

Trans Travel Guide

Updated: 2023-09-11

Current version always available @ <https://github.com/trans-travel/trans-travel>

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Introduction

This project seeks to provide "travel advice" for trans travelers (and our companions) based on laws and practical safety within various jurisdictions.

If you are viewing this at <https://TravelWhileTrans.com/>, you can select a jurisdiction using the sidebar on the left.

It is not geared towards people already living in a jurisdiction. For instance, laws about medical insurance won't generally be mentioned, as most people traveling will have out-of-jurisdiction medical insurance. Likewise, laws about school athletics will not be mentioned as these generally don't impact travelers. However, information that might impact travelers in different situation will be mentioned. For instance, someone assigned to a business project for several months in a state may need to utilize medical care. Others may travel with children and be concerned about how this could be seen as child abuse or cause child custody issues.

Disclaimer

This is not legal advice, and is not put together by a lawyer. This information is not guaranteed to be up-to-date or accurate. You should consult with an attorney with any questions.

Missing Jurisdictions

This guide is definitely incomplete, and contains only a handful of jurisdictions at this time. Contributions of additional jurisdictions are always appreciated.

A Note on Intersectional Oppression

This directory is focused on laws and safety concerns that generally impact trans people. However, not all trans people have the same safety concerns, which is why I've refrained from saying a state might be "safe" or "dangerous" directly, or giving scores/grades/etc. For instance, a wealthy trans person may be able to more safely visit a specific jurisdiction than someone without class privilege. Likewise, a person with white privilege might be safe in a place where a person who does not have that privilege might not. The intent is to not erase these legitimate intersectional concerns, but to be a starting point for your research.

Changes to this guide

You can [view changes to the travel guide here](#).

About "Bad Countries" and "Bad States"

Trans people have always existed, and still do exist across all cultures. A jurisdiction may be unsafe or have bad laws, but there will still be trans people within that jurisdiction, and it's important to consider them before fully writing off a state or country as not worth a fight. In addition, there are accepting, open-minded allies in every jurisdiction as well.

In addition, in both good and bad jurisdictions, there will be good and bad treatment of trans people. The summaries in this project attempt to summarize the situation for people, but they are just summaries. Any one individual's situation may be different than what others face, both good and bad.

Errors / Omissions

This project welcomes contributions via pull requests or email to Joelle Maslak [Joelle Maslak](#).

The project is also available on Github as <https://github.com/trans-travel/trans-travel>

Particularly interesting is general information from people that know the location, beyond just what the laws say. If you know a city has a great neighborhood for trans people, or that there is a disparity between how one area of the country or state treats people and another, this is extremely valuable information!

This project also welcomes contributions of new jurisdictions! To add a new jurisdiction, please utilize the template in template.md if you can.

License

This is licensed Creative Commons Zero (CC0) 1.0.

Contributors

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Mexico

A Note

An American with limited knowledge of Mexican law and culture, and who does not speak Spanish put this page together. I would be very grateful for those with more knowledge to improve this page in any and all ways. While this is geared for people who might travel to Mexico, I prefer that it would be written in an accurate, culturally appropriate way.

Summary

While Mexico does not specifically name trans people in non-discrimination law, they appear to be protected under the law by CONAPRED, the group responsible for enforcing the national anti-discrimination law.

Mexico does not have laws against transgender medical care for any age.

Non-discrimination Law

- CONAPRED, the Mexican non-discrimination agency, does appear to consider anti-transgender discrimination to be a violation of Mexican anti-discrimination law, although the law does not specifically mention trans people.

Public Accommodations

- Trans people are not banned from using appropriate bathrooms and locker rooms.

Drag / Performance / Cross-dressing Laws

- Mexico does not have a drag/cross-dressing law.

Air Travel

- Travel into/out-of Mexico will require tickets and documents to match, including gender.

Jails / Prisons

- Trans women would typically be housed with men
- Trans men would typically be housed with women
- Nonbinary people would typically be housed according to sex assigned at birth

Legal Definition of Sex

Non-binary people have recently obtained legal recognition, although this change is a work in progress and is at the early stages.

Medical Care

- Trans medical care is legal for all ages.
- Medical tourism is a large industry in Mexico. Some clinics are reputable and operate with high standards within regulations, while others are operating outside of the law and may target medical tourists, providing unsafe care.
- Care for transgender youth may not be as easily available as it is in some places in the USA.

Child Custody / Abuse

- Transition care is not specifically defined as child abuse
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

General Safety

Mexico is a large country, with a variety of different cultures. Some of these cultures have a long heritage of people who do not fit the gender binary, but others are resistant to trans people. Trans people in Mexico face discrimination and violence. Standard travel warnings from various governments should also be followed when visiting any country, including Mexico.

Resources

New Zealand / Aotearoa

A Note

An American with limited knowledge of Aotearoa / NZ law and culture put this page together. I would be very grateful for those with more knowledge to improve this page in any and all ways. While this is geared for people who might travel to Aotearoa / NZ, I prefer that it would be written in an accurate, culturally appropriate way.

Summary

While Aotearoa / NZ does not specifically name trans people in non-discrimination law, they appear to be protected under the 1993 Human Rights Act, under the grounds of "sex" discrimination.

The LGBT community may be referred to as the "rainbow community" here.

Aotearoa / NZ does not have laws against transgender medical care for any age.

Non-discrimination Law

- While the 1993 Human Rights Act does not specifically name trans people, it is believed to protect against anti-trans discrimination in the same ways it protects against sex discrimination.

Public Accommodations

- Trans people can use appropriate toilet and locker rooms. Note however that gender neutral facilities are not required to exist. However, a trans person can use a toilet that best fits their identity.

Drag / Performance / Cross-dressing Laws

- Aotearoa / NZ does not have a drag/cross-dressing law.

Air Travel

- Travel into/out-of Aotearoa / NZ will require tickets and documents to match, including gender.

Jails / Prisons

- Trans women can be housed with women, except if they have been convicted of sexual offenses against women. This is subject to prison service approval.
- Trans men can be housed with men, except if they have been convicted of sexual offenses against men. This is subject to prison service approval.
- Nonbinary people's prison assignment is based upon prison service approval.

Legal Definition of Sex

People can self-declare their gender, including "M", "F", or "X" on passports, birth certificates, and other legal documents. The birth certificate is commonly used as proof of sex for activities such as school or prison.

Medical Care

- Trans medical care is legal for all ages.
- Surgical care for some procedures is unavailable in New Zealand.

Child Custody / Abuse

- Transition care is not considered child abuse.
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [Human Rights Act of 1993](#)

General Safety

Aotearoa / NZ is a country with a variety of different cultures. Some of these cultures have a long heritage of people who [do not fit the gender binary](#), but others are more resistant to trans people, in some cases due to the impact of colonization. Trans people in Aotearoa / NZ face some discrimination, but tend to face less violence than in the United States.

While there is a history of support for trans people, including the [first openly trans minister of parliament in the world](#), recent world-wide "culture wars" have begun making some inroads into New Zealand. While these are not predominant beliefs, and most residents appear to reject them, some politicians have begun to [campaign on transphobic policies](#) as of 2023. In addition, anti-trans protesters have been active, fueled by international anti-trans hate, with [anti-trans hate rhetoric increasing in 2023](#). That said, at major hate events, counter-protesters (I.E. people supporting trans rights) have, thus far (as of September, 2023), outnumbered hate group members.

In general, more protections exist for trans people in Aotearoa / NZ than in the United States, particularly around hate speech and harassment. Like many places, larger cities are said to be more accepting than some rural places, although trans visitors are generally unlikely to directly encounter explicit, directed hate in any area of the country.

Resources

- [Rainbow Rights in Aotearoa](#)

USA - Alabama

Alabama has some negative laws towards trans people. However, these laws are, thus far, fairly restricted and do not apply to most trans people in most situations.

Alabama does criminalize trans care for children which may have an impact on child custody.

Non-discrimination Law

- Alabama non-discrimination law does not include LGBT people
- Some municipalities may have non-discrimination laws, namely Birmingham and Montevallo.

Public Accommodations

- Trans people are required to use bathrooms/showers associated with their sex assigned at birth when using some bathrooms/showers in schools.
- Public accommodation access is not protected for trans people in Alabama.
- Alabama has wide-reaching religious freedom laws that allow denial of some services on the basis of gender identity.

Drag / Performance / Cross-dressing Laws

- Alabama does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women would typically be housed with men
- Trans men would typically be housed with women
- Nonbinary people would typically be housed according to sex assigned at birth

Legal Definition of Sex

Non-binary people are not recognized.

Intersex people have some limited recognition.

Some laws specify male, female, and similar words based on sex assigned at birth and/or chromosomes.

Medical Care

- Trans medical care is legal for adults
- A law banning puberty blockers, hormone therapy, and surgery for people under 18 has passed and became law. It is, as of Aug. 28, 2023, blocked from enforcement by a district judge, although an appeals court ruled in favor of the block but that decision [cannot override the district judge until an appeal has a chance to be made](#). That means that this decision could change quickly once the appeals court determines if they will hear the case.
- Parents who allow children to receive trans care including puberty blockers, hormone therapy, and surgery are criminalized.
- Medical providers can deny some care on the basis of their religious beliefs.
- In an abortion case, the Attorney General has indicated that assisting someone with transportation out-of-state for abortion could be [considered conspiracy](#). That law is similar to the anti-trans youth healthcare ban, thus people should be aware that when visiting Alabama, many actions that don't involve Alabama may be considered criminal conspiracy by the head law enforcement officer in the state, should the anti-trans youth healthcare ban be re-instated.

Child Custody / Abuse

- Some transition care (puberty blockers, hormone therapy, and surgery) for youth and teens (note this applies to people who are 18-years-old as the age of majority in Alabama is 19) is illegal, in a law entitled the "Alabama Vulnerable Child Compassion and Protection Act." This law is blocked from enforcement (for the puberty blocker and hormone therapy aspects) by court while litigation proceeds, but shows the state's view of this care.
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2022 SB184 Trans Youth Medical Care](#)

General Safety

The state has a law that prevents instruction on sexual orientation or gender identity (or really any mention) up to grade 5 in schools.

Birmingham has been called out as welcoming by a contributor ("hub of all queerness"), and may be more welcoming than some other places. Likewise, Mobile has also been noted for having Decadence, the first Mardi Gras parade, the Prancing Elites, has the Fruit Loop which includes one of the only lesbian bars in the country, and politicians and organizations who have supported gay people historically. That said, municipalities have limited power and cannot override state laws.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [Boe v. Marshall, case against 2022 SB184 Tracker \(Youth Healthcare\)](#)
- [Birmingham AIDS Outreach](#)

USA - Alaska

Alaska does not have laws that target trans people directly.

Alaska does not appear to place child custody at risk.

Non-discrimination Law

- Alaska non-discrimination law does not include LGBT people specifically
- Some municipalities have local non-discrimination laws that apply to gender identity.
- The Alaska Human Rights Commission has sometimes interpreted existing protections on the basis of sex as applying to trans people.

Public Accommodations

- Trans people are not banned from using appropriate bathrooms and locker rooms.
- General public accommodation access is not specifically protected by law for trans people in Alaska.

Drag / Performance / Cross-dressing Laws

- Alaska does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women would typically be housed with men
- Trans men would typically be housed with women
- Nonbinary people would typically be housed according to sex assigned at birth

Legal Definition of Sex

Non-binary people are not recognized.

Intersex people have some limited recognition.

Medical Care

- Trans medical care is legal for adults and children.

Child Custody / Abuse

- Transition care is not specifically defined as child abuse
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [Alaska Human Rights Commission](#)

USA - Arizona

Arizona has several negative laws towards trans people. However, these laws are, thus far, fairly restricted and do not apply to most trans visitors.

Arizona does criminalize some surgical trans care for children, but does not generally criminalize such care, thus it appears that parents visiting with trans children will not risk custody.

Note that same-sex marriage may not be recognized within some indigenous nations.

Non-discrimination Law

- Arizona non-discrimination law does not include LGBT people specifically
- Some municipalities have local non-discrimination laws that apply to gender identity.
- Arizona has wide-reaching religious freedom laws that allow denial of some services on the basis of gender identity.

Public Accommodations

- Trans people are not banned from using appropriate bathrooms and locker rooms.
- General public accommodation access is not specifically protected by law for trans people in Arizona.

Drag / Performance / Cross-dressing Laws

- Arizona does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women would typically be housed with men
- Trans men would typically be housed with women
- Nonbinary people would typically be housed according to sex assigned at birth

Legal Definition of Sex

Some laws define sex based on chromosomes, genitals, etc, at birth.

Non-binary people are not recognized.

Changing birth certificate gender marker requires surgery. This is [being challenged in court](#) as of August 10, 2023.

Intersex people have some limited recognition.

Medical Care

- Trans medical care is legal for adults.
- Trans medical care, other than surgery, is legal for children.
- Gender-related surgery on trans children is not legal. An exception exists for surgery done on people born with an intersex condition and for gender-related revision surgery.

Child Custody / Abuse

- Transition care is not specifically defined as child abuse
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized
- The White Mountain Apache Tribe, Chiricahua Apache tribe, Hopi, and Arizona Tewa people recognize same-sex marriage.
- Within the Navajo Nation, the Diné Marriage Act prohibits recognition of same-sex marriage. It is unknown how the "sex" of trans people would be seen under this law, potentially placing all trans/cis marriages at risk (straight or queer) as well as most queer marriages.
- Within the Gila River Indian Reservation, same-sex marriage is not recognized. It is unknown how the "sex" of trans people would be seen under this law, potentially placing all trans/cis marriages at risk (straight or queer) as well as most queer marriages.
- It is unknown whether same-sex marriage is recognized within the Tohono O'odham Indian Reservation.

Relevant Laws

- [2022 SB1138 Gender Surgery for Youth](#)
- [Diné Marriage Act \(Applicable in the Navajo Nation\)](#)

General Safety

The state has a law that requires opt-in for public school instruction on sexual orientation or gender identity.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

In addition because of transgender rhetoric, trans people have been [blamed for at least one crime committed by another person](#), and trans people should be aware of sentiment that may cause them to be seen as more prone to criminal behavior than cis people.

Resources

USA - Arkansas

Arkansas negative laws towards trans people. Some of these laws may place trans people at risk. Trans people should particularly consider the bathroom law. While it requires "arousing or gratifying a sexual desire," how that will be enforced is a gray area.

The 2021 law Arkansas passed that banned youth trans healthcare has been [found unconstitutional](#). However, Arkansas has passed a second law (SB199 2023) which requires doctors to spread misinformation about youth trans healthcare and places some restrictions on the care may still be in effect. It is unknown how this might have an impact on child custody.

Non-discrimination Law

- Arkansas non-discrimination law does not include LGBT people
- Arkansas has banned local subdivisions from establishing inclusive non-discrimination laws.
- Public school (K12 and higher education) employees are not be able to be disciplined for deadnaming or misgendering intentionally.

Public Accommodations

- A law makes it a sex crime to use a bathroom other than the one associated with your sex assigned at birth if a minor is present and you are "arousing or gratifying a sexual desire". It is unknown how this law will be utilized.
- Public accommodation access is not protected for trans people in Arkansas.
- Arkansas has wide-reaching religious freedom laws that allow denial of some services on the basis of gender identity.

Drag / Performance / Cross-dressing Laws

- Exposure of prosthetic genitals or breasts partial or completely, during "performance" intended to appeal to "the prurient interest" is illegal. These do not need to be attached to a human to be illegal. This applies in public and in any space where minors may be.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women would typically be housed with men
- Trans men would typically be housed with women
- Nonbinary people would typically be housed according to sex assigned at birth

Legal Definition of Sex

Non-binary people have some limited recognition.

Intersex people have some limited recognition.

Some laws specify male, female, and similar words based on sex assigned at birth and/or chromosomes.

Medical Care

- Trans medical care is legal for adults
- A 2023 law restricts medical transition for people under 18 has passed and became law. This goes into effect during summer of 2023. This bill requires providers to spread misinformation and places some restrictions on the care. Note however, a previous ban was declared unconstitutional and likely this 2023 law will be too.
- Medical providers can deny some care on the basis of their religious beliefs.

Child Custody / Abuse

- Trans medical care will be illegal (as of summer 2023) for youth in Arkansas, although under current law that is not stayed, penalties will apply to doctors providing the care and not to parents.
- It is unknown if transition might be used by the state to justify custody removal.
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2015 SB202 - Ban on local non-discrimination ordinances](#)
- [2021 HB1570 - Ban on medical transition for youth - Ruled unconstitutional and unenforcable](#)
- [2023 HB1156 - School Bathrooms](#)
- [2023 HB1468 - Deadnaming Students in K12 and Higher Ed](#)
- [2023 HB1615 - Discrimination attributed to religion allowed](#)
- [2023 SB199 - Restrictions on medical transition for youth](#)
- [2023 SB270 - Sex crime of using "wrong" bathroom for sexual gratification](#)
- [2023 SB294 - Don't say "gay"](#)

General Safety

The state has a law that prevents instruction on sexual orientation or gender identity up to grade five in schools.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and

targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [Brandt et al v. Rutledge et al - Challenge to 2021 youth trans healthcare ban](#)

USA - California

California recognizes the gender of trans people. I.E. trans women are considered women, trans men are men, and non-binary people, at least in some instances are recognized as non-binary.

California is a "sanctuary state" for adults and kids receiving trans medical care.

Non-discrimination Law

- Trans people are specifically named in California non-discrimination laws.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.

Drag / Performance / Cross-dressing Laws

- Drag performance and cross-dressing is legal in California.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- State prisons consider the gender identity of prisoners when making housing decisions, but may or may not comply with requests of prisoners.
- City and county jail policies are not covered by the state law.
- Even where good policies exist, they usually mirror federal guidance which says gender identity must be taken into consideration for housing decisions. However, in practice this consideration can matter very little and correctional officers will value their own biases more than the trans person's gender identity.
- San Diego is known to inappropriately house trans prisoners. For instance, in 2020, a trans woman placed in male jail in San Diego was [beaten badly by male inmates](#).
- Los Angeles is known to inappropriately house trans prisoners. In 2023, a trans man was [housed in women's jail](#) after being required to show his genitals to a female jailer.
- Riverside County is known to house trans women inappropriately, and is [being sued](#) by the family of a trans inmate who was killed by her violent, cis male cellmate, possibly with the cooperation of jail staff.

Legal Definition of Sex

Non-binary people are recognized, at least by some aspects of government, such as in the ability to change birth certificates, driver licenses, and data gathering. However, non-binary recognition is still in-complete in California.

Medical Care

- Trans medical care is legal for all ages.
- California will not cooperate with other states who seek information about patients receiving care in California for medical transition.

Child Custody / Abuse

- Transition care is not defined as child abuse
- California has a sanctuary law for people obtaining transition-related medical care in California
- California will not extradite people for violating another state's laws against medical transition
- A proposed bill, AB957, would consider parental views of a child's gender identity in custody decisions, favoring parents who affirm a child's identity.

While California will not cooperate with other jurisdictions in many cases, this doesn't cover all possibilities and it may be possible for states to gather evidence of someone receiving care in California via other means (out-of-state medical insurance, phone records, witnesses, etc).

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2023 AB957 - Custody and Gender Identity \(NOT passed into law yet\)](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to sometimes be misgendered by officials and public institutions.

However, much of California is considered reasonably safe, particularly the major cities where many people are visibly trans. That said, attacks still can and do occur in California, particularly around school board meetings discussing LGBT policies and schools teaching LGBT schools. For instance, LGBT supporters at Satcoy Elementary in North Hollywood were attacked by anti-LGBT protesters (who also used anti-Semitic language), leaving one LGBT supporter unresponsive during the protest [on June 2, 2023](#). Rural areas may be more swayed by anti-trans political rhetoric, and some jurisdictions outside of the major

metro areas have attempted to restrict the rights of trans people, particularly in schools and libraries. For instance, an elected official uses his social media platform to [misgender a trans constituent](#) Murrieta Valley School District [approved transphobic policies](#), and Chino Valley School District has approved anti-LGBT policies. Thus it is important to recognize that California is not unified and does not have a single view of trans people.

In addition, beyond political events and education, other violence has occurred in California, sometimes not being restricted to the queer community, but also impacting allies, such as the [murder of a 66-year-old mother of nine because the shooter disliked her pride flag](#) that she was flying at her shop in support of the LGBT community. Thus, like in most of the USA, care should be taken when displaying visible symbols of the LGBT community.

Resources

- [California Civil Rights](#)

USA - Colorado

Colorado recognizes the gender of trans people. I.E. trans women are considered women, trans men are men, and non-binary people, at least in some instances are recognized as non-binary. Some recognition may require identification documentation changes, and some organizations or agencies may not fully recognize these changes.

Colorado is a "sanctuary state" for adults and kids receiving trans medical care.

Non-discrimination Law

- Trans people are specifically named in Colorado non-discrimination laws.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.
- In 2023, a law was passed that requires all government buildings with single-user bathrooms must sign them gender-neutrally as of July 1, 2024 and newly-built government buildings must have at least one neutral restroom per floor. After July 1, 2025, all government buildings must have one per floor. Note that this includes colleges and universities but not K12 schools.
- Denver and Boulder have ordinances requiring single-user bathrooms to be signed as gender neutral.

Drag / Performance / Cross-dressing Laws

- Drag performance and cross-dressing is legal in Colorado.
- Drag shows in Colorado, particularly G-rated shows open to all ages, have been the target of armed protests, intimidation, and threats. In general, law enforcement has sided with the extremists, citing freedom of speech and Colorado's open carry laws, and do not generally enforce laws against implied violent threats and intimidation.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- While most jails/prisons have regulations that, in theory, would consider gender identity in housing decisions, these regulations are often ignored and trans people are often housed according to sex assigned at birth.

Legal Definition of Sex

- There is no legal definition of male/female in Colorado.

Non-binary people are recognized, at least by some aspects of government, such as in the ability to change birth certificates, driver licenses, and data gathering. However, non-binary recognition is still in-complete in Colorado.

Medical Care

- Trans medical care is legal for all ages, and Colorado will not cooperate with other states who seek information about patients receiving care in Colorado for medical transition.
- Some providers (notably Children's Hospital) have cut back on transition care, including [cutting back on care for people over age 18](#).

Child Custody / Abuse

- Transition care is not defined as child abuse
- Colorado has a sanctuary law for people obtaining transition-related medical care in Colorado
- Colorado will not extradite people for violating another state's laws against medical transition

While Colorado will not cooperate with other jurisdictions in many cases, this doesn't cover all possibilities and it may be possible for states to gather evidence of someone receiving care in Colorado via other means (out-of-state medical insurance, phone records, witnesses, etc).

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [Colorado Anti-Discrimination Act \(CADA\)](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to sometimes be misgendered by officials and public institutions.

However, much of Colorado is considered reasonably safe, particularly the Denver/Boulder metro area where many people are visibly trans. That said, attacks still can and do occur in Colorado. Rural areas may be more swayed by anti-trans political rhetoric, and some jurisdictions outside of the Denver/Boulder metro have attempted to restrict the rights of trans people, particularly in schools and libraries. In addition, some suburbs in the Denver metro area have shown willingness to attempt to restrict LGBT representation (Douglas County in particular, although Jefferson County has also recently, as of August 10, 2023, begun to implement new transphobic policies in school systems, such as restricting

teachers from asking for pronouns). Thus travelers should be aware that "near Denver" is not necessarily as supportive as Denver.

LGBT events in Colorado, particularly G-rated drag shows open to all ages, have been the target of armed right-wing extremists using intimidation and threats. In general, law enforcement has sided with the extremists, citing freedom of speech and Colorado's open carry laws, and do not generally enforce laws against implied violent threats and intimidation. Groups present at these events include hate groups such as the [Proud Boys](#) and the [Patriot Front](#). Targeting tends to focus on small-scale events, such as small town pride events and drag queen storytimes, while the larger events are largely free of intimidation. Most recently, this targeting occurred at Douglas County Pride on August 26, 2023.

Resources

- [Colorado Civil Rights Division](#)

USA - Connecticut

Connecticut recognizes the gender of trans people. I.E. trans women are considered women, trans men are men, and non-binary people, at least in some instances are recognized as non-binary. Connecticut has some of the leading laws in the country and has demonstrated governmental will to defend transgender youth.

Connecticut is a "sanctuary state" for adults and kids receiving trans medical care.

Non-discrimination Law

- Trans people are specifically named in Connecticut non-discrimination laws.
- Connecticut does have a religious freedom law that may provide religious exemptions to non-discrimination law in some limited circumstances.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.

Drag / Performance / Cross-dressing Laws

- Drag performance and cross-dressing is legal in Connecticut.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Jails and prisons consider the gender identity of prisoners when making housing decisions for people who have ID reflecting their gender or who can demonstrate they would meet the standards needed to obtain ID with the proper gender marker.
- CT law specifies that safety concerns should be taken into consideration, although that does not mean prisons will always address them in the proper way.
- Transition care should be available in state prisons, but may not be the same standard as care outside of prison.

Legal Definition of Sex

Non-binary people are recognized, at least by some aspects of government, such as in the ability to change birth certificates, driver licenses, and data gathering. However, non-binary recognition may still be in-complete in Connecticut.

Medical Care

- Trans medical care is legal for all ages.
- Connecticut will not cooperate with other states who seek information about patients receiving care in Connecticut for medical transition.

Child Custody / Abuse

- Transition care is not defined as child abuse
- Connecticut has a sanctuary law for people obtaining transition-related medical care in Connecticut
- Connecticut will not extradite people for violating another state's laws against medical transition

While Connecticut will not cooperate with other jurisdictions in many cases, this doesn't cover all possibilities and it may be possible for states to gather evidence of someone receiving care in Connecticut via other means (out-of-state medical insurance, phone records, witnesses, etc).

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [Public Act 11-55 - Non-discrimination](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to sometimes be misgendered by officials and public institutions.

However, much of Connecticut is considered reasonably safe. That said, attacks still can and do occur in Connecticut. Some areas may be more swayed by anti-trans political rhetoric. One suggestion from a CT resident is to look up the voting districts you will visit to see their party affiliation, which may correlate somewhat to LGBT acceptance/tolerance.

People who live in Connecticut state that their government officials actively support LGBT pride events publicly and pass good LGBT-related legislation.

Resources

- [ACLU CT Know Your Rights - Prisoners](#)

USA - Delaware

Delaware does not have laws that target trans people directly and has non-discrimination laws that protect trans people. However, Delaware generally does not recognize 'X' gender markers.

Delaware does not appear to place child custody at risk.

Non-discrimination Law

- Delaware non-discrimination law includes trans people specifically

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.

Drag / Performance / Cross-dressing Laws

- Delaware does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women may or may not be housed with women
- Trans men may or may not be housed with women
- Nonbinary people may or may not be housed according to sex assigned at birth
- State prison policies state that genitals are not the sole determining factor, but also mention genital exams
- City / County jails are not covered by the state policy.

Legal Definition of Sex

Non-binary people are not recognized.

Medical Care

- Trans medical care is legal for adults and children.

Child Custody / Abuse

- Transition care is not specifically defined as child abuse
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [Prison Policy 11-E-14](#)
- [Prison Policy 8.60A](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [Delaware Human Rights Commission](#)

USA - Florida

HRC and Equality Florida, LGBT advocacy groups, have issued an advisory travel warning for the State of Florida. In addition, both LULAC and NAACP have also issued advisories. Finally, SPARTA, a transgender military advocacy group has also issued a duty assignment warning for Florida.

Florida has negative laws and executive orders towards trans people. Some of these laws place trans visitors at risk.

People visiting Florida, including connecting to outbound flights and/or cruises, should be aware of the laws that may apply to them.

Florida does criminalize trans care for children, and elected officials in both the executive and legislative branch consider transition of children (or even exposure to transgender information) to either be child abuse or to be "grooming" for child abuse. This could have custody implications for families with children and transgender family members, should children enter Florida's jurisdiction, although it is not yet (or proposed to be under pending legislation) legally considered child abuse. Florida's youth care ban also allows the Florida courts to have emergency jurisdiction over a child if "it is necessary in an emergency to protect the child because the child has been subjected to or is threatened with being subjected to sex-reassignment prescriptions or procedures," similar to how the courts have jurisdiction over abuse.

Non-discrimination Law

- Florida non-discrimination law does not include LGBT people
- Some Florida municipalities do have non-discrimination laws that include trans people.
- Jacksonville's non-discrimination law is being [challenged by Alliance Defending Freedom](#) who seeks to allow businesses to require misgendering of customers, on the basis of religious owners of a for-profit corporation.
- Public school (K12) employees are required to use pronouns and titles associated a trans person's sex assigned at birth.
- Some businesses and LGBT organizations have canceled events that might involve drag or trans people participating, due to the possibility of the "protection of children" law being used against these organizations. However, as of June 24, 2023, a court is preventing the state from enforcing the drag ban.

Public Accommodations

- Public accommodation access is not protected for trans people in Florida.
- There is a "bathroom law" in Florida. It makes it a crime to use a bathroom in government facilities (city, county, or state government) not associated with your assigned sex at birth, if anyone objects to your presence and you refused to immediately leave. This also covers health care facilities, massage parlors, jails, pharmacies, schools, universities, etc.

- The bathroom law will apply to airports and cruise ports, in addition to other government facilities. It also applies to highway rest areas, which are state owned.
- Florida has wide-reaching religious freedom laws that allow denial of some services on the basis of gender identity.
- Trans women are being challenged for using bathrooms not covered by the Florida law, including federal facilities [such as the VA](#), even before the Florida law goes into effect. The challenges are often other bathroom users objecting to the presence of trans women in the bathroom, after which business/organization staff, security, or police force the trans person to leave. This is regardless of the user's legal identification, length of time on HRT, etc.
- Visitors to schools, such as parents and family members, will be covered by the educational laws and be required to be misgendered by school staff and forced to use improper bathrooms.

Drag / Performance / Cross-dressing Laws

- Florida has shown willingness to conduct criminal investigations into drag performances where minors were present.
- Florida has a "protection of children" law that bans "lewd conduct" and similar activities outside of venues such as strip clubs that are licensed for the purpose and only permit adults. This has been labeled a drag ban, and depending on how courts interpret various phrases may or may not actually be one. However, a court case, as of June 24, 2023, prevents the state from enforcing this law.
- Some businesses and LGBT organizations have canceled events that might involve drag or trans people participating, due to the possibility of the "protection of children" law being used against these organizations. However, see the above bullet point.

Air Travel

See the [USA TSA](#) document.

- There is a "bathroom law" in Florida. It makes it a crime to use a bathroom in government facilities (city, county, or state government) not associated with your assigned sex at birth, if anyone objects to your presence and you refused to immediately leave. This also covers health care facilities, massage parlors, jails, pharmacies, etc.
- This law would apply to airport and cruise port bathrooms, so trans people and families should use caution connecting through Florida airports and cruise ports.

Jails / Prisons

- Trans women must be housed with men.
- Trans men must be housed with women.
- Nonbinary people are housed according to sex assigned at birth.
- Local jails have housed at least one cis woman in men's jail after mistaking her for a trans woman.
- As public funds cannot be used for transition care, trans prisoners will not have access to trans-related medical care.

Legal Definition of Sex

While a non-binary birth certificate (perhaps only a single one) has been issued, Florida does not generally recognize non-binary gender.

Some laws specify male, female, and similar words based on sex assigned at birth and/or chromosomes.

Florida will defines sex largely consistent with sex assigned at birth for a large number of interactions trans travelers may have. Birth certificates, IDs, genital configurations, etc, will not take priority over sex assigned at birth.

Medical Care

- Trans medical care is legal for adults, but this is potentially at risk and is subject to significant restriction.
- Nurse practitioners and telehealth providers are not allowed to provide HRT in Florida. This has resulted in a shortage of providers that can provide HRT to adults.
- Florida also requires [misleading "HRT consent" forms](#) for adult HRT treatment
- Final rules for adults seeking trans medical care would likely be extremely restrictive, requiring, among other things, annual bone scans and four blood tests per year.
- Medical transition for people under age 18 is illegal. However, a judge's ruling in Doe v. Ladapo is allowing 3 trans children to continue receiving medical care. However, this ruling does not apply to other children or to adults, and the case is still pending. That said, GLAD, a legal advocacy group, reports that because much of the law was found unconstitutional, [trans care is legal again in Florida](#).
- The Doe v. Ladapo case, as of July 23, 2023, is now expanded to include litigation on adult care. However, at this time, health care for adults is still significantly restricted.
- Medical providers can deny most care on the basis of their religious or ethical beliefs (emergency care is required to be provided).

Child Custody / Abuse

- There is a law against trans medical care for youth in Florida (but see above).
- It is unknown if transition might be used by the state to justify custody removal. However, Florida's youth care ban also allows the Florida courts to have emergency jurisdiction over a child if "it is necessary in an emergency to protect the child because the child has been subjected to or is threatened with being subjected to sex-reassignment prescriptions or procedures," similar to how the courts have jurisdiction over abuse.
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2023 H1580 - Health Denial Law](#)

- [2023 H1069 - Pronouns, Don't Say Gay](#)
- [2023 H1521 - Bathroom Bill](#)
- [2023 SB254 - Trans Youth Medical Ban](#)
- [2023 SB1438 - Adult Performance Law](#)

General Safety

HRC and Equity Florida have issued a joint [travel warning](#) for the State of Florida due to anti-LGBT legislation. The [NAACP](#), [LULAC](#) (a Latino advocacy organization), the [Florida Immigrant Commission](#), and [SPARTA](#) (a transgender servicemember advocacy organization) have also done so, for state-sponsored attacks against their constituents' human rights.

The state has a law that prevents instruction on sexual orientation or gender identity through grade twelve in schools. Local officials have broadly applied this law, including using the law as justification for censoring [student speech](#).

Some state officials consider exposure of children to sexual orientation or gender identity information to be "grooming," I.E. something done in preparation to abuse a child. Thus trans people in the presence of children may be at risk of state action and/or hostile interactions with others who believe that your presence may be a prelude to child abuse. The "groomer" insult towards trans people originated in Florida.

Florida has taken moves to [arrest peaceful protesters](#) months after protests against government officials. These protesters were involved in LGBT, immigrant, civil rights, and reproductive justice protests at government buildings. They did not damage property or use violence. Those arrested included current and former government officials.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Recent attacks on trans girls/women have been reported in (note links discuss violent crimes against trans people) [bathrooms](#), and [residential areas](#) as well as by [police officers](#). In addition, at least one trans person has recently been [wrongfully accused](#) of sexually assaulting others in bathrooms by Florida politicians.

That said, locals have indicated larger cities tend to be more inclusive than rural areas, and southern Florida more inclusive than northern Florida. One city, Lake Worth Beach, has passed [a sanctuary resolution](#), although that resolution will have limited power due to state law and the ability and willingness of the state to remove local prosecutors who do not enforce discriminatory state laws. Tallahassee is considering a similar law, as of September 7, 2023.

Resources

- [Cis Woman Booked into Miami Men's Jail](#)
- [Doe v. Ladapo - Lawsuit Challenging Trans Care Ban](#)

- [Doe v. Ladapo FAQ on Legal Status of Trans Care Ban](#)
- [Florida Ban on Adult Trans Medical Care - Resource](#)
- [Hamburger Mary Lawsuit against Drag Ban GoFundMe](#)
- [HRC and Equity Florida Travel Advisory](#)
- [LULAC Florida Travel Advisory Warning](#)
- [SPARTA Duty Assignment Warning for Military](#)
- [Trans Teachers and Visitors Required to be Misgendered and Use Wrong Bathroom \(news article\)](#)

USA - Georgia

Georgia negative laws towards trans people. These laws should generally not impact adult travelers to Georgia, although Georgia also lacks many non-discrimination protections.

Georgia does criminalize some trans care for children (hormone therapy and surgery).

Non-discrimination Law

- Georgia non-discrimination law does not include LGBT people

Public Accommodations

- Public accommodation access is not protected for trans people in Georgia.
- Trans people are not banned from using appropriate bathrooms and locker rooms.

Drag / Performance / Cross-dressing Laws

- Georgia does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women would typically be housed with men
- Trans men would typically be housed with women
- Nonbinary people would typically be housed according to sex assigned at birth

Legal Definition of Sex

Non-binary people are not recognized by Georgia.

Medical Care

- Trans medical care is legal for adults
- Medical care for transgender children is restricted. While puberty blockers will be legal, hormone therapy and surgery will be illegal.
- The youth healthcare ban is being [challenged in court](#).

Child Custody / Abuse

- Some trans medical care is illegal youth in Georgia, although puberty blockers are legal (hormones and surgeries are illegal)
- It is unknown if transition might be used by the state to justify custody removal.
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2023 SB140 - Trans Youth Medical Ban](#)

General Safety

Georgia has few protections for trans people, and trans children may be at particular risk if using hormone replacement therapy.

A "Don't say gay" bill [banning discussion of student's sexual orientation, student's gender identity, or sexual education topics](#) without written parental permission in schools until Age 16 has been re-introduced during an out-of-session committee meeting in August, 2023. While this is not law, visitors who may be presenting material in Georgia schools should keep track of this law. The proposed, but not passed, bill also requires student names to be maintained under their initial enrollment name, reflecting a possible belief by legislatures that other types of name changes (such as changing a last name to avoid association with an abuser) are not appropriate for children.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

However, there are visible LGBT communities in some cities (Atlanta, Savannah) which may have some degree of safety. However this is in spite of the law, not because of the law. Atlanta's leaders, in particular, has given [public support to trans people](#)

Police departments in Georgia may inaccurately gender crime victims (for instance, [Macon Police misgendered a trans woman murder victim](#)).

Resources

- [ACLU Press Release - Lawsuit Against SB140 \(youth healthcare ban\)](#)

USA - Hawaii

Hawaii recognizes the gender of trans people. I.E. trans women are considered women, trans men are men, and non-binary people, at least in some instances are recognized as non-binary. Some recognition may require identification documentation changes, and some organizations or agencies may not fully recognize these changes.

Hawaii does not appear to place child custody at risk.

Note that colonization disrupted Hawaiian culture significantly, significantly impacting Māhū, or "people in the middle," who today sometimes (but not always) also refer to themselves as trans. Many indigenous Hawaiians view tourism today as continuing the colonization of Hawaii and ask tourists without connections to indigenous Hawaii to plan vacations to places other than Hawaii, because of the harm that will be done by this continuing form of colonization.

Non-discrimination Law

- Trans people are specifically named in Hawaii non-discrimination laws.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.

Drag / Performance / Cross-dressing Laws

- Drag performance and cross-dressing is legal in Hawaii.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women are usually housed with men
- Trans men are usually housed with women
- Nonbinary people would typically be housed according to sex assigned at birth
- News reports indicate that gender affirming care is sub-par or unavailable in custody.

Legal Definition of Sex

- There is no legal definition of male/female in Hawaii.

Non-binary people are recognized, at least by some aspects of government, such as in the ability to change driver's licenses but not birth certificates.

Medical Care

- Trans medical care is legal for all ages.

Child Custody / Abuse

- Transition care is not defined as child abuse
- Hawaii does not have a "sanctuary law" protecting people receiving care in Hawaii.

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to sometimes be misgendered by officials and public institutions.

However, much of Hawaii is considered reasonably safe. Indigenous Hawaiians culture recognized people who were Māhū or "in the middle." As a result, there is some familiarity with non-cis gender expression. However, due to the impact of Christianity and colonialism, prejudice exists both within and outside of indigenous culture in Hawaii.

Resources

- [Hawaii Civil Rights Commission Gender Identity Flyer \(2013\)](#)

USA - Idaho

Idaho has some negative laws towards trans people. However, these laws are, thus far, fairly restricted and do not apply to most trans people in most situations.

Idaho does criminalize trans care for children which may have an impact on child custody. However, this is currently stayed by judicial order pending ongoing legislation.

Non-discrimination Law

- Idaho non-discrimination law does not include LGBT people

Public Accommodations

- According to law, trans people are required to use bathrooms/showers associated with their sex assigned at birth when using some bathrooms/showers in schools. However, this is [being challenged](#) in court and a temporary restraining order against this law, thus bathroom/shower access in schools is temporarily allowed in Idaho, as of August 10, 2023. Note however that this only blocks this *state* law, and does not block any local school policies that are discriminatory, as those aren't at issue in the lawsuit.
- Enforcement of school bathroom regulations is unclear. But see above, as the law is temporarily stayed.
- Public accommodation access is not protected for trans people in Idaho.
- Idaho has wide-reaching religious freedom laws that allow denial of some services on the basis of gender identity.
- Idaho has a law that prevents all levels of government from enforcing any bathroom non-discrimination laws upon businesses and organizations that contract with government. (Example: homeless shelters, businesses that contract with the state, private schools that get state money, etc).
- Some cities have protections against gender-identity discrimination, but it is unclear how that is reconciled with state law.

Drag / Performance / Cross-dressing Laws

- Currently, no ban on drag performance

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women are usually housed with men
- Trans men are usually housed with women
- Nonbinary people would typically be housed according to sex assigned at birth

- While the state lost a lawsuit and was required to provide gender confirmation surgery to a prisoner, it should be expected that medical care will be sub-par. The state also aggressively fought to deny care, and would be expected to do so in the future.

Legal Definition of Sex

Some laws define sex essentially in line with sex assigned at birth.

Non-binary people are not generally recognized (with minor exceptions).

Intersex people have some recognition.

Medical Care

- Trans medical care is legal for adults.
- Trans medical care is illegal for anyone under 18, including puberty blockers, hormone therapy, and surgery.
- There is a pending [legal challenge](#) of the state's youth trans healthcare ban.

Child Custody / Abuse

- Most trans medical care is illegal youth in Idaho (puberty blockers, hormones, surgeries are illegal)
- It is unknown if transition might be used by the state to justify custody removal.
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2023 H0071 - Trans Youth Medical Ban](#)
- [2023 S1016 - Allowing Bathroom Discrimination](#)
- [2023 S1100 - School Bathrooms](#)

General Safety

Idaho has few protections for trans people, and trans children may be at particular risk if using puberty blockers or hormone replacement therapy.

Organized hate groups have attempted to riot and potentially use violence against LGBT events.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [News story: A far-right plan to riot near an Idaho LGBT event heightens safety concerns at Pride](#)
- [Lawsuit Challenging Youth Medical Ban](#)

USA - Illinois

Illinois recognizes the gender of binary trans people. I.E. trans women are considered women, trans men are men. However, while non-binary people lack some recognition (for instance, until 2024, will be unable to get an "X" marker on their license), most laws are positive and there is non-discrimination protection for trans people.

Illinois is a "sanctuary state" for adults and kids receiving trans medical care.

Non-discrimination Law

- Trans people are specifically named in Illinois non-discrimination laws.
- Illinois has a religious freedom law that may provide religious exemptions to non-discrimination law in some limited circumstances.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.

Drag / Performance / Cross-dressing Laws

- Drag performance and cross-dressing is legal in Illinois.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans prisoners have typically been housed based on sex assigned at birth, rather than gender, denied medical care, and mistreated by guards.

Legal Definition of Sex

- There is no legal definition of male/female in Illinois.

Non-binary people are recognized, at least by some aspects of government, such as in the ability to change birth certificates, However, non-binary recognition is still in-complete in Illinois. For example, "X" gender markers are not available on driver's licenses in Illinois due to [bureaucratic reasons](#) (the law allows this but the company the state's current contract is with does not allow it).

Medical Care

- Trans medical care is legal for all ages, and Illinois will not cooperate with other states who seek information about patients receiving care in Illinois for medical transition.
- There is a religious exemption law that applies to limited medical situations in Illinois.

Child Custody / Abuse

- Transition care is not defined as child abuse
- Illinois has a sanctuary law for people obtaining transition-related medical care in Illinois
- Illinois will not extradite people for violating another state's laws against medical transition

While Illinois will not cooperate with other jurisdictions in many cases, this doesn't cover all possibilities and it may be possible for states to gather evidence of someone receiving care in Illinois via other means (out-of-state medical insurance, phone records, witnesses, etc).

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [Illinois Public Act 102-1117 \(Sanctuary Law\)](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to sometimes be misgendered by officials and public institutions.

Resources

- [ACLU Obtains Injunction against IL Dept. of Corrections](#)
- [Illinois Department of Human Rights](#)

USA - Indiana

Indiana negative laws towards trans people. However, these laws are, thus far, fairly restricted and do not apply to most trans people in most situations.

Indiana does criminalize trans care for children which may have an unknown impact on child custody. These laws do not directly apply to parents. This law, however, is temporarily stayed pending resolution of *K.C. v. Medical Licensing Board*, meaning that it is currently unenforceable by the state and care remains legal for youth (with the exception of gender reassignment surgery). (last update: June 16, 2023)

Non-discrimination Law

- Indiana non-discrimination law does not include LGBT people
- Some municipalities may have non-discrimination laws, such as Indianapolis-Marion County.

Public Accommodations

- Trans people are required to use bathrooms/showers associated with their sex assigned at birth when using some bathrooms/showers in schools.
- Public accommodation access is not protected for trans people in Indiana.
- Indiana has wide-reaching religious freedom laws that allow denial of some services on the basis of gender identity.

Drag / Performance / Cross-dressing Laws

- Indiana does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women would typically be housed with men
- Trans men would typically be housed with women
- Nonbinary people would typically be housed according to sex assigned at birth
- Indiana law bans transition-related surgeries for prisoners in state prisons. This is being [challenged by the ACLU](#).

Legal Definition of Sex

Some laws specify male, female, and similar words based on sex assigned at birth and/or chromosomes.

Some state identification cannot be changed, such as birth certificates.

Non-binary people are not recognized.

Intersex people have some limited recognition.

Medical Care

- Trans medical care is legal for adults
- A law banning puberty blockers, hormone therapy, and surgery for people under 18 has passed and became law. This law, however, is temporarily stayed pending resolution of *K.C. v. Medical Licensing Board*, meaning that it is currently (June 16, 2023) unenforceable by the state and care remains legal for youth (with the exception of gender reassignment surgery).
- Parents who allow children to receive trans care including puberty blockers, hormone therapy, and surgery are not criminalized, as the (currently, as of June 24, 2023, unenforceable) law applies only to medical providers.
- Hormone therapy is allowed for children who were on hormone therapy prior to June 30, 2023 until December 31, 2023, at which time these children will no longer be allowed to receive hormone therapy.
- Medical providers can deny some care on the basis of their religious beliefs.
- Conversion therapy is not banned and municipalities are banned from enacting rules banning conversion therapy.

Child Custody / Abuse

- Some transition care (puberty blockers, hormone therapy, and surgery) for children is illegal (although this law, with the exception of the ban on gender reassignment surgery, is currently unenforceable due to a preliminary injunction as of June 16, 2023). This ban shows the state's view of this care.
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2023 IN HB1569 - Prisoner Medical Care Ban](#)
- [2023 IN HB1608 - Don't Say Gay](#)
- [2023 IN SB350 - Prevent Cities from Banning Conversion Therapy](#)
- [2023 IN SB480 - Youth Trans Medical Care Ban \(Currently prevented from being enforced, as of June 24, 2023\)](#)

General Safety

The state has a law that prevents instruction on sexual orientation or gender identity (or really any mention) up to grade 3 in schools.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and

targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [Smiley v. Jenner - Lawsuit against "don't say gay" law](#)
- [K.C. v. Medical Licensing Board of Indiana - Lawsuit against trans youth healthcare ban](#)

USA - Iowa

Iowa has several negative laws towards trans people. However, these laws are, thus far, fairly restricted and do not apply to most trans visitors.

Iowa does outlaw some medical trans care for children, but does not generally criminalize such care, thus it appears that parents visiting with trans children will not risk custody.

Non-discrimination Law

- Trans people are specifically named in Iowa non-discrimination laws.

Public Accommodations

- Trans people are required to use bathrooms/showers associated with their sex assigned at birth when using some bathrooms/showers in schools.
- Use of single-occupancy bathrooms by students (as an exception) in schools requires parental permission in writing.

Drag / Performance / Cross-dressing Laws

- Iowa does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women would typically be housed with men
- Trans men would typically be housed with women
- Nonbinary people would typically be housed according to sex assigned at birth
- Medical care in state prisons is deficient for trans people

Legal Definition of Sex

Some laws define gender based on "biological sex".

Non-binary people are not recognized.

Medical Care

- Trans medical care is legal for adults.
- Most trans medical care is not legal for children. Banned treatments include puberty blockers, hormones, and surgeries, although parents are not criminalized by this ban, with limited exceptions for some intersex people.

Child Custody / Abuse

- Transition care is not specifically defined as child abuse
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2023 SF482 - School bathroom Law](#)
- [2023 SF496 - Don't Say Gay Law](#)
- [2023 SF538 - Youth trans medical Ban](#)

General Safety

The state has a law that prevents instruction on sexual orientation or gender identity through grade six in schools.

Essex, a small town near Shanandooah, has [banned an LGBT organization](#) from participating in a city parade, saying that the parade "will not be used for and will not allow sexual identification or sexual orientation agendas for, or against, to be promoted." This may indicate predominant (or at least significant) attitudes towards LGBT people.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [Iowa Civil Rights Commission](#)

USA - Kansas

Kansas places trans people at risk by not recognizing any gender other than sex assigned at birth, regardless of legal documentation changes in Kansas or elsewhere.

Trans travelers should use extreme caution in Kansas due to 2023 SB180 (The badly named "Women's Bill of Rights"). Kansas requires all state agencies to treat all trans women as men, all trans men as women, and all non-binary people on the basis of their sex assigned at birth. This has wide-ranging implications, such as improper incarceration, bathroom access, identifications, etc.

Kansas does not appear to place child custody at risk.

Non-discrimination Law

- Kansas non-discrimination law does not include LGBT people
- The State is required under 2023 SB180 to discriminate against trans people.

Public Accommodations

- Because of Kansas's law defining sex legally (note that the law does not mention bathrooms directly), it may be interpreted by courts, in combination with other laws, to ban trans people from appropriate bathrooms. This is the opinion held by the Attorney General, so it is likely to be followed by state agencies.
- Trans women are required to use male facilities such as bathrooms, showers, locker rooms, homeless accommodations, etc.
- Trans men are required to use women's facilities such as bathrooms, showers, locker rooms, homeless accommodations, etc.
- Non-binary people are required to use facilities based on sex assigned at birth.
- Some cities have protections against gender-identity discrimination, but the state law will override many of these protections.

It is unknown how this would be enforced, beyond where the state has the power to impose gender determination on people. It is likely that, for instance, a trans woman using a women's bathroom could be charged with other crimes that do carry a penalty on the basis that the state prohibits her from being in the space.

Drag / Performance / Cross-dressing Laws

- Currently, no ban on drag performance

Air Travel

See the [USA TSA](#) document.

- It is illegal to use a bathroom that does not match your sex assigned at birth in Kansas airports (note that Kansas City Airport - MCI - is in Missouri, not Kansas, and thus this law does not apply to the Kansas City Airport)

Jails / Prisons

- Trans women are required to be housed with men.
- Trans men are required to be housed with women.
- Nonbinary people are required to be housed according to sex assigned at birth.

Legal Definition of Sex

- It is not possible to change the sex on your birth certificate or driver's license in Kansas.
- sex = "biological sex, either male or female, at birth"
- female = "individual whose biological reproductive system is developed to produce ova"
- male = "individual whose biological reproductive system is developed to fertilize the ova of a female"
- woman = "human females"
- girl = "human females"
- man = "human male"
- boy = "human male"

Non-binary people are not recognized.

Intersex people who are "born with a medically verifiable diagnosis of 'disorder/differences in sex development'" should be considered disabled and provided accommodations under the Americans with Disabilities Act.

The Attorney General has issued an opinion requiring state agencies to re-issue driver's licenses and birth certificates where they have been changed because a person is transgender. The re-issued licenses and certificates would indicate the sex assigned at birth. The Governor disagrees with this interpretation and has made some indications (but not official executive orders) that she will direct agencies to continue to not re-issue documents with sex assigned at birth, but a state court thus far has agreed with the attorney general, overruling the Governor (as of July 10, 2023).

Note that these laws while targeting trans people also place gender non-conforming cis women at risk of invasive questioning and state action.

Medical Care

- Trans medical care is legal for all ages

Child Custody / Abuse

- Transition care is not specifically defined as child abuse
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2023 SB180 - Trans-exclusionary Definition of Sex](#)
- [2023 Attorney General Opinion on SB180](#)

General Safety

Some communities may be more welcoming than others. For instance, Lawrence was indicated as a welcoming city and has passed an ordinance that [prohibits collecting sex assigned at birth](#) or otherwise cooperating with 2023 SB180.

Bathroom access is a significant issue in Kansas. Already, in May 2023, the same month the trans-exclusionary definition of sex was enacted, a cis woman in a public library who was assisting her non-verbal son use the bathroom was [kicked out of the women's bathroom](#), which she believes is connected to SB180 (prior to the passage of SB180, they had used the bathroom for years). The son's presence was also objected to by another bathroom user in addition to library staff, showing that this policing bathrooms is on the mind of Kansas citizens. Note that in addition to these actions, these laws while targeting trans people also place gender non-conforming cis women at risk of invasive questioning and state action.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Should a trans person interact with state government, they should be expected to be treated in every way based on their sex assigned at birth. Note that law enforcement generally has access to previous identification issued in other states, and thus having identification changed in another state is likely not sufficient to protect a trans person.

Resources

- [Movement Advancement Project Kansas Page \(lists cities with gender identity protections\)](#)
- [Kansas Allowed to Ban Birth Certificate Changes by Federal Judge](#)

USA - Kentucky

Kentucky negative laws towards trans people. However, these laws are, thus far, fairly restricted and do not apply to most trans people in most situations.

Under a law that is currently (as of August 4, 2023) in effect (due to actions of an appeals court in the Tennessee case) that criminalizes hormone therapy, puberty blockers, and surgery, Kentucky does criminalize trans care for children which may have an unknown impact on child custody. These laws do not directly apply to parents. However, the plaintiffs have asked (as of August 4, 2023) that the entire appeals court re-hear the appeal, which could have impact in on both this law and a similar one in Tennessee.

Non-discrimination Law

- Kentucky non-discrimination law does not include LGBT people
- Some municipalities may have non-discrimination laws, such as Lexington-Fayette County and Louisville-Jefferson County.

Public Accommodations

- Trans people are required to use bathrooms/showers associated with their sex assigned at birth when using some bathrooms/showers in schools.
- Kentucky has wide-reaching religious freedom laws that allow denial of many services on the basis of gender identity.
- School employees will not be able to be disciplined for using pronouns and titles associated a trans student's sex assigned at birth.

Drag / Performance / Cross-dressing Laws

- Kentucky does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- While Kentucky has a policy that they will not house trans prisoners in State prisons based on "genital status alone," genital status remains a consideration, as do many other factors (of which the trans person's gender is at best a minor concern).
- The State does provide some trans medical care in prisons, although it appears this does not meet the current WPATH standard of care.

Legal Definition of Sex

Some laws specify male, female, and similar words based on sex assigned at birth and/or chromosomes.

Non-binary people are not recognized.

Intersex people have some limited recognition.

Medical Care

- Trans medical care is legal for adults
- A law banning puberty blockers, hormone therapy, and surgery for people under 18 has passed and became law. It was initially blocked by court, but that block has been invalidated due to a decision by the US appeals court as of August 4, 2023. However, the plaintiffs have asked (as of August 4, 2023) that the entire appeals court re-hear the appeal, which could have impact in on both this law and a similar one in Tennessee.
- Parents who allow children to receive trans care including puberty blockers, hormone therapy, and surgery are not criminalized, as the law applies only to medical providers.
- Medical providers may be allowed to deny some care on the basis of their religious beliefs.

Child Custody / Abuse

- Some transition care (puberty blockers, hormone therapy, and surgery) for children is illegal. This ban shows the state's view of this care. That said, puberty blockers and hormone therapy is currently allowed under a preliminary injunction as noted above.
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2023 SB150 - Trans Medical Care Ban, School Bathroom Ban, Don't Say Gay](#)
- [Kentucky Dept. of Education Legislative Interpretations](#)

General Safety

The state has a law that prevents instruction on sexual orientation or gender identity (or really any mention) in any grade, although the legislative guidance by the Kentucky Department of Education is that a district that does not teach sexuality or STDs to children before grade six can teach about sexual orientation and gender identity, due to a possible legislative error (using "or" when the legislature likely meant "and").

Kentucky has a history of interpreting religious exemptions very widely when discrimination occurs against LGBT people.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and

targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [ACLU / NCLR Lawsuit to Overturn Trans Youth Care Ban \(Doe v. Thornbury\)](#)
- [Kentucky Corrections Procedure 14.8 - LGBTI Offenders](#)

USA - Louisiana

The NAACP of Louisiana has requested the national organization [issue a travel advisory](#) for Louisiana, on the basis of anti-Black and anti-LGBT state bills that could place both Black and LGBT people at risk.

Louisiana does not have laws that target most trans visitors directly.

Louisiana does ban trans care for children, although the current law does not have criminal penalties for parents. However, it is unknown how this might have an impact on child custody. This law goes into effect on January 1, 2024.

Non-discrimination Law

- Louisiana non-discrimination law does not include LGBT people specifically
- Some municipalities have local non-discrimination laws that apply to gender identity, particularly New Orleans and Shreveport.

Public Accommodations

- Trans people are not banned from using appropriate bathrooms and locker rooms.
- General public accommodation access is not specifically protected by law for trans people in Louisiana.

Drag / Performance / Cross-dressing Laws

- Louisiana does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women would typically be housed with men
- Trans men would typically be housed with women
- Nonbinary people would typically be housed according to sex assigned at birth
- At least one visitor (not an inmate) was told to [strip and expose her genitalia](#) while going through security to visit a prisoner at Angola Prison because her anatomy did not match her gender expression.

Legal Definition of Sex

Non-binary people are not recognized.

Medical Care

- Trans medical care is legal for adults
- Medical transition (puberty blockers, hormones, surgeries) for people under 18 is illegal. This law goes into effect on January 1, 2024.

Child Custody / Abuse

- Trans medical care is illegal for youth in Louisiana, although penalties will apply to doctors providing the care and not to parents. This ban goes into effect on January 1, 2024.
- It is unknown if transition might be used by the state to justify custody removal.
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2023 SB7 - Library Children's Book Ban](#)
- [2023 HB648 - Trans Youth Medical Care Ban](#)

General Safety

New Orleans has a visible LGBT population, but this is not the case in other parts of Louisiana, including some nearby cities of New Orleans.

"Sexually explicit" materials in libraries (electronically or in print) are restricted. This will likely be used to target LGBT material.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

USA - Maine

Maine does not have laws that target trans people directly and has non-discrimination laws that protect trans people. While Maine does not have a sanctuary law, the state generally is proactive in legally protecting trans people.

Maine does not appear to place child custody at risk.

Non-discrimination Law

- Maine non-discrimination law includes trans people specifically.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.
- In *Doe v. Regional School Unit 26*, in 2014, the Maine Supreme Court recognize the right to use a bathroom associated with someone's gender identity in public school settings.

Drag / Performance / Cross-dressing Laws

- Maine does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women may or may not be housed with women, although policy at the state prison level is that this be taken into consideration. Genital state is considered highly relevant.
- Trans men may or may not be housed with men, although policy at the state prison level is that this be taken into consideration. Genital state is considered highly relevant.
- Nonbinary people may or may not be housed according to sex assigned at birth
- City / County jails are not covered by the state policy.

Legal Definition of Sex

Non-binary people are recognized for some purposes in Maine, such as state IDs.

Medical Care

- Trans medical care is legal for adults and children.

Child Custody / Abuse

- Transition care is not specifically defined as child abuse
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [Doe v. Regional School Unit 26 - Trans School Bathroom Access](#)
- [Management of Transgender and Intersex Prisoners Policy](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [Maine Human Rights Commission](#)

USA - Maryland

Maryland does not have laws that target trans people directly and has non-discrimination laws that protect trans people. While Maryland does not have a sanctuary law, the state generally is proactive in legally protecting trans people.

Maryland is a "sanctuary state" for adults and kids receiving trans medical care.

Non-discrimination Law

- Maryland non-discrimination law includes trans people specifically

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.

Drag / Performance / Cross-dressing Laws

- Maryland does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women have sued both the state and counties over inappropriate housing, poor medical care, and sexual assault in jails and prison. These lawsuits are ongoing.
- Nonbinary people may or may not be housed according to sex assigned at birth

Legal Definition of Sex

Non-binary people are recognized for some purposes in Maryland, such as state IDs, but this recognition is not yet complete.

Medical Care

- Trans medical care is legal for adults and children.
- Maryland has a sanctuary law for people obtaining transition-related medical care.
- Maryland will not extradite people for violating another state's laws against medical transition.

Child Custody / Abuse

- Transition care is not specifically defined as child abuse

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [EO 01.01.2023.08 Maryland Sanctuary Order](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [Maryland Commission on Civil Rights](#)

USA - Massachusetts

Massachusetts recognizes the gender of trans people. I.E. trans women are considered women, trans men are men, and non-binary people, at least in some instances are recognized as non-binary.

Massachusetts is a "sanctuary state" for adults and kids receiving trans medical care.

Non-discrimination Law

- Trans people are specifically named in Massachusetts non-discrimination laws.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.

Drag / Performance / Cross-dressing Laws

- Drag performance and cross-dressing is legal in Massachusetts.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women may or may not be housed with women, although policy at the state prison level is that this be taken into consideration. Genital state is considered highly relevant.
- Trans men may or may not be housed with men, although policy at the state prison level is that this be taken into consideration. Genital state is considered highly relevant.
- Nonbinary people may or may not be housed according to sex assigned at birth
- City / County jails are not covered by the state policy.

Legal Definition of Sex

- There is no legal definition of male/female in Massachusetts.

Non-binary people are recognized, at least by some aspects of government, such as in the ability to change driver licenses, and data gathering. However, non-binary recognition is still in-complete in Massachusetts.

Medical Care

- Trans medical care is legal for all ages, and Massachusetts will not cooperate with other states who seek information about patients receiving care in Massachusetts for medical transition.

Child Custody / Abuse

- Transition care is not defined as child abuse
- Massachusetts has a sanctuary law for people obtaining transition-related medical care in Massachusetts
- Massachusetts will not extradite people for violating another state's laws against medical transition

While Massachusetts will not cooperate with other jurisdictions in many cases, this doesn't cover all possibilities and it may be possible for states to gather evidence of someone receiving care in Massachusetts via other means (out-of-state medical insurance, phone records, witnesses, etc).

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [MA 103 DOC 652 - Transgender Prisoners](#)
- [MA 2022 H.5090 - Protecting Trans Health Care](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to sometimes be misgendered by officials and public institutions.

Resources

- [Massachusetts Commission Against Discrimination](#)

USA - Michigan

Michigan does not have laws that target trans people directly and has non-discrimination laws that protect trans people. While Michigan does not have a sanctuary law, the state generally is proactive in legally protecting trans people.

Michigan does not appear to place child custody at risk.

Non-discrimination Law

- Michigan non-discrimination law includes trans people specifically.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.

Drag / Performance / Cross-dressing Laws

- Michigan does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women may or may not be housed with women, although policy at the state prison level is that this be taken into consideration. Genital state is considered highly relevant.
- Trans men may or may not be housed with men, although policy at the state prison level is that this be taken into consideration. Genital state is considered highly relevant.
- Nonbinary people may or may not be housed according to sex assigned at birth
- City / County jails are not covered by the state policy.

Legal Definition of Sex

Non-binary people are recognized for some purposes in Michigan, such as state IDs and birth certificates.

Medical Care

- Trans medical care is legal for adults and children.

Child Custody / Abuse

- Transition care is not specifically defined as child abuse
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [Michigan Equality Act](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

As an example of recent attacks, on July 15, 2023, a disabled trans man was [shot with a pellet gun while being called transphobic/homophobic slurs](#) in Pontiac, MI.

Resources

- [Michigan Department of Civil Rights](#)

USA - Minnesota

Minnesota recognizes the gender of trans people. I.E. trans women are considered women, trans men are men, and non-binary people have some government recognition.

Minnesota is a "sanctuary state" for adults and kids receiving trans medical care.

Non-discrimination Law

- Trans people are specifically named in Minnesota non-discrimination laws.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.

Drag / Performance / Cross-dressing Laws

- Drag performance and cross-dressing is legal in Minnesota.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans prisoners have typically been housed based on sex assigned at birth, rather than gender, denied medical care, and mistreated by guards.
- A policy does allow medical care and gender-appropriate housing, although it is yet to be seen if this policy will result change to Minnesota's historic process.
- One woman recently [won a settlement](#) against the state for inappropriate housing and denial of medical care.

Legal Definition of Sex

- There is no legal definition of male/female in Minnesota.

Non-binary people are recognized, at least by some aspects of government, such as in the ability to change ID and birth certificates.

Medical Care

- Trans medical care is legal for all ages, and Minnesota will not cooperate with other states who seek information about patients receiving care in Minnesota for medical transition.

Child Custody / Abuse

- Transition care is not defined as child abuse
- Minnesota has a sanctuary law for people obtaining transition-related medical care in Minnesota
- Minnesota will not extradite people for violating another state's laws against medical transition

While Minnesota will not cooperate with other jurisdictions in many cases, this doesn't cover all possibilities and it may be possible for states to gather evidence of someone receiving care in Minnesota via other means (out-of-state medical insurance, phone records, witnesses, etc).

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized
- Same-sex marriage is recognized by the Leech Lake Band of Ojibwe.
- It is unknown whether same-sex marriages are recognized in the White Earth Indian Reservation.

Relevant Laws

- [2023 HF146 - Transgender Youth Medical Care Sanctuary Law](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to sometimes be misgendered by officials and public institutions.

Resources

- [Minnesota Department of Human Rights](#)

USA - Mississippi

Mississippi has negative laws towards trans people. However, these laws are, thus far, fairly restricted and do not apply to most trans people traveling to Mississippi in most situations.

Mississippi does criminalize trans care for children, although the current law does not have criminal penalties for parents. However, it is unknown how this might have an impact on child custody.

Non-discrimination Law

- Mississippi non-discrimination law does not include LGBT people
- Mississippi has broad religious exemption laws that specifically allow for targeted discrimination against trans people.

Public Accommodations

- Public accommodation access is not protected for trans people in Mississippi.
- Mississippi has wide-reaching religious freedom laws that allow denial of some services on the basis of gender identity.
- Some cities/counties have non-discrimination laws, but the state's religious freedom laws would likely override these if the person discriminating was covered by them.

Drag / Performance / Cross-dressing Laws

- Mississippi does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- While Mississippi has a policy at the state level specifically noting gender identification as a component in housing decisions, the policy lists first and foremost "inmate's physical sexual characteristics" as a factor.
- Trans women are typically housed with men
- Trans men are typically housed with women
- Nonbinary people are typically be housed according to sex assigned at birth

Legal Definition of Sex

Some laws specify male, female, and similar words based on sex assigned at birth and/or chromosomes.

Mississippi has a difficult process of changing gender on ID and birth certificates, reflecting a state belief that sex assigned at birth should typically reflect the gender of people.

Non-binary people are not legally recognized.

Intersex people have some limited recognition.

Medical Care

- Trans medical care is legal for adults
- Medical transition (puberty blockers, hormones, surgeries) for people under 18 is illegal.
- Medical providers can deny some care on the basis of their religious beliefs.

Child Custody / Abuse

- Trans medical care is illegal for youth in Mississippi, although penalties will apply to doctors providing the care and not to parents.
- It is unknown if transition might be used by the state to justify custody removal.
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [MS Dept. of Corrections 20-16 - Transgender Offenders](#)
- [2023 HB 1125 - Youth Trans Medical Care Ban](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [MS Driver's License Policy Article](#)

USA - Missouri

Missouri negative laws towards trans people. However, these laws are, while horrible for residents of Missouri, do not generally apply to most trans people traveling to Missouri in most situations.

Transgender medical care for adults is legal (see notes below in medical care section).

Missouri has a law against youth medical care. It is unknown how this might have an impact on child custody.

Non-discrimination Law

- Missouri non-discrimination law does not include LGBT people

Public Accommodations

- Public accommodation access is not protected for trans people in Missouri.
- Missouri has a religious freedom laws that allow denial of some services on the basis of gender identity.

Drag / Performance / Cross-dressing Laws

- Missouri does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women would typically be housed with men.
- Trans men would typically be housed with women.
- Nonbinary people would typically be housed according to sex assigned at birth.
- Transgender-related surgery in jails/prisons is banned.

Legal Definition of Sex

Some laws specify male, female, and similar words based on sex assigned at birth and/or chromosomes.

Missouri has a difficult process of changing gender on ID and birth certificates, reflecting a state belief that sex assigned at birth should typically reflect the gender of people.

Non-binary people are not legally recognized.

Medical Care

- Trans medical care is legal for adults. There was a short-lived administrative ban order that was withdrawn on May 16, 2023.
- Most trans medical care for youth is banned, including puberty blockers, hormones, and surgery, although some very limited exceptions are present for youth already undergoing care.
- While continuation of some care is legal for trans youth, at least one hospital (University of Missouri hospital) has [stopped providing any care](#), even for existing patients.
- There is a [lawsuit against the state](#) over SB49's prohibition of medical care for trans youth.

Child Custody / Abuse

- Trans medical care for children is banned. This will apply to doctors providing the care and not to parents.
- It is unknown if transition might be used by the state to justify custody removal.
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2023 SB49 - Trans Medical Ban](#)
- [Kansas City Safe Haven for Transgender Residents](#)
- [St. Louis Trans-Inclusive Executive Order](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Kansas City's leaders have chosen to oppose the state's anti-trans legislation and administrative orders through [a sanctuary resolution](#) that deprioritize cooperation with the state and enforcement of state laws that criminalize and penalize trans people. Likewise, St. Louis's mayor has [issued an executive order](#) to resist some state policies and show support for the trans community.

Resources

- [Article on legislation regarding incarcerated people](#)
- [ACLU lawsuit against SB49 \(trans youth healthcare ban\)](#)

USA - Montana

Montana has several negative laws towards trans people, such as a law defining male and female in a trans-exclusionary way for nearly all state purposes.

Montana does ban trans care for children which has an unknown impact on child custody.

Non-discrimination Law

- Montana non-discrimination law does not include LGBT people
- Some municipalities have local non-discrimination laws that apply to gender identity, including Bozeman, Butte, Helena, Missoula, and Whitefish.

Public Accommodations

- Montana has wide-reaching religious freedom laws that allow denial of many services on the basis of gender identity.
- School students will not be able to be disciplined for using pronouns associated a trans person's sex assigned at birth or their legal name..

Drag / Performance / Cross-dressing Laws

- Drag storytime or other "learning activities" with children present in schools, libraries is banned, but this law is currently unenforceable due to a [temporary restraining order](#)
- At least one library (Butte) has [canceled a talk on two-spirit identity](#) to be given by a trans woman, citing the anti-drag law as the reason.
- The Montana drag ban is being [challenged in court](#).

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women would typically be housed with men
- Trans men would typically be housed with women
- Nonbinary people would typically be housed according to sex assigned at birth

Legal Definition of Sex

Montana has a definition of sex largely in line with sex assigned at birth would be included in nearly all Montana law (for example, Montana's on-the-books-but-not-enforceable-due-to-SCOTUS anti-gay marriage law was amended, as well as nearly every other law in Montana that references sex).

Note that this also places gender non-conforming cis women at risk of invasive questioning and state action.

Non-binary people are not recognized.

Montana does not generally allow changing of ID or birth certificate. They have previously violated court orders on birth certificate changes.

Medical Care

- Trans medical care is legal for adults
- Trans medical care (other than therapy) is not legal for people under 18. However, parents are not criminalized (the law applies to medical providers)
- Medical providers can deny non-emergency care on the basis of their religious beliefs or conscious.
- The youth trans healthcare ban is being [challenged in court](#)

Child Custody / Abuse

- Transition care is not specifically defined as child abuse, however puberty blockers, hormones, and surgery are banned.
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2023 HB303 - Health Care Conscious Refusal Law](#)
- [2023 SB99 - Youth Trans Medical Care Ban](#)
- [2023 HB359 - Drag Storytime Ban \(temporarily blocked by courts from being enforced\)](#)
- [2023 SB458 - Trans-exclusionary Definition of Sex](#)
- [2023 SB518 - Mandatory Outing by Schools of Trans Youth](#)

General Safety

White supremacists and anti-trans hate groups have been known to show up at LGBT events in Montana. For instance, on May 20, 2023, a white supremacist transphobic hate group [attacked attendees](#) at Bozeman Pride.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [van Garderen v. State of Montana - Youth Trans Care Ban Challenge](#)
- [Drag Ban - Temporary Restraining Order](#)

USA - Nebraska

Nebraska has some negative law and executive orders towards trans people that affect almost all trans travelers. In particular, due to an [executive order](#), all Nebraska executive agencies will default to considering trans women as men, and trans men as women, while non-binary people will be considered their sex assigned at birth. This likely will apply to bathroom and facility access of facilities under state regulation (such as airports, rest areas, many parks) and can place trans people at significant risk.

Starting in October 1, 2023, Nebraska will ban trans youth medical care. It will have an unknown impact on child custody, although it should be noted that the law applies to medical providers and not parents.

Non-discrimination Law

- Nebraska non-discrimination law does not include LGBT people specifically
- Omaha has a local non-discrimination law that applies to gender identity.

Public Accommodations

- State facilities likely will fall under an executive order that defines sex as sex assigned at birth, and will be required to enforce that in all state regulations enacted by executive branch agencies. This may in some cases impact private businesses, cities, schools, and other non-state entities.
- Trans people are not banned from using appropriate bathrooms and locker rooms.
- General public accommodation access is not specifically protected by law for trans people in Nebraska.

Drag / Performance / Cross-dressing Laws

- Nebraska does not have a drag/cross-dressing law.

Air Travel

Note that the executive order defining sex may make state facilities particularly risky for trans travelers.

See the [USA TSA](#) document.

Jails / Prisons

- Trans women are required to be housed with men
- Trans men are required to be housed with women
- Nonbinary people are required to be housed according to sex assigned at birth

Legal Definition of Sex

The State of Nebraska, via [executive order](#), defines trans people based on sex assigned at birth. This is wide-ranging and includes all executive branch agencies.

Non-binary people are not recognized.

Intersex people have some limited recognition.

Medical Care

- Trans medical care is legal for adults.
- Trans medical care (other than therapy) will not legal for people under 19 after October 1, 2023. (Note that this ban will include 18-year-olds). However, parents would not be criminalized (the bill would apply to medical providers)
- The ACLU of Nebraska is challenging the youth healthcare ban.

Child Custody / Abuse

- Transition care is not specifically defined as child abuse
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2023 LB574 - Trans Youth Medical Care Ban](#)

General Safety

Nebraska's executive order defining men and women based on sex assigned at birth creates an openly hostile state for trans travelers. This law does not depend upon surgical status, genitals, government ID, birth certificate, or any other "proof" of transition, and is wide-ranging across all state government programs and services.

Nebraska has seen very widely publicized hate crimes against LGBT people. While these crimes may occur anywhere, and most anti-LGBT hate crimes, even of the severity of the notorious crimes committed in NE, are not publicized when they occur (and, again, can and do occur nearly everywhere in the USA), this may be a concern to some travelers.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [ACLU Lawsuit against Nebraska for Abortion and Trans Youth Healthcare Rights](#)

USA - Nevada

Nevada does not have laws that target trans people directly and has non-discrimination laws that protect trans people. While Nevada does not have a sanctuary law, the state generally is proactive in legally protecting trans people. Importantly, Nevada is the first state to add protections for gender identity to their state constitution, which included a component that required a vote in an election.

Nevada does not appear to place child custody at risk.

Non-discrimination Law

- Nevada non-discrimination law includes trans people specifically.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.

Drag / Performance / Cross-dressing Laws

- Nevada does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women may or may not be housed with women, although policy at the state prison level is that this be taken into consideration.
- Trans men may or may not be housed with men, although policy at the state prison level is that this be taken into consideration.
- Nonbinary people may or may not be housed according to sex assigned at birth
- SB153 requires the Dept. of Corrections to develop policies that provide proper medical care and housing, as well as training of staff, for trans inmates.
- City / County jails are not covered by the state policy.

Legal Definition of Sex

Non-binary people are recognized for some purposes in Nevada, such as state IDs and birth certificates.

Medical Care

- Trans medical care is legal for adults and children.

Child Custody / Abuse

- Transition care is not specifically defined as child abuse
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [Nevada Constitution \(see Art. 1, Sec. 24\)](#)
- [2023 SB153 - Prison Policies](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [Nevada Equal Rights Commission](#)

USA - New Hampshire

New Hampshire does not have laws that target trans people directly and has non-discrimination laws that protect trans people.

New Hampshire does not appear to place child custody at risk.

Non-discrimination Law

- New Hampshire non-discrimination law includes trans people specifically.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.

Drag / Performance / Cross-dressing Laws

- New Hampshire does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women would typically be housed with men
- Trans men would typically be housed with women
- Nonbinary people would typically be housed according to sex assigned at birth

Legal Definition of Sex

Non-binary people are recognized for some purposes in New Hampshire, such as state IDs, but not birth certificates.

Medical Care

- Trans medical care is legal for adults and children.

Child Custody / Abuse

- Transition care is not specifically defined as child abuse
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [NH Civil Rights Unit](#)

USA - New Jersey

New Jersey recognizes the gender of trans people. I.E. trans women are considered women, trans men are men, and non-binary people, at least in some instances are recognized as non-binary. Some recognition may require identification documentation changes, and some organizations or agencies may not fully recognize these changes.

New Jersey is a "sanctuary state" for adults and kids receiving trans medical care, through an executive order, although this order does not mention impact to custody agreements.

Non-discrimination Law

- Trans people are specifically named in New Jersey non-discrimination laws.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.

Drag / Performance / Cross-dressing Laws

- Drag performance and cross-dressing is legal in New Jersey.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- While most jails/prisons have regulations that, in theory, would consider gender identity in housing decisions, these regulations are often ignored and trans people are often housed according to sex assigned at birth.
- A widely publicized and sensationalized (including propaganda that was blatantly incorrect) case of consensual sex involving a trans woman in a state women's prison has been used to justify policy changes that make it easier to house a trans woman improperly due to "reproductive concerns."

Legal Definition of Sex

- There is no legal definition of male/female in New Jersey.

Non-binary people are recognized, at least by some aspects of government, such as in the ability to change birth certificates, driver licenses, and data gathering. However, non-binary recognition is still incomplete in New Jersey.

Medical Care

- Trans medical care is legal for all ages, and New Jersey will not cooperate with other states who seek information about patients receiving care in New Jersey for medical transition.

Child Custody / Abuse

- Transition care is not defined as child abuse
- New Jersey has a sanctuary executive order for people obtaining transition-related medical care in New Jersey, although this does not mention custody.
- New Jersey will not extradite people for violating another state's laws against medical transition

While New Jersey will not cooperate with other jurisdictions in many cases, this doesn't cover all possibilities and it may be possible for states to gather evidence of someone receiving care in New Jersey via other means (out-of-state medical insurance, phone records, witnesses, etc).

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [EO 326 - Protecting Trans Healthcare](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to sometimes be misgendered by officials and public institutions.

Politically, New Jersey has felt it appropriate to utilize the law when political subdivisions attempt to violate the rights of transgender students by, for example, [suing a discriminatory school district](#)

Resources

- [New Jersey Division on Civil Rights](#)

USA - New Mexico

New Mexico recognizes the gender of trans people. I.E. trans women are considered women, trans men are men, and non-binary people, at least in some instances are recognized as non-binary. Some recognition may require identification documentation changes, and some organizations or agencies may not fully recognize these changes.

New Mexico does not appear to put custody at risk.

Note that indigenous nations may have laws differing from New Mexico's and may lack some protections.

Non-discrimination Law

- Trans people are specifically named in New Mexico non-discrimination laws.
- New Mexico has a religious freedom law that may provide religious exemptions to non-discrimination law in some limited circumstances.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.
- Public accommodations/businesses with single-occupancy bathrooms are required to sign these for all gender and allow access to all genders.

Drag / Performance / Cross-dressing Laws

- Drag performance and cross-dressing is legal in New Mexico.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- While most jails/prisons have regulations that, in theory, would consider gender identity in housing decisions, these regulations are often ignored and trans people are often housed according to sex assigned at birth.

Legal Definition of Sex

- There is no legal definition of male/female in New Mexico.

Non-binary people are recognized, at least by some aspects of government, such as in the ability to change birth certificates, driver licenses, and data gathering. However, non-binary recognition is still incomplete in New Mexico.

Medical Care

- Trans medical care is legal for all ages.
- New Mexico does not have a sanctuary law.

Child Custody / Abuse

- Transition care is not defined as child abuse
- New Mexico does not have a sanctuary law.

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized.
- Within the Navajo Nation, the Diné Marriage Act prohibits recognition of same-sex marriage. It is unknown how the "sex" of trans people would be seen under this law, potentially placing all trans/cis marriages at risk (straight or queer) as well as most queer marriages.
- It is unknown whether Zuni Pueblo recognizes same-sex marriages performed elsewhere.

Relevant Laws

- [2019 HB388 - Non-Gendered Bathrooms](#)
- [Diné Marriage Act \(Applicable in the Navajo Nation\)](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to sometimes be misgendered by officials and public institutions.

Resources

USA - New York

New York recognizes the gender of trans people. I.E. trans women are considered women, trans men are men, and non-binary people, at least in some instances are recognized as non-binary. Some recognition may require identification documentation changes, and some organizations or agencies may not fully recognize these changes.

New York is a "sanctuary state" for adults and kids receiving trans medical care.

Non-discrimination Law

- Trans people are specifically named in New York non-discrimination laws.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.
- Public accommodations/businesses with single-occupancy bathrooms are required to sign these for all gender and allow access to all genders.

Drag / Performance / Cross-dressing Laws

- Drag performance and cross-dressing is legal in New York.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- While most jails/prisons have regulations that, in theory, would consider gender identity in housing decisions, these regulations are often ignored and trans people are often housed according to sex assigned at birth.
- NYC jails, like jails in many places, are cruel and particularly dangerous for trans people. In 2019, a trans woman, Layleen Polanco Xtravaganza, was killed through indifference, willful neglect, and solitary confinement by the NYC jail system. This resulted in a \$5.9 million payout by the city. She was in jail for inability to pay bail.

Legal Definition of Sex

- There is no legal definition of male/female in New York.

Non-binary people are recognized, at least by some aspects of government, such as in the ability to change birth certificates, driver licenses, and data gathering. However, non-binary recognition is still incomplete in New York.

Intersex people are recognized in some laws, such as a law requiring some education for medical providers on intersex issues.

Medical Care

- Trans medical care is legal for all ages
- New York has a sanctuary law for people obtaining transition-related medical care.
- New York will not extradite people for violating another state's laws against medical transition.
- In addition to the state law, New York City has issued an executive order prohibiting cooperation with prosecution of a person for receiving or providing transgender care.

Child Custody / Abuse

- Transition care is not defined as child abuse

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2023 S2475B - State Sanctuary Law](#)
- [New York City EO 32 - Sanctuary City Order](#)

General Safety

While there are many visibly trans people in NYC, and NYC is home to some leading LGBT medical centers, hate crimes against LGBT people also occur in NYC, including stabbings of trans women and trans women (and cis women who appear trans) being denied access to appropriate bathrooms even in some gay establishments. Trans women have [faced violence](#) while using public transit. LGBT [bars](#), and [monuments](#) have also been targeted by both [violent and non-violent transphobic and homophobic people. While these acts are the exception, it is important to be aware of surroundings even while in apparently queer-friendly locations.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to sometimes be misgendered by officials and public institutions.

Resources

USA - North Carolina

North Carolina does not have laws that target most trans visitors directly.

North Carolina does ban trans care for children, although the current law does not have criminal penalties for parents. However, it is unknown how this might have an impact on child custody.

Non-discrimination Law

- North Carolina non-discrimination law does not include LGBT people
- Some municipalities have local non-discrimination laws that apply to gender identity.

Public Accommodations

- Trans people are not banned from using appropriate bathrooms and locker rooms.
- North Carolina, famously, passed an anti-trans bathroom law that was later repealed. In a compromise, the repeal legislation prohibited any local non-discrimination ordinances from being passed up until 2020. That provision has since expired.
- General public accommodation access is not specifically protected by law for trans people in North Carolina.

Drag / Performance / Cross-dressing Laws

- North Carolina does not have a drag/cross-dressing law.
- In Brevard, [violent death threats](#) were made against an adult drag show (and any pride events) in July,
 1. The man responsible was arrested towards the end of July for the threats.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women may or may not be housed with men
- Trans men may or may not be housed with women
- Nonbinary people would typically be housed according to sex assigned at birth
- North Carolina has been the target of lawsuits over failing to allow inmates not already on HRT prior to incarceration to be prescribed HRT, denial of surgery, and inappropriate (wrong gender) housing.
- An intersex prisoner alleges in a lawsuit that they contracted HIV due to inappropriate housing in a men's institution.

Legal Definition of Sex

Non-binary people are not recognized.

Medical Care

- Trans medical care is legal for adults and children.
- Medical transition (puberty blockers, hormones, surgeries) for people under 18 is illegal. There is an exception for continuation of care for people under care prior to August 1, 2023, but this exception allows civil action still, so care is likely to be discontinued for all youth.

Child Custody / Abuse

- Transition care is not specifically defined as child abuse, although it is not legal to provide so it may have impacts on child custody.
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized
- Officials can excuse themselves from issuing marriage licenses on the basis of religious objections.

Relevant Laws

- [Session Law 2015-75 - Allowing Officials Religious Objections to Marriages](#)
- [2023 H808 - Trans Youth Medical Ban Bill](#)
- [2023 S49 - Don't Say Gay \("Parental Bill of Rights"\)](#)

General Safety

The state has a law that prevents instruction on sexual orientation or gender identity through grade four in schools.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

In Waynesville, NC, a trans woman using the recreation center had [false allegations spread about her](#) by local religious leaders and others who claimed she was exposing herself to children (evidence has shown this could not have happened). Fortunately police responded to these complaints rightly noting that the woman was not violating any laws (or doing anything at all improper). Violent threats were also made in Brevard in July 2023 against a drag show.

Resources

USA - North Dakota

North Dakota has several negative laws towards trans people. Among these is a legal definition of sex that may be used to restrict the rights of trans people visiting North Dakota.

Government employees are entitled to misgender trans people under the law.

North Dakota does criminalizes trans care for children which may have an impact on child custody.

Non-discrimination Law

- North Dakota non-discrimination law does not include LGBT people.
- North Dakota's definition of sex law (HB1474) makes it unlikely that non-discrimination laws specifying "sex" would be interpreted in a trans-inclusive way. Note that this also places gender non-conforming cis women at risk of invasive questioning and state action.

Public Accommodations

- Trans people are required to use bathrooms/showers associated with their sex assigned at birth when visiting public educational dormitories.
- Trans students are required to use bathrooms/showers associated with their sex assigned at birth when using school bathrooms.
- Use of single-occupancy bathrooms by trans students (as an exception) in schools requires parental permission in writing.
- Trans people are required to use bathrooms associated with their sex assigned at birth when visiting jails, prisons, youth correctional centers, etc.
- Government employees (including school) cannot be be disciplined for misgendering others.
- Students in schools cannot be disciplined for misgendering others.

Drag / Performance / Cross-dressing Laws

- Exposure of prosthetic genitals, breasts, or buttocks, partial or completely, during "performance" (does not need to be paid) is illegal. I.E. seeing the top part (above nipples) of prosthetic breasts may be criminal. These do not need to be attached to a human to be illegal (I.E. Truck Nutz may be illegal now). This applies in public and in any space where minors may be.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Bathrooms and showers are required to be legally segregated by sex assigned at birth in state jails and prisons
- Trans women would typically be housed with men
- Trans men would typically be housed with women
- Nonbinary people would typically be housed according to sex assigned at birth

Legal Definition of Sex

Non-binary people are not recognized.

Intersex people have some limited recognition.

North Dakota specifies male, female, and similar words based on sex assigned at birth and/or chromosomes.

Note that this also places gender non-conforming cis women at risk of invasive questioning and state action.

North Dakota prohibits trans people changing birth certificates.

Medical Care

- Trans medical care is legal for adults
- Trans medical care (other than therapy) is not legal for people under 18, with some exceptions for people currently receiving care prior to the enactment of HB 1254 (2023) -- but only for those procedures they were receiving prior to enactment.
- It is a criminal act in North Dakota to supply HRT or puberty blocking medication to most trans minors, which may have implications for people traveling with trans children on puberty blockers or HRT.

Child Custody / Abuse

- Transition care is not specifically defined as child abuse, however puberty blockers, hormones, and surgery is considered illegal.
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2023 HB1254 - Child Medical Care](#)
- [2023 HB1297 - Prohibition On Birth Certificate Change, Definition of Sex](#)
- [2023 HB1333 - Ban on Display of Prosthetic Genitals/Breast/Buttocks](#)
- [2023 HB1473 - Bathrooms in Some State Institutions](#)
- [2023 HB1474 - Transphobic Definition of Sex](#)

- [2023 HB1522 - Bathrooms in Schools and Pronouns](#)

General Safety

While the laws in ND impact trans people negatively, there is some signs of resistance. For instance the [Fargo School Board has indicated they will ignore a law that requires outing students to their \(potentially non-supportive\) parents.](#)

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [2023 legislative resolution for entities to use sex, not gender, in demographic gathering and provision of services](#)

USA - Ohio

Ohio does not have laws that target most trans visitors directly, although a trans woman was charged (and found not guilty) for changing in a locker room.

Ohio does not appear to place child custody at risk.

However, HB68, if passed, would ban transition care for youth and go beyond most other bans of care and explicitly protect conversion therapy of trans youth, including placing significant restrictions upon mental health care, puberty blockers, hormone therapy, and surgery.

In addition, if HB183 is passed, Ohio would ban access to bathroom and locker room facilities at all schools and universities (including university facilities such as stadiums) except in accordance with sex assigned at birth.

Beyond HB183, an opinion from the Ohio Attorney General interprets existing law to allow discrimination against trans people in bathrooms and similar facilities, particularly if owned by government.

Non-discrimination Law

- Ohio non-discrimination law does not include LGBT people specifically
- Some municipalities have local non-discrimination laws that apply to gender identity.

Public Accommodations

- Trans people are not banned from using appropriate bathrooms and locker rooms, although at least one trans woman has been charged with indecent exposure for using a locker room (she was found not-guilty).
- However, the Attorney General has issued an [opinion](#) that requiring trans people to use bathrooms in line with sex assigned at birth, rather than gender identity, is not a violation of non-discrimination law and is legal in Ohio, particularly in government facilities.
- General public accommodation access is not specifically protected by law for trans people in Ohio, although some counties and municipalities do protect it.
- If HB183 is passed, Ohio would ban access to bathroom and locker room facilities at all schools and universities (including university facilities such as stadiums) except in accordance with sex assigned at birth.

Drag / Performance / Cross-dressing Laws

- Ohio does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women would typically be housed with men
- Trans men would typically be housed with women
- Nonbinary people would typically be housed according to sex assigned at birth
- Several relatively recent (as of 2023) court cases have involved trans women who have been mistreated in jail and/or denied appropriate medical care.

Legal Definition of Sex

Non-binary people are not recognized for most purposes, although they can obtain birth certificates with an "X" marker (but not driver's licenses or ID cards). Some county judges have denied birth certificate changes to trans people, indicating bias within the Ohio legal system.

Medical Care

- Trans medical care is legal for adults and children.
- Ohio has a religious exemption law that allows providers to deny some medical services.
- If HB68 is passed, Ohio would ban transition care for youth and go beyond most other bans of care and explicitly protect conversion therapy of trans youth, including placing significant restrictions upon mental health care, puberty blockers, hormone therapy, and surgery.

Child Custody / Abuse

- Transition care is not specifically defined as child abuse
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2023 HB68 \(Not yet passed\) - Youth Care Ban](#)
- [2023 HB183 \(Not yet passed\) - Bathroom Ban in Schools and Universities](#)
- [Attorney General Opinion 2023-006](#)

General Safety

Ohio and Ohio's political subdivisions have shown willingness to extensively prosecute and litigate against trans people in court.

Currently pending legislative bills, that may or may not pass, are particularly cruel towards the trans people they target (mostly youth, but also college and university students and anyone visiting school or university facilities).

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [Transgender Woman Not Guilty for Using Women's Locker Room](#)
- [Some Trans People are Denied Birth Certificate Changes](#)
- [Movement Advancement Project's Ohio Page, listing Cities with Non-Discrimination Laws](#)

USA - Oklahoma

Oklahoma has negative laws towards trans people. Some of these laws may place trans visitors at risk.

Oklahoma's executive branch considers sex and gender to be synonyms of sex assigned at birth. This applies to government facilities and processes, such as restrooms managed by the state government.

Under a law that is currently (June 9, 2023) stayed as of May 18, 2023 (so it is not being enforced by the state), Oklahoma does criminalize trans care for children, but does not penalize parents (the law applies to medical providers). However, it is unknown how this might have an impact on child custody.

Note that some indigenous nations within the boundaries of Oklahoma may ban same-sex marriage recognition for people receiving services from these nations (but this does not generally apply to non-native visitors).

Non-discrimination Law

- Oklahoma state executive branch government is required to treat trans women as men, trans men as women, and non-binary people on the basis of their sex assigned at birth. Note this also places gender non-conforming cis women at risk of invasive questioning and state action.
- Oklahoma non-discrimination law does not include LGBT people.
- Norman, OK has a non-discrimination law locally.

Public Accommodations

- Trans people are required to use bathrooms/showers associated with their sex assigned at birth when using some bathrooms/showers in both schools and locations under the authority of the executive branch of state government. Note that this also places gender non-conforming cis women at risk of invasive questioning and state action.
- Public accommodation access is not protected for trans people in Oklahoma.
- Oklahoma has religious freedom laws that allow denial of some services on the basis of gender identity.

Drag / Performance / Cross-dressing Laws

- Drag performance and cross-dressing is legal in Oklahoma.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women will be housed with men due to executive order.
- Trans men will be housed with women due to executive order.
- Nonbinary people will typically be housed according to sex assigned at birth due to executive order.
- Medical care (HRT) has been discontinued for at least one prisoner due to prison staff believing she was "faking" being transgender.
- Medical care other than HRT is not generally provided (by policy).

Legal Definition of Sex

Non-binary people are not recognized.

Under executive order, all executive branch government departments must consider a person's gender and sex to be the same as their sex assigned at birth. This applies to "single sex facilities" under executive branch control, such as bathrooms. Note that this also places gender non-conforming cis women at risk of invasive questioning and state action.

Trans people cannot change their identification or birth certificate in Oklahoma.

Some laws specify male, female, and similar words based on sex assigned at birth and/or chromosomes.

Medical Care

- Trans medical care is legal for adults
- Trans medical care is illegal for youth in Oklahoma, although parents are not penalized by the law (it applies to medical providers).
- Medical providers can deny some care on the basis of their religious beliefs.

Child Custody / Abuse

- Under a law that is currently stayed as of May 18, 2023, (so it is not being enforced in the state), trans medical care is illegal for youth in Oklahoma, although parents are not penalized by the law (it applies to medical providers).
- It is unknown if transition might be used by the state to justify custody removal.
- There is no sanctuary law preventing cooperation with other jurisdictions
- Child welfare agencies are covered by a law that allows them to refuse services for religious reasons.

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized, outside of some indigenous nations.
- The Cherokee Nation and Chickasaw Nations recognize same-sex marriage.
- Some indigenous nations (Muscogee/Creek Nation, Choctaw Nation, and Seminole Nation) within the boundaries of Oklahoma have banned recognition of same-sex marriage, although this only applies to people receiving services from these nations

(I.E. most visitors are not impacted by these bans). It is unknown how the "sex" of trans people would be seen under these laws, potentially placing some trans/cis marriages at risk (straight or queer) as well as some queer marriages.

Relevant Laws

- [2023 EO 2023-20 - Executive Order Definition of Sex/Gender](#)
- [2023 SB613 - Trans Youth Healthcare Ban \(Temporarily not being enforced as of May 18, 2023\)](#)
- [2023 SB615 - Trans School Bathroom Ban](#)
- [2022 SB1100 - Birth Certificate Change Ban](#)
- [Executive Order 2021-24 Banning Birth Certificate Changes](#)
- [Oklahoma Prison Manual on Trans Prisoners](#)

General Safety

The executive order that defines sex/gender on the basis of sex assigned at birth. This places trans people at risk when using state facilities and interacting with state government.

The state has a law that prevents instruction on sexual orientation in schools (and requires students be taught that avoiding gay sex will prevent HIV).

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [Trans Woman Allowed to Sue Oklahoma Prisons](#)
- [ACLU Page on Lawsuit Against SB613](#)
- [ACLU Page on Temporary Stay of SB613](#)

USA - Oregon

Oregon recognizes the gender of trans people. I.E. trans women are considered women, trans men are men, and non-binary people are recognized as non-binary.

Oregon is not a "sanctuary state", but also does not criminalize trans youth medical care.

Non-discrimination Law

- Trans people are specifically named in Oregon non-discrimination laws.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.

Drag / Performance / Cross-dressing Laws

- Drag performance and cross-dressing is legal in Oregon.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women may not be housed with women, although policy at the state prison level is that this be taken into consideration. Typically, they are housed with men.
- Trans men may or may not be housed with men, although policy at the state prison level is that this be taken into consideration. Typically they are housed with women.
- Nonbinary people may or may not be housed according to sex assigned at birth. Typically they are housed according to gender assigned at birth.
- The State has litigated against prisoner legal name and gender changes.
- The State has litigated against prisoner medical care.
- The State has litigated against a trans woman jailed in male jail who was [placed with a convicted sex offender](#)

Legal Definition of Sex

- There is no legal definition of male/female in Oregon.

Non-binary people are recognized by state government.

Medical Care

- Trans medical care is legal for all ages.

- Oregon does not have a "sanctuary" law.

Child Custody / Abuse

- Transition care is not defined as child abuse
- Oregon does not have a sanctuary law for people obtaining transition-related medical care.
- OHSU has [received threats](#) at one family clinic related to (according to reports of the patient in question) a patient who made transphobic statements being asked to find a new provider.

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

General Safety

There is a wide variety of politics in Oregon, including both progressive and regressive politics. Hate groups operate in Oregon and occasionally visit progressive cities such as Portland. Some of these visits have resulted in violent clashes. Drag events and other LGBT events have been protested by armed hate groups.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to sometimes be misgendered by officials and public institutions.

Resources

- [Oregon Civil Rights Commission](#)

USA - Pennsylvania

Pennsylvania does not has several negative laws towards trans people.

Pennsylvania is not a "sanctuary state", but also does not criminalize trans youth medical care.

Non-discrimination Law

- Pennsylvania non-discrimination law does not include LGBT people specifically, but courts have begun to interpret it in a way that includes LGBT people.
- Many municipalities have local non-discrimination laws that apply to gender identity.
- Pennsylvania has religious freedom laws that allow denial of some services on the basis of gender identity.

Public Accommodations

- Trans people are not banned from using appropriate bathrooms and locker rooms.
- General public accommodation access is not specifically protected by law for trans people in Pennsylvania as a whole (but is in many municipalities).

Drag / Performance / Cross-dressing Laws

- Pennsylvania does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women may or may not be housed with women, although policy at the state prison level is that this be taken into consideration. That said, trans women are routinely housed with men.
- Trans men may or may not be housed with men, although policy at the state prison level is that this be taken into consideration. That said, trans men are routinely housed with women.
- Nonbinary people may or may not be housed according to sex assigned at birth, although the routine is to house them according to sex assigned at birth.
- City / County jails are not covered by the state policy.

Legal Definition of Sex

Non-binary people are recognized for some purposes in Pennsylvania, such as state IDs, but not birth certificates.

Medical Care

- Trans medical care is legal for all ages.
- Pennsylvania does not have a "sanctuary" law.
- Pittsburgh is considering becoming a [sanctuary city](#) for trans healthcare, which would somewhat limit cooperation between the city in prosecution of those seeking trans healthcare.

Child Custody / Abuse

- Transition care is not defined as child abuse
- Pennsylvania does not have a sanctuary law for people obtaining transition-related medical care.
- Pittsburgh is considering becoming a [sanctuary city](#) for trans healthcare, which would somewhat limit cooperation between the city in prosecution of those seeking trans healthcare.

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

General Safety

Pennsylvania is a diverse state, with areas of progressive politics along with areas of regressive politics. Experiences in a city such as Philadelphia may differ from experiences in more rural areas.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [Movement Advancement Project Pennsylvania Page \(lists cities with non-discrimination law\)](#)
- [Eastern PA Trans Equity Project \(Trans Services in Eastern PA\)](#)

USA - Rhode Island

Rhode Island recognizes the gender of trans people. I.E. trans women are considered women, trans men are men, and non-binary people, at least in some instances are recognized as non-binary.

Rhode Island is not a "sanctuary state", but also does not criminalize trans youth medical care.

Non-discrimination Law

- Trans people are specifically named in Rhode Island non-discrimination laws.
- Rhode Island does have a religious freedom law that may provide religious exemptions to non-discrimination law in some limited circumstances.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.

Drag / Performance / Cross-dressing Laws

- Drag performance and cross-dressing is legal in Rhode Island.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Jails and prisons consider the gender identity of prisoners when making housing decisions, but state prisons note that prisoners will initially be housed based on sex assigned at birth.
- Transition care should be available in state prisons, but may not be the same standard as care outside of prison.

Legal Definition of Sex

Non-binary people are recognized, at least by some aspects of government, such as in the ability to change birth certificates, driver licenses, and data gathering. However, non-binary recognition may still be in-complete in Rhode Island.

Medical Care

- Trans medical care is legal for all ages.
- Rhode Island does not have a "sanctuary" law.

Child Custody / Abuse

- Transition care is not defined as child abuse
- Rhode Island does not have a sanctuary law for people obtaining

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [Dept. of Corrections Policy 9.52 - Transgender Prisoners](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to sometimes be misgendered by officials and public institutions.

Resources

- [Rhode Island Commission for Human Rights](#)

USA - South Carolina

South Carolina does not have laws that target most trans visitors directly.

South Carolina does not appear to place child custody at risk.

Non-discrimination Law

- South Carolina non-discrimination law does not include LGBT people specifically
- Some municipalities have local non-discrimination laws that apply to gender identity, particularly Charleston and Columbia.

Public Accommodations

- Trans people are not banned from using appropriate bathrooms and locker rooms.
- General public accommodation access is not specifically protected by law for trans people in South Carolina.

Drag / Performance / Cross-dressing Laws

- South Carolina does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women would typically be housed with men, although at least one trans woman has been moved to a woman's facility after the threat of a lawsuit.
- Trans men would typically be housed with women
- Nonbinary people would typically be housed according to sex assigned at birth
- Trans people have sued South Carolina over the denial of medical care for trans prisoners.

Legal Definition of Sex

Non-binary people are not recognized.

Medical Care

- Trans medical care is legal for adults and children.

Child Custody / Abuse

- Transition care is not specifically defined as child abuse
- There is no sanctuary law preventing cooperation with other jurisdictions

- Child welfare agencies are covered by a law that allows them to refuse services for religious reasons.

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized
- South Carolina's domestic violence statutes only apply to straight unmarried couples, not gay unmarried couples. However, a court has declared that this is unconstitutional and it cannot be enforced in a discriminatory way. Attempts to amend the law have failed.

Relevant Laws

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [Movement Advancement Project South Carolina Page \(lists cities with non-discrimination law\)](#)

USA - South Dakota

South Dakota has some negative laws towards trans people. However, these laws are, thus far, fairly restricted and do not apply to most trans travelers in most situations.

South Dakota does ban trans care for children which has an unknown impact on child custody, however parents are not penalized under this law (it applies to healthcare providers).

Non-discrimination Law

- South Dakota non-discrimination law does not include LGBT people
- At least one municipality (Brookings) has a local non-discrimination laws that applies to trans people, but because of a state law that provides wide-ranging exemptions on the basis of belief, this law is likely not applicable in practice.

Public Accommodations

- South Dakota has wide-reaching religious freedom laws that allow denial of many services on the basis of gender identity.

Drag / Performance / Cross-dressing Laws

- Drag performance and cross-dressing is legal in South Dakota

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women are typically be housed with men (as of January 2023, no trans woman has ever been housed in a state facility for women).
- Trans men are typically be housed with women.
- Nonbinary people would typically be housed according to sex assigned at birth.

Legal Definition of Sex

Non-binary people are not recognized.

Some laws specify male, female, and similar words based on sex assigned at birth, gametes, and/or chromosomes.

South Dakota allows gender marker changes on IDs only in limited circumstances.

Medical Care

- Trans medical care is legal for adults
- Trans medical care (other than therapy) is not legal for people under 18. However, parents are not criminalized (the law applies to medical providers)

Child Custody / Abuse

- Transition care is not specifically defined as child abuse, however puberty blockers, hormones, and surgery are banned.
- There is no sanctuary law preventing cooperation with other jurisdictions
- Child welfare agencies are covered by a law that allows them to refuse services for religious reasons.

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized.
- The Rosebud Indian Reservation would appear to recognize marriages of tribal members that occurred outside the reservation.

Relevant Laws

- [2023 HB1080 - Trans Youth Medical Ban](#)

General Safety

South Dakota has established [a hotline](#) for people to express "concerns" with aspects of higher education that conservative politicians may disagree with. This will serve as a chilling effect on free speech at colleges and universities in South Dakota.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

USA - Tennessee

Tennessee has negative laws and executive orders towards trans people. Some of these laws place trans visitors at risk.

Tennessee (as of July 1, 2023) bans trans care for children which has an unknown impact on child custody, however parents are not penalized under this law (it applies to healthcare providers), except possibly if one parent provides hormones or puberty blockers without the other parent's consent. While a preliminary injunction (as of July 8, 2023) would have allowed both puberty blockers and hormone therapy for trans youth until the case challenging the ban is heard, the appeals court decided that stay was invalid. However, the plaintiffs in a related case in Kentucky have asked that the entire appeals court re-hear the Kentucky appeal, which could have impact in Tennessee.

Tennessee's Attorney General has requested private medical records (and [received them](#)) to investigate at least one provider of transgender care.

Non-discrimination Law

- Tennessee non-discrimination law does not include LGBT people
- Tennessee municipalities are blocked from enacting laws that protect LGBT people.
- Public school (K12) employees will not be able to be disciplined for using pronouns and titles associated a trans person's sex assigned at birth.

Public Accommodations

- Public accommodation access is not protected for trans people in Tennessee.
- Tennessee has wide-reaching religious freedom laws that allow denial of services on the basis of gender identity.
- Tennessee bans trans people from school bathrooms and locker rooms that do not align with sex assigned at birth.
- Tennessee previously had a bathroom ban that applied to private businesses, that required offensive signage if a business allowed trans people to enter the appropriate bathroom. However, that ban was found to violate the US Constitution's 1st Amendment and was struck down by a federal court.

Drag / Performance / Cross-dressing Laws

- Tennessee has a "drag ban" law that prohibits "male or female impersonators" who perform on public property, in any location where a minor could potentially be present. This includes felony penalties for a second conviction. However, this law has been struck down by a judge as unconstitutional. It's unknown if there will be appeals that try to re-instate the law.
- Despite the ruling on that the drag ban is unconstitutional, Blount County prosecutor (Ryan Desmond) is [attempting to enforce the law](#) against a pride event.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women are generally housed with men.
- Trans men are generally housed with women.
- Nonbinary people are housed according to sex assigned at birth.

Legal Definition of Sex

Tennessee generally does not allow gender markers to be changed on IDs.

Tennessee does not recognize non-binary gender.

Tennessee specifies defines male, female, and similar words based on sex assigned at birth and/or chromosomes.

Medical Care

- Trans medical care is legal for adults.
- Medical transition for people under age 18 is illegal as of July 1, 2023. This includes both care provided from within Tennessee and care provided via telehealth. While, a preliminary injunction (as of July 8, 2023) would have allowed both puberty blockers and hormone therapy for trans youth until the case challenging the ban is heard, the appeals court decided that [stay was invalid](#). However, the plaintiffs in a related case in Kentucky have asked that the entire appeals court re-hear the Kentucky appeal, which could have impact in Tennessee.
- There are some very limited exceptions to the care ban for youth continuing the same care who had received that care prior to the ban up until March 31, 2024.
- Medical providers (including mental health providers) can deny some care on the basis of their religious or ethical beliefs.
- Some Medical records of patients receiving care at Vanderbilt, including private and extremely sensitive information, have been [given to the state Attorney General](#) to investigate trans healthcare provisions. Vanderbilt patients [are suing the medical center](#) for disclosing their private information. It is unknown if similar records requests and disclosures have been done at other organizations.

Child Custody / Abuse

- Trans medical care is illegal for most youth in Tennessee.
- It is unknown if transition might be used by the state to justify custody removal.
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2011 HB600 - Banning Local Trans Non-Discrimination Laws](#)
- [2016 SB1556 - Allowing Counselors to Fire LGBT Clients](#)
- [2021 HB1233 - Trans Bathroom Ban for Schools](#)
- [2023 HB0001 - Trans Youth Medical Care Ban](#)
- [2023 HB0009 - Drag Ban \(Struck down by US federal court on June 2, 2023\)](#)
- [2023 SB0466 - Allowing Misgendering by School Employees](#)
- [2023 SB0632 - Defining Sex as Sex Assigned at Birth](#)

General Safety

The state has a law that prevents instruction on sexual orientation or gender identity through grade twelve in schools without explicit "opt-in" by parents.

Blount County may be particularly risky, as of August 31, 2023, as the local prosecutor in the county has shown [willingness to enforce the drag ban](#) against a pride event despite the law being ruled unconstitutional.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [Friends of George's, Inc. v. Mulroy - Drag Ban Legal Challenge](#)
- [D.H. v. Williamson County Board of Education - School Bathroom Ban Challenge](#)
- [L.W. et al v. Skrmetti et al - Trans Youth Medical Care Ban Challenge](#)

USA - Texas

Texas has negative laws and executive orders towards trans people. Some of these laws could place trans visitors at risk.

It is important for parents of trans kids to research the current state positions towards trans healthcare before a trans child visits Texas. Texas does criminalize trans care for children through law, executive order and legal opinion by the state's attorney general. Elected officials in both the executive and legislative branch consider transition of children to be child abuse. The state has shown willingness to investigate families solely on the basis of a child's gender transition care.

Non-discrimination Law

- Texas non-discrimination law does not include LGBT people
- Cities are substantially banned from passing non-discrimination laws due to a new law passed in 2023.

Public Accommodations

- Public accommodation access is not protected for trans people in Texas.
- Texas has wide-reaching religious freedom laws that allow denial of some services on the basis of gender identity.

Drag / Performance / Cross-dressing Laws

- Texas does not have a drag/cross-dressing law.
- A law has vague language that will ban "sexually oriented performances" where a child might be able to view it and may be used against drag performers. This law is being [challenged in court](#).

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women are typically housed with men.
- Trans men are typically housed with women.
- Nonbinary people are typically housed according to sex assigned at birth.
- Texas considers "genital status" a key factor in housing decisions.

Legal Definition of Sex

Texas does not recognize non-binary gender.

Some laws specify male, female, and similar words based on sex assigned at birth and/or chromosomes.

Medical Care

- Trans medical care is legal for adults.
- Medical transition for people under age 18 is subject to child abuse investigations under executive orders, which are being challenged with some success. Under attorney general opinion, medical transition of youth is consider abuse.
- Texas bans puberty blockers, HRT, and surgery for trans youth with few exceptions. This bill's enforcement actions are targeted primarily towards healthcare providers. While this [was challenged in a lawsuit](#). While a state district court granted an injunction against the ban, on August 25, 2023, the state immediately appealed this decision to the state supreme court, which [blocks the injunction](#). Thus, as of August 25, 2023, it is expected the law will go into effect, which means that trans youth will be unable to access this medical care.

Child Custody / Abuse

- Trans youth medical care is illegal in Texas.
- An executive order instructs child services agencies to investigate transgender children in many circumstances, placing custody at risk.
- The executive order and legal opinion of the AG is being challenged in court.
- The anti-trans healthcare law penalizes healthcare providers, but not parents (but it co-exists with the executive order and legal opinion of the Attorney General).
- There is no sanctuary law preventing cooperation with other jurisdictions.
- Child welfare agencies are covered by a law that allows them to refuse services for religious reasons.

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized.
- Note that the State's "Romeo and Juliet" law which provides exception to some statutory rape laws where a minor is involved (if the partner is within 3 years of age of the minor) does not apply to same-sex partners. It's unknown how Texas will determine gender, although in past cases regarding marriage, Texas jurisdictions have arrived at different conclusions for trans people.

Relevant Laws

- [2023 HB2127 - Ban on Local Non-Discrimination Law](#)
- [2023 SB12 - Vague Sexually Oriented Performance Ban](#)
- [2023 SB14 - Trans Medical Ban](#)

General Safety

The state has a law that prevents instruction on sexual orientation in schools.

The State has shown a willingness to investigate parents of transgender kids, including subjecting them to different processes than are applied for child abuse investigation (such as providing less of a paper trail). People with transgender children should research the current status of these laws in detail before traveling to Texas.

Cis women who do not look stereotypically female in a citizen's eyes (regardless of actual appearance) have been [harassed](#) and [kicked out](#) of bathrooms by police or citizens. In most cases, this is done with men (police, citizens, etc) entering the women's bathroom, demanding ID, and regardless of offered ID then kicking the woman out. In particular, All women's bathroom users, trans or cis, who are sometimes read as men (or do not present stereotypically femininely) should use caution.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [Doe v. Abbott - Challenge to Child Abuse Investigations of Trans Families](#)
- [Loe v. Texas - Challenge to gender affirming care ban](#)
- [PFLAG v. Abbott - Challenge to Child Abuse Investigations of Trans Families](#)
- [Woodlands Pride v. Colmenero - Challenge to Vague "Sexually Oriented Performance" Ban](#)
- [Transgender Education Network of TX \(pro-trans organization\)](#)

USA - Utah

Utah has some negative laws towards trans people. However, these laws are, thus far, fairly restricted and do not apply to most trans travelers in most situations.

Utah does ban trans care for children which has an unknown impact on child custody, however parents are not penalized under this law (it applies to healthcare providers).

Note that indigenous nations may have laws differing from Utah's and may lack some protections.

Non-discrimination Law

- Utah non-discrimination law does not include LGBT people in public accommodations (it does include LGBT people in employment and housing).

Public Accommodations

- Utah has wide-reaching religious freedom laws that allow denial of many services on the basis of gender identity.

Drag / Performance / Cross-dressing Laws

- Drag performance and cross-dressing is legal in Utah
- However, at least one city (St. George) is using an obscure city ordinance to block permits for a drag event. This is being challenged in court, with a [preliminary injunction](#) granted to allow drag to proceed in public spaces.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women are typically be housed with men.
- Trans men are typically be housed with women.
- Nonbinary people would typically be housed according to sex assigned at birth.

Legal Definition of Sex

Non-binary people are recognized in limited ways.

Some laws specify male, female, and similar words based on sex assigned at birth, gametes, and/or chromosomes.

Utah allows gender marker changes on IDs in some circumstances.

Medical Care

- Trans medical care is legal for adults
- Trans medical care (other than therapy) is not legal for people under 18. However, parents are not criminalized (the law applies to medical providers). While the law itself does allow for the possibility of hormone treatment of trans youth, in theory, the provisions are extremely restrictive and place doctors at extreme financial risk, resulting in this making it effectively a ban as any Utah provider would be willing to take the risk of prescribing HRT or puberty blockers to trans youth.

Child Custody / Abuse

- Transition care is not specifically defined as child abuse, however puberty blockers, hormones, and surgery are banned.
- There is no sanctuary law preventing cooperation with other jurisdictions
- Child welfare agencies are covered by a law that allows them to refuse services for religious reasons.

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized.
- Within the Navajo Nation, the Diné Marriage Act prohibits recognition of same-sex marriage. It is unknown how the "sex" of trans people would be seen under this law, potentially placing all trans/cis marriages at risk (straight or queer) as well as most queer marriages.

Relevant Laws

- [2023 SB0016 - Trans Youth Healthcare Ban](#)
- [Diné Marriage Act \(Applicable in the Navajo Nation\)](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [Southern Utah Drag Stars v. City of St. George \(challenge to St. George drag permit ban\)](#)

USA - Vermont

Vermont recognizes the gender of trans people. I.E. trans women are considered women, trans men are men, and non-binary people, at least in some instances are recognized as non-binary. Vermont has some of the leading laws in the country and has demonstrated governmental will to defend transgender youth.

Vermont is a "sanctuary state" for adults and kids receiving trans medical care.

Non-discrimination Law

- Trans people are specifically named in Vermont non-discrimination laws.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.
- Public accommodations/businesses with single-occupancy bathrooms are required to sign these for all gender and allow access to all genders.

Drag / Performance / Cross-dressing Laws

- Drag performance and cross-dressing is legal in Vermont.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Jails and prisons consider the gender identity of prisoners when making housing decisions, although most trans prisoners are currently housed according to sex assigned at birth.
- Transition care should be available in state prisons, but may not be the same standard as care outside of prison.

Legal Definition of Sex

Non-binary people are recognized, at least by some aspects of government, such as in the ability to change birth certificates, driver licenses, and data gathering. However, non-binary recognition may still be in-complete in Vermont.

Medical Care

- Trans medical care is legal for all ages.

- Vermont will not cooperate with other states who seek information about patients receiving care in Vermont for medical transition.
- It is illegal in Vermont to threaten someone or block their entrance to a health care facility that is providing them with gender affirming care.

Child Custody / Abuse

- Transition care is not defined as child abuse
- Vermont has a sanctuary law for people obtaining transition-related medical care in Vermont
- Vermont will not extradite people for violating another state's laws against medical transition

While Vermont will not cooperate with other jurisdictions in many cases, this doesn't cover all possibilities and it may be possible for states to gather evidence of someone receiving care in Vermont via other means (out-of-state medical insurance, phone records, witnesses, etc).

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2023 Act 14 - Sanctuary Law](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to sometimes be misgendered by officials and public institutions.

However, much of Vermont is considered reasonably safe. That said, attacks still can and do occur in Vermont. Some areas may be more swayed by anti-trans political rhetoric. Burlington, in particular, is known to tend towards LGBT friendliness.

Resources

- [Vermont Human Rights Commission](#)

USA - Virginia

Virginia does not have laws that target most trans visitors directly. However, the Virginia executive branch has created "model policies" for school districts that are discriminatory and thus there is the risk of some school districts enacting discriminatory policies.

Virginia does not appear to place child custody at risk.

Non-discrimination Law

- Trans people are specifically named in Virginia non-discrimination laws.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection, although access at schools may be at risk due to executive branch policies.
- Virginia has a religious freedom law that may provide religious exemptions to non-discrimination law in some limited circumstances.

Drag / Performance / Cross-dressing Laws

- Virginia does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women are typically housed with men.
- Trans men are typically housed with women.
- Nonbinary people would typically be housed according to sex assigned at birth.
- Trans people have sued Virginia over the denial of medical care for trans prisoners.

Legal Definition of Sex

Non-binary people are recognized, at least by some aspects of government, such as in the ability to change birth certificates, driver licenses, and data gathering. However, non-binary recognition is still in-complete in Virginia.

Medical Care

- Trans medical care is legal for adults and children.

Child Custody / Abuse

- Transition care is not specifically defined as child abuse
- There is no sanctuary law preventing cooperation with other jurisdictions
- Child welfare agencies are covered by a law that allows them to refuse services for religious reasons.

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

USA - Washington

Washington is one of the safer states for trans people in the United States. This does not mean to expect full equality in all instances, but the letter of the law is generally non-discriminatory. Sex and gender are treated the same under WA state law.

Washington explicitly protects trans medical care, including for children. Care providers and homes for runaway you are not required to notify parents in most cases that children receive gender-affirming care. Washington does have a sanctuary law.

Non-discrimination Law

- Washington non-discrimination law does protect LGBTQIA+ people, including trans people explicitly, including public accommodations, housing, employment, credit, and insurance.
- Some municipalities have local non-discrimination laws that apply to gender identity.
- Washington does not have religious freedom laws that allow denial of services on the basis of gender identity.

Public Accommodations

- Trans people may use appropriate bathrooms and locker rooms, protected by law.
- General public accommodation access is specifically protected by law for trans people in Washington.

Drag / Performance / Cross-dressing Laws

- Washington does not have a drag/cross-dressing law.
- Illegal acts of violence, including gunfire, have happened at some drag events.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Incarceration of trans people is at the discretion of Washington's Department of Corrections. According to policy, they must take into consideration safety on a case-by-case basis, and as such, there is no guarantee a trans inmate will be housed according to their gender.

Legal Definition of Sex

- By law, gender is based upon gender identity/expression, regardless of assigned gender at birth.
- Non-binary people are recognized and X is available as a gender marker on state ID/forms.

Medical Care

- Trans medical care is legal for adults and children.
- Some surgeries are available for trans youth.

Child Custody / Abuse

- Transition care does not fall under the definition of child abuse.
- There is a sanctuary law to protect access to gender-affirming care in WA.
- There is now a new (2023) sanctuary law to protect trans kids receiving care from estranged parents, although this is largely untested law.

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized
- Marriages are recognized regardless of sex/gender. Marriage equality was both enacted by the government and defended by popular vote (Referendum 74).
- "Marriage is a civil contract between two persons who have each attained the age of eighteen years, and who are otherwise capable." [See relevant law](#)

Relevant Laws

- [Non-Discrimination Law](#)
- [Marriage Law](#)

Schools

- The state has a law that requires opt-out for public school instruction on sexual orientation or gender identity. Sex education is required to be inclusive, but also required to promote abstinence (although not exclusively).

General Safety

As with most states, trans people are mostly safest in major cities, college towns, etc. Seattle has a large trans community, but Spokane, Olympia, and similar town may also be decent refuges. The rural areas are less predictable. While the author has taken trips to such areas, the protection of the law may not be enough there.

Resources

- [Non-Discrimination Guide to Sexual Orientation and Gender Identification](#)

Contributors

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USA - Washington DC

DC recognizes the gender of trans people. I.E. trans women are considered women, trans men are men, and non-binary people, at least in some instances are recognized as non-binary.

DC is a "sanctuary state" for adults and kids receiving trans medical care.

Non-discrimination Law

- Trans people are specifically named in DC non-discrimination laws.

Public Accommodations

- Trans people are allowed to use the facilities they are comfortable in, including bathrooms, showers, locker rooms, etc. Legal documentation of your gender is not required for this protection.
- Public accommodations/businesses with single-occupancy bathrooms are required to sign these for all gender and allow access to all genders.

Drag / Performance / Cross-dressing Laws

- Drag performance and cross-dressing is legal in DC.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Jails and prisons consider the gender identity of prisoners when making housing decisions. However, this does not guarantee a proper placement, particularly if the prisoner is housed out-of-district.

Legal Definition of Sex

Non-binary people are recognized, at least by some aspects of government, such as in the ability to change birth certificates, driver licenses, and data gathering. However, non-binary recognition may still be incomplete in DC.

Medical Care

- Trans medical care is legal for all ages.
- DC will not cooperate with other jurisdictions who seek information about patients receiving care in DC for medical transition.

Child Custody / Abuse

- Transition care is not defined as child abuse
- DC has a sanctuary law for people obtaining transition-related medical care in DC
- DC will not extradite people for violating another state's laws against medical transition

While DC will not cooperate with other jurisdictions in many cases, this doesn't cover all possibilities and it may be possible for states to gather evidence of someone receiving care in DC via other means (out-of-state medical insurance, phone records, witnesses, etc).

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to sometimes be misgendered by officials and public institutions.

However, much of DC is considered reasonably safe. That said, attacks still can and do occur in DC.

Resources

- [DC Office of Human Rights](#)
- [Government Page on Single User Bathrooms](#)

USA - West Virginia

West Virginia negative laws towards trans people. However, these laws are, thus far, fairly restricted and do not apply to most trans people traveling to West Virginia in most situations.

West Virginia does criminalize trans care for children, although the current law does not have criminal penalties for parents and has exceptions for "severe" gender dysphoria (which require specific processes to be followed). It is unknown how this might have an impact on child custody.

Non-discrimination Law

- West Virginia non-discrimination law does not include LGBT people
- West Virginia has broad religious exemption laws that specifically allow for targeted discrimination against LGBT people.

Public Accommodations

- Public accommodation access is not protected for trans people in West Virginia.
- West Virginia has wide-reaching religious freedom laws that allow denial of some services on the basis of gender identity.
- Some cities/counties have non-discrimination laws, but the state's religious freedom laws would likely override these if the person discriminating was covered by them.

Drag / Performance / Cross-dressing Laws

- West Virginia does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women are typically housed with men
- Trans men are typically housed with women
- Nonbinary people are typically be housed according to sex assigned at birth
- The state has shown recent willingness to prohibit some trans medical care for inmates, including defending such choices in court.

Legal Definition of Sex

Some laws specify male, female, and similar words based on sex assigned at birth and/or chromosomes.

Non-binary people are not legally recognized.

Medical Care

- Trans medical care is legal for adults
- Medical transition (puberty blockers, hormones, surgeries) for people under 18 is illegal, unless the person has "severe" gender dysphoria, which requires a specific process to document the dysphoria and contains other limitations on the care available.

Child Custody / Abuse

- Most trans medical care is illegal for youth in West Virginia, although penalties will apply to doctors providing the care and not to parents.
- It is unknown if transition might be used by the state to justify custody removal.
- There is no sanctuary law preventing cooperation with other jurisdictions

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [2023 HB2007 - Trans Youth Medical Care Ban](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

USA - Wisconsin

Wisconsin does not have negative laws towards trans people.

Wisconsin is not a "sanctuary state", but also does not criminalize trans youth medical care.

Non-discrimination Law

- Wisconsin non-discrimination law does not include trans people.
- Many municipalities have local non-discrimination laws that apply to gender identity.

Public Accommodations

- Trans people are not banned from using appropriate bathrooms and locker rooms.
- General public accommodation access is not specifically protected by law for trans people in Wisconsin as a whole (but is in many municipalities).
- Dane County established [limited sanctuary protections](#) within the county. The City of Madison is also considering passing a [limited sanctuary resolution](#) that they would lower the priority of enforcement of any prosecutions related to transgender medical care.

Drag / Performance / Cross-dressing Laws

- Wisconsin does not have a drag/cross-dressing law.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women are typically housed with men.
- Trans men are typically housed with women.
- Nonbinary people are typically housed according to sex assigned at birth.
- Wisconsin challenged trans medical care for inmates in court recently (and lost).

Legal Definition of Sex

Non-binary people are not recognized in Wisconsin.

Medical Care

- Trans medical care is legal for all ages.
- Wisconsin does not have a "sanctuary" law.

Child Custody / Abuse

- Transition care is not defined as child abuse
- Wisconsin does not have a sanctuary law for people obtaining transition-related medical care.

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

- [Dane County Sanctuary Law](#)

General Safety

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [Movement Advancement Project Wisconsin Page \(lists cities with non-discrimination law\)](#)

USA - Wyoming

Wyoming does have some negative laws towards trans people.

Wyoming is not a "sanctuary state", but also does not criminalize trans youth medical care.

Non-discrimination Law

- Wyoming non-discrimination law does not include trans people.
- Some municipalities have local non-discrimination laws that apply to gender identity.
- Gillette engaged a special prosecutor to investigate librarians for obscenity charges related to LGBT material in the public library.

Public Accommodations

- Trans people are not banned from using appropriate bathrooms and locker rooms.
- General public accommodation access is not specifically protected by law for trans people in Wyoming as a whole (but is in some municipalities).

Drag / Performance / Cross-dressing Laws

- Wyoming does not have a drag/cross-dressing law.
- Gillette, Wyoming's library cancelled a children's event that was to be performed by a transgender woman.

Air Travel

See the [USA TSA](#) document.

Jails / Prisons

- Trans women are typically housed with men, but in some cases can be housed with women, at least on paper, at the state level.
- Trans men are typically housed with women, but in some cases can be housed with women, at least on paper, at the state level.
- Nonbinary people are typically housed according to sex assigned at birth.
- Wyoming in 2009 was arguing in court for the housing of intersex people in administrative segregation, however a judge did determine that this was a violation of the prisoner's 14th Amendment rights.
- All state trans prisoners are currently housed according to their sex assigned at birth (as of Aug 9, 2023).

Legal Definition of Sex

Non-binary people are not recognized in Wyoming.

Medical Care

- Trans medical care is legal for all ages.
- Wyoming does not have a "sanctuary" law.

Child Custody / Abuse

- Transition care is not defined as child abuse
- Wyoming does not have a sanctuary law for people obtaining transition-related medical care.

Relationship Recognition

- Same-sex marriage (and thus all trans marriage) is recognized

Relevant Laws

General Safety

Many areas of the state are extremely right-wing (such as Gillette) and people in those locations strongly oppose trans people. Many Wyoming residents tend to side uncritically with more extremist Republican positions. In particular, some Gillette residents have shown willingness to aggressively express hatred towards trans people. Jackson and Laramie tend to be more progressive (by Wyoming standards).

A Colorado athlete competing in an amateur (recreational) tennis competition [decided to not compete](#) during August, 2023, due to safety concerns. This was fed by her forcible outing, media storm in Wyoming, and prominent Wyoming politicians speaking out against her, causing the story to go world-wide. Trans women in particular should be aware of negative attention and potential violence should they participate in women's activities in Wyoming.

Because of the rhetoric around trans people in the political and media space, trans people should use caution, particularly in bathrooms, locker rooms, showers, etc. Random and targeted attacks may occur, and trans people who report these attacks can expect to be misgendered by officials and public institutions.

Resources

- [Movement Advancement Project Wyoming Page \(lists cities with non-discrimination law\)](#)
- [Wyoming Equality \(LGBT advocacy organization\)](#)
- [News Article on Wyoming Prison Policy](#)

Airport Bathrooms

Regulations around bathrooms will generally match those of public accommodations in the city/state the airport is in, which doesn't necessarily match the name the airport uses for itself. Some US airports may be in states you don't expect (Examples: Cincinnati's airport is in Kentucky, while Kansas City's airport is on the Missouri side of the border).

It is legal for all people to use non-gendered bathrooms. Major airports typically will have a non-gendered bathroom (perhaps labeled as a family bathroom).

Flying with the TSA (Transportation Security Agency)

When flying out of USA airports (including after connecting from international flights), security screening is required. This is done by the TSA.

TSA recommends that tickets booked for travel out of USA airports be booked with a gender marker that matches the gender on the person's ID they are using for travel. However, it is not technically required, and not all airlines implement the "X" gender marker yet.

Note if you are traveling internationally, you may be required to travel with a ticket booked with the same gender as the passport you will be using.

TSA utilizes body scanning technology for travelers not selected for pre-check (see below). When using this technology, at most airports, the screener will hit a pink or blue button based on the anatomy and/or gender they think the passenger has/is. This may or may not match gender expression. This adjusts the machine to expect certain anatomy. If the pink button is pushed, a penis will likely alert the TSA (it won't say what is wrong, but will place a colored box on a cartoon figure of a passenger indicating what needs to be patted down by the TSA). If they hit a blue button, breasts will likely alert.

Pat downs of these sensitive areas may be aggressive and triggering. You have the right to ask for a private space and the screener of the desired gender, although official policies may not always be followed.

Behavior seen as aggressive towards the TSA may result in criminal or civil action, and you may not be allowed through security.

Gender Mismatch with ID

In the USA, you should generally not have problems with a gender expression that does not match your ID. Note this does not apply at international destinations.

Pre-Check

If you travel frequently and have the money to enroll, you can enroll in the "Pre-Check" (or "Global Entry" which includes pre-check) program. This increases your chance of being selected for pre-check screening. If your boarding pass indicates "pre-check", you can use dedicated pre-check lanes at most airports, and typically these will require a metal detector but not body scanner, making travel possibly less triggering.

Note about International Travel

This only applies to travel from USA-airports. If you fly internationally, airports in other countries will have different procedures. Pre-check is a USA program, and does not apply outside the USA.

Airport Bathrooms

See [Airport Bathrooms](#) elsewhere in this guide for additional information.

Change Log for Trans Travel Guide

- 2023-09-08 [[US Oregon](#)] Note additional prison litigation.
- 2023-09-07 [[US New York](#)] Note violence on public transit.
- 2023-09-06 [[US Florida](#)] Lake Worth Beach declares itself a sanctuary city.
- 2023-09-05 [[New Zealand](#)] First draft of NZ page.
- 2023-09-05 [[US Georgia](#)] Trans youth medical care is again illegal.
- 2023-09-03 [[US Iowa](#)] Essex bans LGBT group from participating in a city parade.
- 2023-09-01 [[US Texas](#)] Texas youth healthcare ban and drag ban is now in effect.
- 2023-08-31 [[US Kansas](#)] Kansas no longer allows birth certificate changes; updated to note driver's license changes not allowed either.
- 2023-08-31 [[US Tennessee](#)] Blount County has indicated a willingness to enforce the drag ban, despite it being ruled unconstitutional.
- 2023-08-31 [[US Alabama](#)] Indicate willingness by AG to prosecute "criminal conspiracy" in abortion cases and how that might impact trans care.
- 2023-08-30 [[US Nebraska](#)] Nebraska wide-ranging executive order.
- 2023-08-29 [[US Pennsylvania](#)] Pittsburgh is considering becoming a sanctuary city for healthcare access.
- 2023-08-29 [[US Missouri](#)] University of Missouri hospital has stopped providing care for existing youth patients, even though law allows that to continue.
- 2023-08-28 [[US California](#)] Added information about Riverside County jail inappropriately housing trans women.
- 2023-08-28 [[US Indiana](#)] Note Indiana prisoner care ban is being challenged.
- 2023-08-28 [[US Alabama](#)] Clarify current legal status of trans youth care ban.
- 2023-08-27 [[US Colorado](#)] Note about armed hate groups operating within Colorado to intimidate LGBT people.
- 2023-08-24 [[US Texas](#)] Decision on trans youth healthcare ban and appeal of that decision.
- 2023-08-24 [[US Arizona](#)] Discussion of bias that may place criminal intent upon trans people.
- 2023-08-24 [[US Georgia](#)] A don't say gay bill is being re-introduced into the state legislature.
- 2023-08-21 [[US Alabama](#)] 11th Circuit Court of Appeals overrode the injunction against enforcement of the trans youth healthcare ban. Thus trans youth healthcare is illegal again.
- 2023-08-21 [[US California](#)] Noted Lauri Carlelton's murder.
- 2023-08-21 [[US Georgia](#)] A preliminary injunction has been issued which allows hormone therapy to continue to be used by trans youth.
- 2023-08-16 [[US Kansas](#)] Legal definition of sex places gender non-conforming cis women at risk.
- 2023-08-16 [[US Montana](#)] Legal definition of sex places gender non-conforming cis women at risk.
- 2023-08-16 [[US Oklahoma](#)] Legal definition of sex places gender non-conforming cis women at risk.
- 2023-08-16 [[US North Dakota](#)] Legal definition of sex places gender non-conforming cis women at risk.

- 2023-08-16 [[US Georgia](#)] Note Macon, GA misgendered a trans woman murder victim.
- 2023-08-16 [[US North Carolina](#)] North Carolina has banned most trans youth healthcare and enacted a "don't say gay" law
- 2023-08-16 [[US Texas](#)] Correct lawsuit link
- 2023-08-12 [[US California](#)] Added notes about Shasta County, Chino Valley, and Marietta Valley School board.
- 2023-08-11 [[US Florida](#)] SPARTA duty assignment warning issued for FL.
- 2023-08-10 [[US Idaho](#)] School bathroom law is temporarily stayed through a TRO.
- 2023-08-10 [[US Arizona](#)] Note about Arizona birth certificate legal challenge.
- 2023-08-10 [[US Oregon](#)] Note about OHSU receiving threats.
- 2023-08-10 [[US Colorado](#)] Add notes about Douglas County and Jefferson County.
- 2023-08-10 [[US Louisiana](#)] Note library ban has passed.
- 2023-08-10 [[US Florida](#)] Added note about highway rest areas being covered by Florida's bathroom law.
- 2023-08-09 [[US Wyoming](#)] Note about safety concerns for a trans woman competing in a recreational athletic competition, and also added note that all trans prisoners are currently housed according to sex assigned at birth.
- 2023-08-08 [[US Florida](#)] Updated Florida page to note that teachers and visitors to schools will be required to be misgendered and required to use improper bathrooms.
- 2023-08-04 [[US Kentucky](#)] and [[US Tennessee](#)] Plaintiffs in the Kentucky case trying to overturn the Kentucky ban on youth healthcare have asked the entire appeals court to re-hear the appeal. This could also impact the similar decision in Tennessee.
- 2023-08-04 [[US North Carolina](#)] North Carolina's will be voting to attempt to override a governor's veto of an anti-trans youth healthcare bill.
- 2023-08-04 [[US Texas](#)] Woodlands Pride has went to court to challenge to Texas's vague sexually oriented performance law.
- 2023-08-01 [[US Florida](#)] Florida's medical board has removed the requirement for psychological exams every two years for adults prescribed HRT.
- 2023-08-01 [[US Wyoming](#)] A new policy was created for transgender state prison inmates.
- 2023-08-01 [[US Oklahoma](#)] An executive order requires the state to treat trans people according to sex assigned at birth.
- 2023-07-28 [[US Montana](#)] A judge has temporarily blocked the Montana drag ban (HB359) from being enforced.