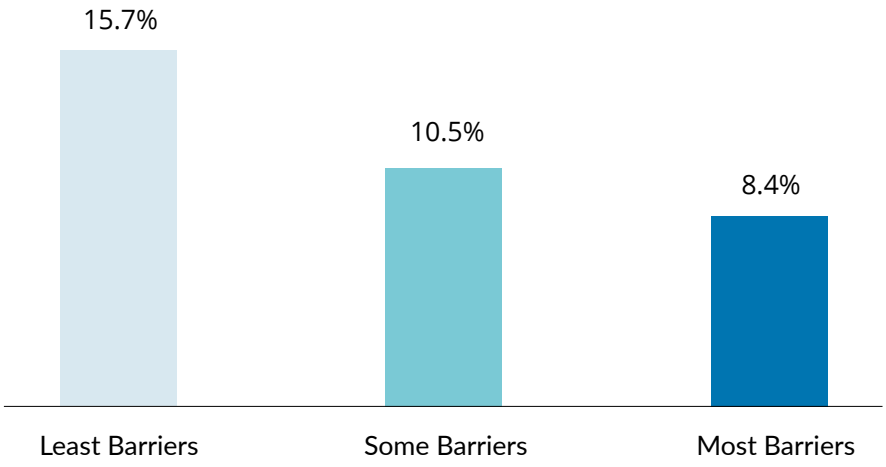
[14] Due to limitations in Section 10 of the 2015 USTS questionnaire, which covers the topic of identity documents, we do not know what proportion of all respondents who live all the time in a gender different from their sex assigned at birth have a driver's license or passport. See the Appendix for a description of this limitation and assumptions underlying these analyses.

[15] James, S.E., et al., 2016.

[16] See the Appendix for information on how each state and the District of Columbia was categorized for state gender marker policies for driver's licenses and birth certificates. We do not include passports in analyses to compare state gender marker policy barriers because rules to change passports are determined by the U.S. Department of State. U.S. State Department rules on correcting gender markers would be similar to states categorized as having "some gender marker policy barriers."

Next, we looked at the proportion of USTS respondents who reported they had corrected the gender marker on their birth certificate. This analysis was limited to respondents who were born in the 50 states or the District of Colombia. Nationally, 13% of USTS respondents who live all the time in a gender different from their sex assigned at birth had corrected the gender marker on their birth certificate.[17] We compared proportions for respondents who were born in states with the least state gender marker policy barriers, states with some state gender marker policy barriers, and states with the most gender marker policy barriers for gender marker changes to birth certificates (Figure 3). Those born in states with the most gender marker policy barriers for birth certificates were significantly less likely to have corrected the gender marker on their birth certificate (8.4%) compared to those living in states with the least barriers (15.7%).

Figure 3. Percentage of USTS respondents who corrected the gender markers on their birth certificate by state gender marker policy barriers for birth certificates in their birth state



Note: Analysis limited to those born in the U.S. and living all the time in a gender different from their sex assigned at birth; n=15,651; F = 54.94; p<0.001.

Finally, we considered the fact that a variety of known barriers can impact whether an individual is able to obtain an accurate ID. In the U.S. general population, older adults, those with low incomes, and people of color are less likely to have government-issued IDs.[18] Transgender people likely encounter the same barriers to obtaining IDs as the general population, but have the added effect of restrictive state-level policies.[19]

To assess whether the significant relationship between state-level policies and accurate IDs persists when controlling for these other barriers to obtaining accurate IDs, we employed a multilevel

[17] James, S.E., et al., 2016.

[18] Brennan Center for Justice at NYU School of Law. (2006). *Citizens Without Proof: A Survey of Americans'Possession of Documentary Proof of Citizenship and Photo Identification*. New York: The Brennan Center for Justice at NYU School of Law.

[19] Brown, T.N.T & Herman, J.L. (2016). *Voter ID Laws and Their Added Costs for Transgender Voters*. Los Angeles, CA: The Williams Institute.

mixed-effects logistic regression model. This allows us to look at the impact of state-level gender marker policy barriers on obtaining accurate IDs while controlling for age, education level, poverty, race, gender, and state-level characteristics. The full results of the multilevel mixed-effects logistic regression model can be found in the Appendix.

Controlling for the listed characteristics, we found that the significant relationship between state-level policies and accurate IDs indeed persists. Individuals living in states with the most gender marker policy barriers for driver's licenses were significantly less likely to have corrected the gender marker on their driver's licenses compared to those living in states with least barriers. We also found that that individuals born in states with the most gender marker policy barriers for birth certificates were significantly less likely to have corrected the gender marker on their birth certificates compared to those born in states with the least barriers.

IMPACT OF ACCURATE IDS ON DAY-TO-DAY LIFE: TSA EXAMPLE

The 2015 USTS found that respondents experienced discrimination and harassment in a variety of settings. Those with inaccurate IDs reported negative experiences when having to present their IDs. According to the USTS report, "As a result of showing an ID with a name or gender that did not match their gender presentation, 25% of people were verbally harassed, 16% were denied services or benefits, 9% were asked to leave a location or establishment, and 2% were assaulted or attacked."[20] These types of problems could take place when presenting ID for a variety of activities, such as when traveling, voting in certain states, when applying for loans, or starting a new job.

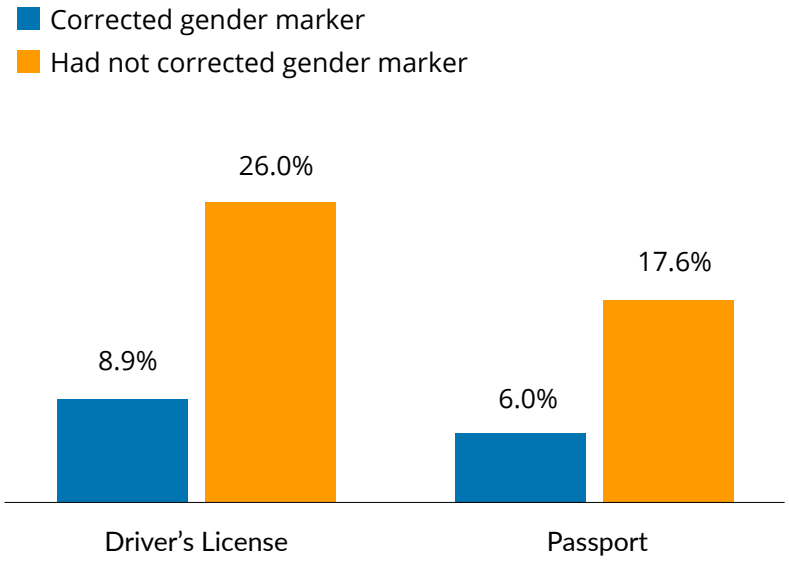
Here we consider one example of an activity where IDs are required to compare the experiences of those with and without accurate IDs. The USTS asked respondents about experiences they have had going through TSA screening when traveling by airplane. Eleven percent of USTS respondents who had gone through TSA screening in the past year reported that TSA officers questioned the name or gender on their IDs.[21] There are a limited number of IDs that are accepted for traveling by airplane. Two accepted IDs are current driver's licenses and passports.

We compared the proportion of respondents reporting that TSA officers questioned the name or gender on their IDs for those that had corrected the gender marker on their driver's license or passport to those who had not corrected the gender marker (Figure 4). We found that those who had not corrected the gender marker on their driver's license or their passport were significantly more likely to have the name or gender on their ID questioned by TSA officers. In regard to driver's licenses, 26.0% of those who had not corrected the gender marker had the name or gender on their ID questioned by TSA officers, compared to 8.9% of those who had corrected the gender marker. In regard to passports, 17.6% of those who had not corrected their gender marker had the name or gender on their ID questioned by TSA officers, compared to 6.0% of those who had corrected their gender marker.

[20] James, S.E., et al., 2016, p. 82.

[21] James, S.E., et al., 2016.

Figure 4. Questioning of name or gender on ID by TSA officers among USTS respondents who had flown in the past year, by whether respondent had corrected the gender marker on their driver's license or passport



Note: Analysis limited to those living all the time in a gender different from their sex assigned at birth who had gone through airport security in the past year. Due to limitations in the 2015 USTS questionnaire, this analysis is further limited to those who said they had a driver's license or passport and had corrected the gender marker on some or all of their IDs. Driver's License: n = 4,474; F = 63.15; p<0.001. Passport: n = 3,561; F = 72.40; p<0.001.

CONCLUSION

Having accurate identity documents is important for many aspects of life, whether one is applying for a job or voting in a state with voter ID requirements. Transgender people who have inaccurate IDs have reported discrimination, harassment, and other problems navigating public spaces, like TSA checkpoints. Inaccurate IDs can even have a negative impact on mental health. Conversely, having accurate IDs can reduce the prevalence of harassment and discrimination, and potentially improve mental health indicators. State-level policies that make it less burdensome on transgender people to obtain IDs with the correct gender marker result in higher proportions of transgender people with accurate IDs. State and federal policymakers should review statutes and regulations that govern changes to official IDs and enact necessary changes to make these processes easy and accessible for transgender people.

AUTHORS

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SUGGESTED CITATIONS

Herman, J.L. & O'Neill, K. (2021). *Gender Marker Changes on State ID Documents: State-level Policy Impacts.* Los Angeles, CA: The Williams Institute.

APPENDIX

METHODS NOTE

In this study, we performed a secondary analysis of data generated from the 2015 U.S. Transgender Survey (USTS), which was conducted by the National Center for Transgender Equality. The survey was administered online to transgender adults living in the U.S., including all 50 states, the District of Colombia, American Samoa, Guam, Puerto Rico, and U.S. military bases overseas. Analyses in this report were limited to respondents who were living in the 50 states and the District of Columbia who were living all the time in a gender different from their sex assigned at birth. Analysis of birth certificate policies was limited to respondents who were born in the 50 states or the District of Colombia. Bivariate analyses for this report were conducted with the standard survey weight applied. Multivariate analyses were unweighted.

To assess identification document change policy differences between states in the U.S., states were categorized by the difficulty of the process required to change one's gender marker on their driver's license or birth certificate. State policies were examined as they were in 2015, to align with the year that the USTS data was collected. Government websites and other resources, including the Movement Advancement Project's categorization of state policies, were accessed through the Internet Archive's WayBack Machine, to examine state policies at the time of the USTS survey. The Internet Archive is a non-profit library which archives web pages and other online content.[22] The difficulty of ID document gender-marker change was measured by the types of documentation that were required for such a change, including whether a court order or proof of gender affirming surgical care is required. The initial categorization relied upon the Movement Advancement Project's categorization of state policies in 2015.[23] We then performed legal analysis to review these policies and collapsed categories such that we had three levels of difficulty for gender-marker change policies for driver's licenses and birth certificates.

For driver's license policies, states were categorized by their 2015 policies as having the least barriers if the state accepted specified forms filled out by the individual seeking to change their ID and/or documentation from a broad range of licensed professionals, and does not require proof of gender-affirming surgical care. States were categorized as having some barriers if they require documentation from a limited range of licensed professional, or require burdensome proof of clinical treatment, but not gender-affirming surgical care. States were considered to have the most barriers if they required proof of surgery, a court order, or an amended birth certificate in order to change their driver's license gender marker. Some states had policies that were unclear or unspecified. Four states had unclear driver's license gender marker change policies; these were North Dakota, South Dakota, Arkansas, and Mississippi. For these, we found as much information as possible about what was required in 2015 and categorized accordingly; these were most often considered to have the most barriers.

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[22] The Internet Archive. https://archive.org/about/.

[23] *Identity Document Laws and Policies*. (n.d.). Movement Advancement Project. Retrieved May 7, 2021 from https://web.archive.org/web/20150906221836/http:/www.lgbtmap.org/equality-maps/identity_document_laws .

States were categorized by their 2015 policies as having the least barriers to changing one's gender marker on a birth certificate if they did not require gender-affirming surgical care or a court order. States were categorized as having some barriers if the state policies were unclear about surgical or clinical requirements, or may require a court order to change the gender marker. States were considered to have the most barriers if they required proof of surgical care or a court order, or did not allow any changes of gender markers on birth certificates. Four states had unclear birth certificate gender marker change policies; these were Texas, Oklahoma, Ohio, and South Carolina. We found as much information as possible about what was required in 2015 and categorized accordingly; these were most often considered to have the most barriers.

Due to a problem with the question skip logic in question 10.15 in Section 10 of the 2015 USTS questionnaire, which covered the topic of identity documents, we do not know what proportion of all respondents who live all the time in a gender different from their sex assigned at birth have a driver's license or passport. In order to conduct our analyses for driver's licenses and state gender marker policy barriers, those respondents who may not have a driver's license are included among those who have not corrected their gender markers. We assume that the proportion of those without driver's licenses would be similar across the three groups of states, grouped by driver's license gender marker change policies. We believe this assumption is correct based on available evidence. Based on data provided by the Federal Highway Administration, we found that at the time of the 2015 USTS survey, the percentage of people of driving age that have driver's licenses in states with the most gender marker policy barriers (89.5%), some gender marker policy barriers (87.0%), and the least gender marker policy barriers (88.2%) was remarkably similar.[24] Furthermore, using data from the 2015 USTS, we found no significant difference across the three state policy groups in the percentage of transgender adults who live all the time in a gender different from their sex assigned at birth and do not have a driver's license.[25] Due to the aforementioned skip logic problem in question 10.15 of the 2015 USTS questionnaire, this analysis of USTS data could only be completed among those who had corrected the gender markers on some or all of their IDs. However, it is an additional piece of evidence to support the assumption underlying our analyses. Therefore, with similar proportions of those with driver's licenses across these groups of states, our analyses are not significantly impacted by including those without driver's licenses with those who have not corrected the gender marker on their driver's licenses.

In order to conduct our analyses of experiences with TSA officers, we limit our sample to those who received question 10.16 in the 2015 USTS. These respondents reported in question 10.15 that some or all of their IDs have the correct gender marker. 10.16 then asks about individual IDs and whether the respondent has the listed ID and whether they have corrected the gender marker on that ID. Our analysis of TSA experiences, therefore, is limited to those who reported that some or all of their IDs list their correct gender. If we had not limited the sample in this way, those without a driver's license or passport would have been included with those who said they had not corrected the gender markers on those IDs, potentially inflating that category. Notably, in both approaches to these analyses, those who have not corrected the gender markers on their driver's licenses or passports

[24] *Highway Statistics 2015*. (2017). Office of Highway Policy Information, Federal Highway Administration, U.S. Department of Transportation. Retrieved May 21, 2021 from https://www.fhwa.dot.gov/policyinformation/statistics/2015/dl1c.cfm. Analyses of data completed by and on file with the authors.

[25] Analyses of 2015 USTS data completed by and on file with the authors.

were significantly more likely to have the name or gender on their ID questioned by TSA officers, but the differences between those only from question 10.16 are substantially larger.

For bivariate analyses, we utilize Pearson's chi-square tests of independence with Rao and Scott correction for weighted survey data. Unweighted, multilevel mixed-effects logistic regression random intercept models were estimated to examine whether state policy type was associated with whether respondents had accurate identification documents, while accounting for covariates and clustering within states. This type of model allows for the inclusion of variables at both the individual- and state-level. This also accounts for correlation between observations in the same state. The models were adjusted for education level (less than high school, high school graduate, some college or associate degree, or bachelor's degree or more) age (18-24, 25-44, 45-64, 65+), poverty, race (white or BIPOC), and gender (transgender woman, transgender man, or nonbinary). Statistical significance was assessed at $p<0.05$. All analyses were conducted using Stata, version 15.1 (Stata-Corp).

APPENDIX TABLES

In Table A1, we provide estimates of the percentage and number of transgender people with no IDs that have the correct gender marker for the U.S. and each of the 50 states and the District of Columbia. The estimated percentage of respondents who did not have correct I.D. documents comes from the 2015 USTS. The number of observations in each state averaged 324 and ranged from 18 to 2,240. Estimates based on samples smaller than 30 are marked with a #. This percentage was multiplied by the estimated number and the lower and upper bound estimates based on the 95% confidence interval of transgender adults living in each state as reported in Flores, et al., limited to the estimated population of transgender adults who are living all the time in a gender different from their sex assigned at birth.[26] The 2015 USTS included respondents who identified as transgender, including transgender men, transgender women, and nonbinary people. Flores, et al., estimates are based on the CDC's Behavior Risk Factor Surveillance System (BRFSS), which asks respondents if they consider themselves to be transgender (yes or no). While the questions the USTS and BRFSS asked to identify transgender respondents differ slightly, we believe the population definitions sufficiently overlap to create these estimates.

[26] Flores, A.F., Herman, J.L., Gates, G.J., & Brown, T.N.T. (2016). *How many adults identify as transgender in the United States?* Los Angeles, CA: The Williams Institute. National and state-level transgender adult population estimates were limited to those living all the time in a gender different from their sex assigned at birth, based on national and state-level findings from the 2015 USTS on the percentage of transgender adults who live all the time in a gender different from their sex assigned at birth.

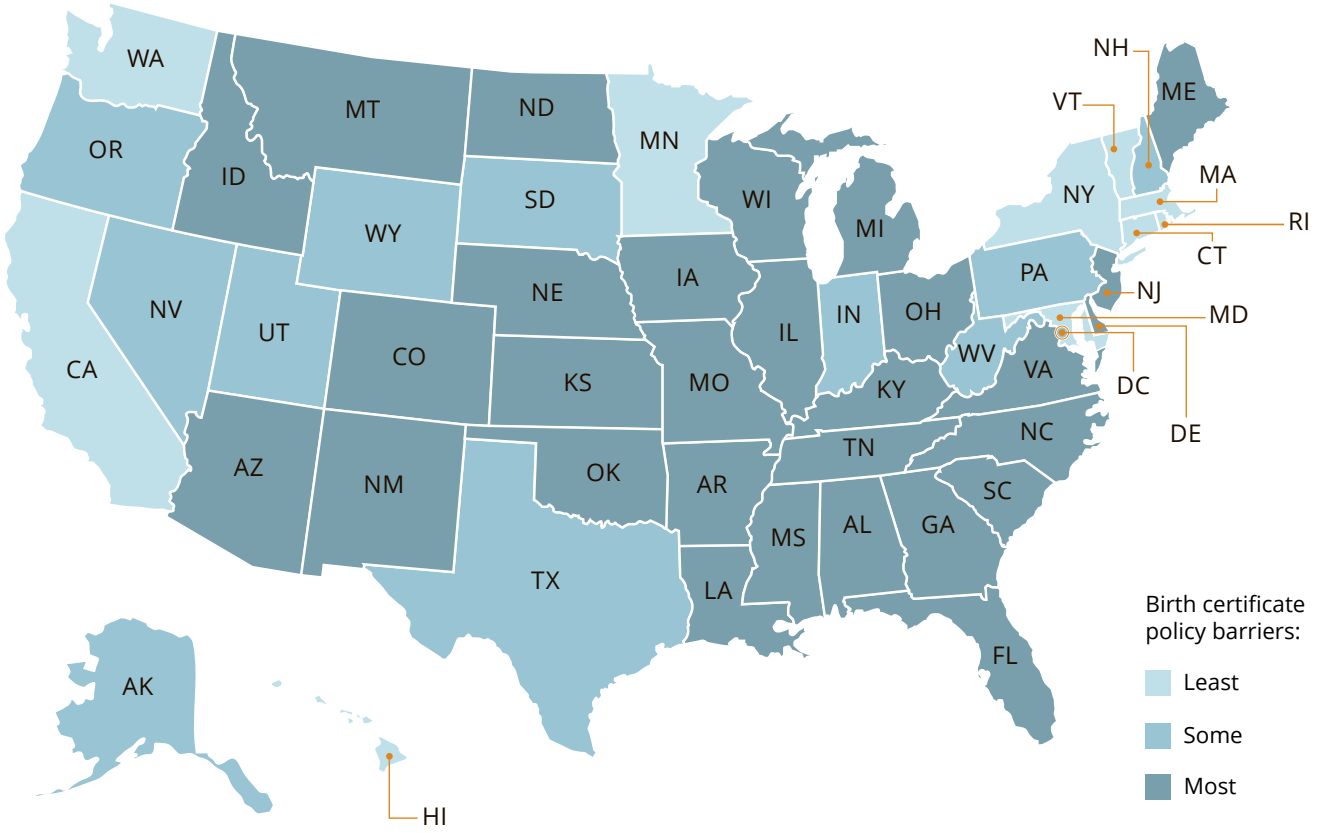
Table A1. Estimated percentage and number of transgender adults who live all the time in a gender different from their sex assigned at birth and have no IDs that have the correct gender marker

	NO ID WITH CORRECT GENDER MARKER	
STATE	PERCENT	NUMBER (95% CI)
United States	54.8%	476,250 (291,100, 781,750)
Alabama	75.5%	9,250 (4,700, 19,250)
Alaska	36.6%	650 (400, 1,050)
Arizona	53.7%	10,750 (6,050, 18,950)
Arkansas	46.8%	3,600 (1,850, 6,750)
California	48.7%	69,050 (37,950, 119,650)
Colorado	55.4%	7,450 (4,350, 12,650)
Connecticut	48.2%	2,750 (1,650, 4,400)
Delaware	30.5%	850 (600, 1,150)
District of Columbia	39.1%	4,050 (750, 18,550)
Florida	59.8%	34,050 (19,800, 55,700)
Georgia	63.8%	23,550 (13,200, 41,450)
Hawaii	33.0%	1,550 (1,150, 2,050)
Idaho	51.9%	1,450 (1,050, 2,050)
Illinois	52.5%	16,350 (10,050, 25,400)
Indiana	60.6%	9,350 (7,400, 11,900)
Iowa	70.1%	3,000 (1,850, 4,200)
Kansas	74.5%	4,150 (3,200, 5,250)
Kentucky	67.0%	7,050 (5,250, 9,200)
Louisiana	60.8%	7,050 (5,250, 9,200)
Maine	61.5%	2,250 (1,350, 3,700)
Maryland	56.6%	8,200 (6,300, 10,350)
Massachusetts	46.4%	9,350 (5,400, 15,450)
Michigan	77.7%	14,850 (8,650, 23,500)
Minnesota	53.0%	8,250 (6,600, 10,300)
Mississippi	68.0%	4,700 (2,350, 9,350)
Missouri	65.1%	9,450 (5,100, 16,450)

	NO ID WITH CORRECT GENDER MARKER	
STATE	PERCENT	NUMBER (95% CI)
Montana	44.0%	650 (450, 900)
Nebraska	63.8%	2,300 (1,350, 3,450)
Nevada	46.8%	3,400 (2,300, 4,850)
New Hampshire	44.9%	1,250 (750, 2,050)
New Jersey	49.8%	9,100 (5,450, 15,100)
New Mexico	41.1%	3,250 (1,850, 5,550)
New York	50.4%	26,600 (19,300, 35,150)
North Carolina	63.6%	16,500 (9,700, 28,300)
North Dakota	64.9%#	500# (300, 800)
Ohio	53.4%	12,350 (9,500, 15,500)
Oklahoma	55.4%	6,150 (3,050, 12,650)
Oregon	49.4%	7,000 (3,850, 12,950)
Pennsylvania	54.4%	15,300 (11,700, 19,850)
Rhode Island	43.8%	1,200 (700, 2,000)
South Carolina	73.8%	8,750 (5,050, 16,000)
South Dakota	62.1%#	700# (400, 1,150)
Tennessee	73.2%	12,200 (6,500, 23,600)
Texas	67.0%	47,300 (27,100, 80,050)
Utah	69.7%	3,150 (1,450, 7,050)
Vermont	44.5%	850 (600, 1,150)
Virginia	48.1%	8,500 (6,650, 11,050)
Washington	48.8%	10,800 (6,100, 18,800)
West Virginia	62.7%	1,450 (850, 2,500)
Wisconsin	55.4%	6,550 (4,750, 8,700)
Wyoming	68.7%#	350# (250, 500)

Note: Sample sizes for the states ranged from 18 to 2,240. # Indicates the USTS state sample that was used to create this estimate consisted of less than 30 people.

Figure A1. Categorization of state policies by the requirements for changing gender markers on identification documents, as of September 2015



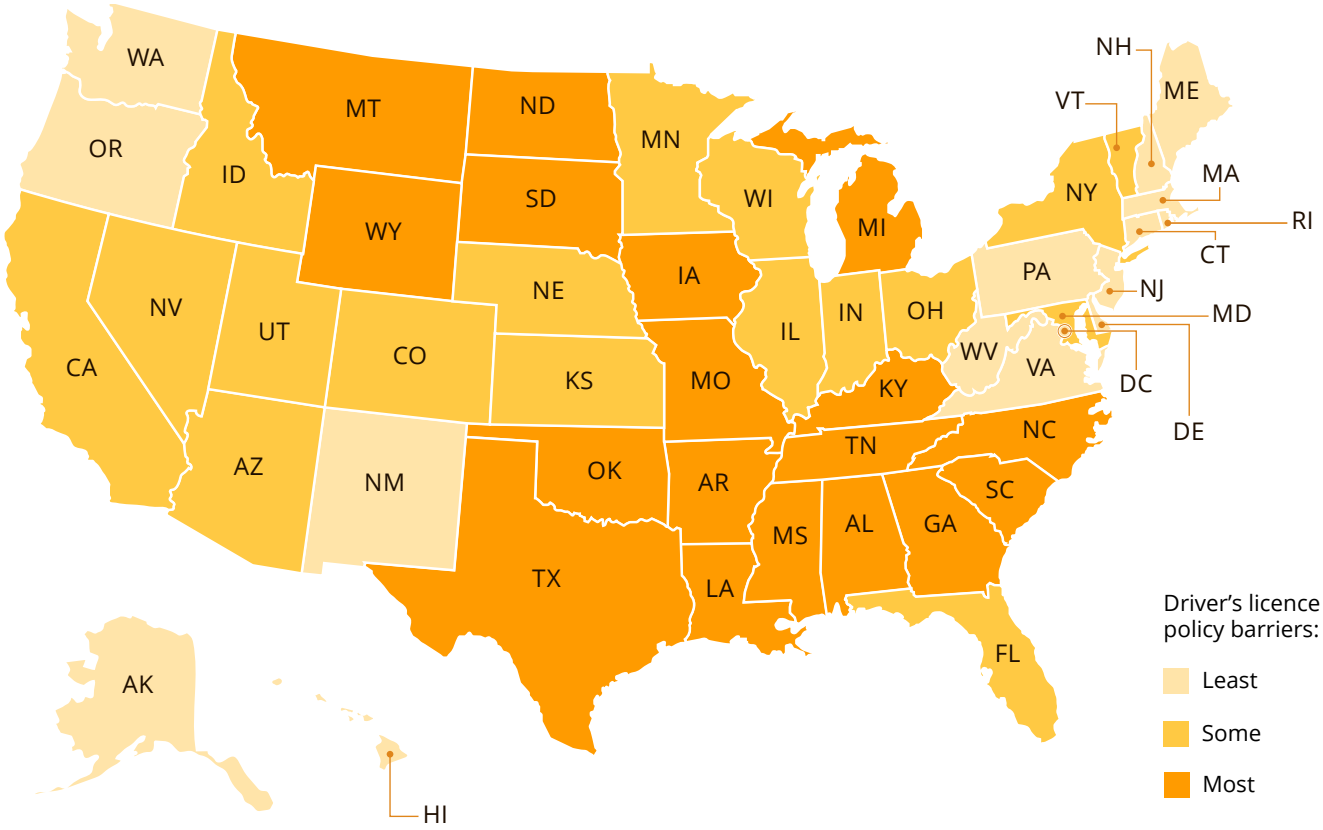


Table A2. Percentage of USTS respondents who corrected the gender marker on their driver's license by state gender marker policy barriers for driver's licenses in the state where they reside

	LEAST BARRIERS 16 STATES N=4,984		SOME BARRIERS 17 STATES N=7,966		MOST BARRIERS 18 STATES N=3,580		TOTAL 50 STATES & D.C. N=16,531		STATISTICS	
	%	95% CI	%	95% CI	%	95% CI	%	95% CI	*F*	*P*-VALUE
Corrected gender marker on driver's license	46.5	44.6, 48.4	42.8	41.2, 44.3	25.8	23.9, 27.7	40.0	39.0, 41.1	112.12	<0.001
Not corrected or do not have a driver's license	53.5	51.6, 55.4	57.2	55.7, 58.8	74.2	72.3, 76.1	60.0	58.9, 61.0		

Note: Analysis limited to those living all the time in a gender different from their sex assigned at birth who reside in the 50 U.S. states or the District of Colombia; (*n*=16,531).

Table A3. Percentage of USTS respondents who corrected the gender marker on their birth certificate by state gender marker policy barriers for birth certificates in their birth state

	LEAST BARRIERS 11 STATES N=5,812		SOME BARRIERS 11 STATES N=2,670		MOST BARRIERS 29 STATES N=7,169		TOTAL 50 STATES & D.C. N=15,561		STATISTICS	
	%	95% CI	%	95% CI	%	95% CI	%	95% CI	*F*	*P*-VALUE
Corrected gender on birth certificate	15.7	14.6, 17.0	10.5	9.1, 12.1	8.4	7.6, 9.2	11.5	10.9, 12.2	54.94	<0.001
Not corrected	84.3	83.0, 85.4	89.5	87.9, 90.9	91.6	90.8, 92.4	88.5	87.8, 89.1		

Note: Analysis limited to those living all the time in a gender different from their sex assigned at birth who were born in the U.S.; (*n*=15,651).

Table A4. Questioning of name or gender by TSA officers among USTS respondents who had flown in the past year, by whether driver's license gender marker is correct

	HAVE NOT CORRECTED GENDER MARKER ON DRIVER'S LICENSE N=401		CHANGED GENDER MARKER ON DRIVER'S LICENSE N=4,073		TOTAL N=4,474		STATISTICS	
	%	95% CI	%	95% CI	%	95% CI	*F*	*P*-VALUE
TSA questioned name/ gender on ID	26.0	20.6, 32.2	8.9	7.8, 10.1	10.5	9.4, 11.8	63.15	<0.001
TSA did not question	74.0	67.8, 79.4	91.1	89.9, 92.2	89.5	88.2, 90.6		

Note: Analysis limited to those living all the time in a gender different from their sex assigned at birth who have gone through airport security in the past year, updated some or all of their ID's, and who have a driver's license; (*n*=4,474).

Table A5. Questioning of name or gender on ID by TSA officers among USTS respondents who had flown in the past year, by whether passport gender marker is correct

	HAS NOT CORRECTED GENDER MARKER ON PASSPORT N=1,345		CORRECTED GENDER MARKER ON PASSPORT N=2,216		TOTAL N=3,561		STATISTICS	
	%	95% CI	%	95% CI	%	95% CI	*F*	*P*-VALUE
TSA questioned name/ gender on ID	17.6	15.1, 20.4	6.0	4.8, 7.4	10.5	9.2, 11.8	72.40	<0.001
TSA did not question	82.4	79.6, 84.9	94.0	92.6, 95.2	89.5	88.2, 90.8		

Note: Analysis limited to those living all the time in a gender different from their sex assigned at birth who have gone through airport security in the past year, updated some or all of their ID's, and who have a passport; (*n*=3,561).

Table A6. Descriptive statistics of the analytic sample for multilevel mixed-effects logistic regression – driver's licenses model

	%	95% CI
Percentage of respondents residing in states by the difficulty of changing gender marker on a driver's license		
Least barriers	28.4%	[27.5%, 29.4%]
Some barriers	49.3%	[48.2%, 50.4%]
Most barriers	22.3%	[21.4%, 23.2%]
Poverty		
Not at or near poverty	65.0%	[63.9%, 66.1%]
At or near poverty	35.0%	[33.9%, 36.1%]
Education		
Less than high school	2.6%	[2.2%, 3.0%]
High school graduate	10.5%	[9.9%, 11.2%]
Some college or associate degree	47.4%	[46.3%, 48.5%]
Bachelor's degree or higher	39.5%	[38.5%, 40.5%]
Gender		
Trans woman	36.7%	[35.7%, 37.7%]
Trans man	39.0%	[38.0%, 40.1%]
Nonbinary	24.3%	[23.3%, 25.3%]
Race/Ethnicity		
White	60.8%	[59.6%, 62.0%]
Black, Indigenous, and People of Color	39.2%	[38.0%, 40.4%]
Age		
18 to 24	37.0%	[36.0%, 38.2%]
25 to 44	46.2%	[45.1%, 47.2%]
45 to 64	14.5%	[13.8%, 15.2%]
65+	2.3%	[2.1%, 2.6%]
N	**15,836**	

Note: Analysis limited to those living all the time in a gender different from their sex assigned at birth. Includes only respondents currently residing in the 50 U.S. states or the District of Colombia.

Table A7. Descriptive statistics of the analytic sample for multilevel mixed-effects logistic regression – birth certificates model

	%	95% CI
Percentage of respondents born in states by the difficulty of changing gender marker on a birth certificate		
Least barriers	38.1%	[37.0%, 39.2%]
Some barriers	16.4%	[15.6%, 17.2%]
Most barriers	45.5%	[44.4%, 46.6%]
Poverty		
Not at or near poverty	65.0%	[63.9%, 66.1%]
At or near poverty	35.0%	[33.9%, 36.1%]
Education		
Less than high school	2.6%	[2.2%, 3.0%]
High school graduate	10.5%	[9.9%, 11.2%]
Some college or associate degree	47.4%	[46.3%, 48.5%]
Bachelor's degree or higher	39.5%	[38.5%, 40.5%]
Gender		
Trans woman	36.7%	[35.7%, 37.7%]
Trans man	39.0%	[38.0%, 40.1%]
Nonbinary	24.3%	[23.3%, 25.3%]
Race/Ethnicity		
White	60.8%	[59.6%, 62.0%]
Black, Indigenous, and People of Color	39.2%	[38.0%, 40.4%]
Age		
18 to 24	37.0%	[36.0%, 38.2%]
25 to 44	46.2%	[45.1%, 47.2%]
45 to 64	14.5%	[13.8%, 15.2%]
65+	2.3%	[2.1%, 2.6%]
N	**14,965**	

Note: Analysis limited to those living all the time in a gender different from their sex assigned at birth. Excludes respondents who were born outside of the 50 U.S. states or the District of Colombia.

Table A8. Association between state policy by state of current residence and correct gender marker on driver's licenses among transgender adults in the US

	OR (SE)	95% CI	*P*-VALUE
State Policy			
Least barriers	—	—	—
Some barriers	0.70 (0.09)	(0.55 – 0.90)	0.005
Most barriers	0.30 (0.04)	(0.23 – 0.39)	<0.001
Poverty			
At or near poverty	0.71 (0.32)	(0.65 – 0.77)	<0.001
Not at or near poverty	—	—	—
Education			
Less than high school	0.22 (0.03)	(0.16 – 0.29)	<0.001
High school graduate	0.34 (0.02)	(0.30 – 0.39)	<0.001
Some college or associate degree	0.56 (0.02)	(0.51 – 0.61)	<0.001
Bachelor's degree or more	—	—	—
Gender			
Trans women	—	—	—
Trans men	0.96 (0.04)	(0.88 – 1.04)	0.319
Nonbinary	0.08 (0.01)	(0.07 – 0.09)	<0.001
Race/ethnicity			
People of color	0.95 (0.05)	(0.86 – 1.05)	0.331
White	—	—	—
Age			
18-24	0.15 (0.02)	(0.12 – 0.19)	<0.001
25-44	0.39 (0.05)	(0.30 – 0.49)	<0.001
45-64	0.89 (0.12)	(0.69 – 1.15)	0.370
65+	—	—	—
Intercept	7.84 (1.21)	(5.80 – 10.60)	<0.001
Variance components			
Intercept	0.10 (0.03)	(0.05 – 0.18)	—

Note: Log likelihood = -7876.07. Wald chi2 (12) = 3145.63. Prob > chi2 = <0.001. *n*=15,836.

Multilevel mixed effects logistic regression model predicting updated gender marker on driver's licenses among transgender adults in the U.S. Reference groups are indicated with a '—'.

Table A9. Association between state policy and state of birth and correct gender marker on birth certificates among transgender adults in the US

	OR (SE)	95% CI	*P*-VALUE
State Policy			
Least barriers	—	—	—
Some barriers	0.60 (0.05)	(0.51 – 0.71)	<0.001
Most barriers	0.52 (0.03)	(0.46 – 0.59)	<0.001
Poverty			
At or near poverty	0.72 (0.05)	(0.63 – 0.82)	<0.001
Not at or near poverty	—	—	—
Education			
Less than high school	0.41 (0.10)	(0.25 – 0.66)	<0.001
High school graduate	0.49 (0.05)	(0.39 – 0.61)	<0.001
Some college or associate degree	0.63 (0.04)	(0.56 – 0.71)	<0.001
Bachelor's degree or more	—	—	—
Gender			
Trans women	—	—	—
Trans man	1.26 (0.07)	(1.12 – 1.41)	<0.001
Nonbinary	0.13 (0.02)	(0.10 – 0.17)	<0.001
Race/ethnicity			
People of color	0.89 (0.07)	(0.77 – 1.04)	0.152
White	—	—	—
Age			
18-24	0.17 (0.02)	(0.13 – 0.22)	<0.001
25-44	0.32 (0.04)	(0.25 – 0.40)	<0.001
45-64	0.65 (0.08)	(0.52 – 0.82)	<0.001
65+	—	—	—
Intercept	0.95 (0.12)	(0.74 – 1.20)	0.651
Variance components			
Intercept	0.06 (0.02)	(0.03 – 0.12)	—

Note: Log likelihood =-4756.25. Wald chi2 (12) = 1001.54. Prob > chi2 = <0.001. *n*=14,965.

Multilevel mixed effects logistic regression model predicting updated gender marker on birth certificates among transgender adults in the U.S. Reference groups are indicated with a '—'.