



Black
Futures
Lab

Beyond Kings and Queens:

Gender and Politics in the
2019 Black Census

Demos



SOCIOLÓGICA
research

We extend our deepest gratitude to Sandy E. James, J.D., Ph.D, Research Director and Lead Author on the 2015 US Transgender survey — the largest survey EVER devoted to the lives and experiences of transgender people, and to Dr. Cathy Cohen, David and Mary Winton Green Professor at the University of Chicago and author of *Democracy Remixed: Black Youth and the Future of American Politics* (Oxford University Press, 2010). Thank you for your guidance, research, advice and support.

Introduction

[The Black Futures Lab's](#) Black Census project, conducted in partnership with online and community-based organizations across the country, is the largest survey of Black people in the United States since Reconstruction. More than 30,000 Black people—including **transgender** and **cisgender** women and men, as well as **gender non-conforming** and **non-binary people**—participated in the Black Census and shared insights into their experiences and political and social views. In this report we take a closer look at where and how gender affects the lives and perspectives of Black Census respondents. We build on previous reports from Black Futures Lab, Dēmos, Color of Change and Socioanalítica Research that [introduced the findings of the Black Census](#) and amplified the voices of [LGB+ Black Census respondents](#).

The Black Census includes populations that are usually not represented or are underrepresented in conventional surveys, such as homeless people, incarcerated people, LGBTQ+ people, Black Republicans and conservatives, Black immigrants, and mixed-raced people with a Black parent, among others. The participation of 203 Black transgender men, 273 Black transgender women and 647 Black people who identify as gender non-conforming or describe their gender as different than male or female provides a particularly important lens on the views and experiences of these very marginalized communities. The Black Census is not a traditional probabilistic survey sample, which often fails to fully represent populations whose experiences are important to understanding the complexity of Black life.

The Black Census Project reveals important similarities and differences in the Black community across lines of gender. Comparing the responses of Black men and women—including transgender and cisgender people—as well as non-binary and gender non-conforming people, illuminates key ways that gender shapes the lived experience of Black people in the United States, informing political attitudes and participation.

A better understanding of how Black Census respondents are united or split by gender can help bridge differences and form new coalitions to build power within Black communities.

Black Census respondents of every gender experience the ravages of anti-Black racism, contributing to economic insecurity and hardship, everyday discrimination, and

Terms

Transgender

people whose gender identity is different from the sex they were assigned at birth, for example, a person's assigned sex is male, and they identify as a woman.

Cisgender

people whose gender identity matches the sex they were assigned at birth, for example, a person's assigned sex is female, and they identify as a woman.

Gender non-conforming

term that may be used by people who do not ascribe to conventional gender norms or do not follow other people's ideas about how they should look or act based on the sex they were assigned at birth. A person who self-describes as gender non-conforming may identify as male or female, neither, both or a combination of both genders.

Genderqueer or non-binary

terms that may be used by people who identify as neither exclusively male nor female, as a gender other than male or female, as more than one gender, as no gender at all, or whose gender changes over time.



mistreatment by the police. Yet important differences emerge as well: Cisgender Black women report greater economic insecurity than cisgender men, while cis- and transgender Black men report more negative interactions with the police. Transgender and gender non-conforming Black Census respondents live with the highest rates of poverty and extreme economic insecurity, and confront an extraordinary degree of threats, harassment and open violence. Out of these experiences comes a high degree of alignment among Black Census respondents around an active role for government to create a more equitable economy, raising the minimum wage, taxing the wealthy, and providing for critical needs like housing, health care, and child care. Policy differences are also revealing: Cisgender men were less likely than other Black Census respondents to see violence or harassment of women as major problem, or to support access to an affordable and safe abortion. Cisgender men and women were less likely to recognize violence against transgender women as a major problem despite a

dramatic rise in killings of Black transgender women.

Exploring and striving to understand these broad similarities and differences in greater detail, this report concludes that building political power within Black communities will require a more inclusive approach. Cisgender Black women need to recognize that feminist coalitions will be stronger when the concerns of transgender women are included and prioritized. Cisgender Black men must understand that the path to greater political potency requires a broader understanding of the needs and interests of the entire Black community. After all, cisgender Black women are the most likely to be registered to vote and to report voting in the 2016 election, while transgender and gender non-conforming Black Census respondents report the highest levels of civic participation, such as protesting or volunteering with a social justice organization. **Fully engaging and including Black people of all genders will strengthen the political power of Black communities.**

Drawing on Black Political Networks: Black Census Project Methodology

The Black Census is a self-administered survey conducted online and in person in 2018. It was originally developed by Darnell Moore, Brittney Cooper, Bryan Epps, Kasim Ortiz, Melanye Price, Julie Martinez, and Edgar Rivera Colon for the Black Lives Matter Global Network, and was adapted with permission by the Black Futures Lab in partnership with Color of Change, Dēmos, and Socioanalítica Research. Socioanalítica Research re-designed the survey.

Respondents were able to access the Black Census in a number of ways. The Black Futures Lab and its partners conducted a dynamic online outreach effort to promote the Black Census Project website (www.blackcensus.org) including texts, email blasts, and a social media strategy with custom graphics and influencers deployed to promote the site. About two-thirds of respondents accessed the Black Census by visiting the website landing page. The other third of respondents took the survey through the Black Census partners in the field. Black Census Project respondents were reached in person by trained Black organizers in 28 states. The Black Futures Lab worked with Celeste Faison and Associates to train 106 Black organizers in the survey methodology alongside community organizing methods. The partners who fielded the survey included organizations such as the Hood Incubator in California, Friends and Families of Louisiana's Incarcerated Children (FFLIC) in Louisiana, the TAKE (Transgender Advocates Knowledgeable Empowering) Resource Center in Alabama, the Miami Workers Center in Florida, and Southerners on New Ground (SONG) in Georgia.

Partner organizations developed field plans that took them into communities to administer the survey. People taking the survey in person were given iPads to collect responses, using

an app that could be used with or without internet access. People reached by the organizers were also given the option to answer the survey online with a referral link unique to each organization. Finally, some partners also distributed surveys among incarcerated Black people. The reach of the partners and the diverse Black communities they serve allowed the Black Census to reach various Black communities and Black people from diverse backgrounds. Respondents were not paid incentives to participate.

It was important to the Black Futures Lab not to conduct a traditional probabilistic survey sample, as traditional methods can exclude important information about communities that are under-represented. The Black Futures Lab was intentional about oversampling communities where rich information about their experiences, the challenges they face, or their vision for the future is often not available. This is especially vital in the case of the transgender population: While researchers estimate that approximately 0.8 percent of Black adults in the United States identify as transgender, a full 3.5 percent of Black Census respondents identify as transgender, including respondents who identify as gender non-conforming and non-binary.¹

A Glossary of Gender Terms

Sex - the biological characteristics societies use to categorize people as male or female. Sex is typically assigned at birth based on genitalia. Some babies are born with intersex genitalia or other biological features that do not divide neatly into male or female categories—biological sex exists on a spectrum.

Gender - the meaning societies give to differences associated with being male, female, or anywhere on the spectrum between. People are flooded with messages about gender from the time we are born, facing social pressure from a young age to identify and express gender within limited definitions of “girl” or “boy.” Traditional gender roles are used to justify a social order that treats men, and characteristics identified as masculine, as superior to women and characteristics identified as feminine. Gender roles are also racialized, with stereotypes that further restrict what is expected of Black women and Black men. Both race and gender are categories created by societies, and people’s lived experience often extends beyond these classifications.

Gender identity - a person’s internal knowledge of their gender — whether it be male, female, a blend of both or not conforming to either.² Gender identity is different from sexual orientation and does not describe who a transgender person is sexually or romantically attracted to.

Gender expression - a person’s external appearance and behavior associated with gender.³

Cisgender - people whose gender identity matches the sex they were assigned at birth, for example, a person’s assigned sex is female, and they identify as a woman.

Transgender - people whose gender identity is different from the sex they were assigned at birth, for example, a person’s assigned sex is male, and they identify as a woman.⁴

Genderqueer or non-binary – term that may be used by people who identify as neither exclusively male nor female, as a gender other than male or female, as more than one gender, as no gender at all, or whose gender changes over time.⁵

Gender non-conforming – term that may be used by people who do not ascribe to conventional gender norms or do not follow other people’s ideas about how they should look or act based on the sex they were assigned at birth. A person who self-describes as gender non-conforming may identify as male or female, neither, both or a combination of both genders.⁶

Language Matters: Challenges and Limitations in Designing Survey Questions that Accurately Capture Gender Identity

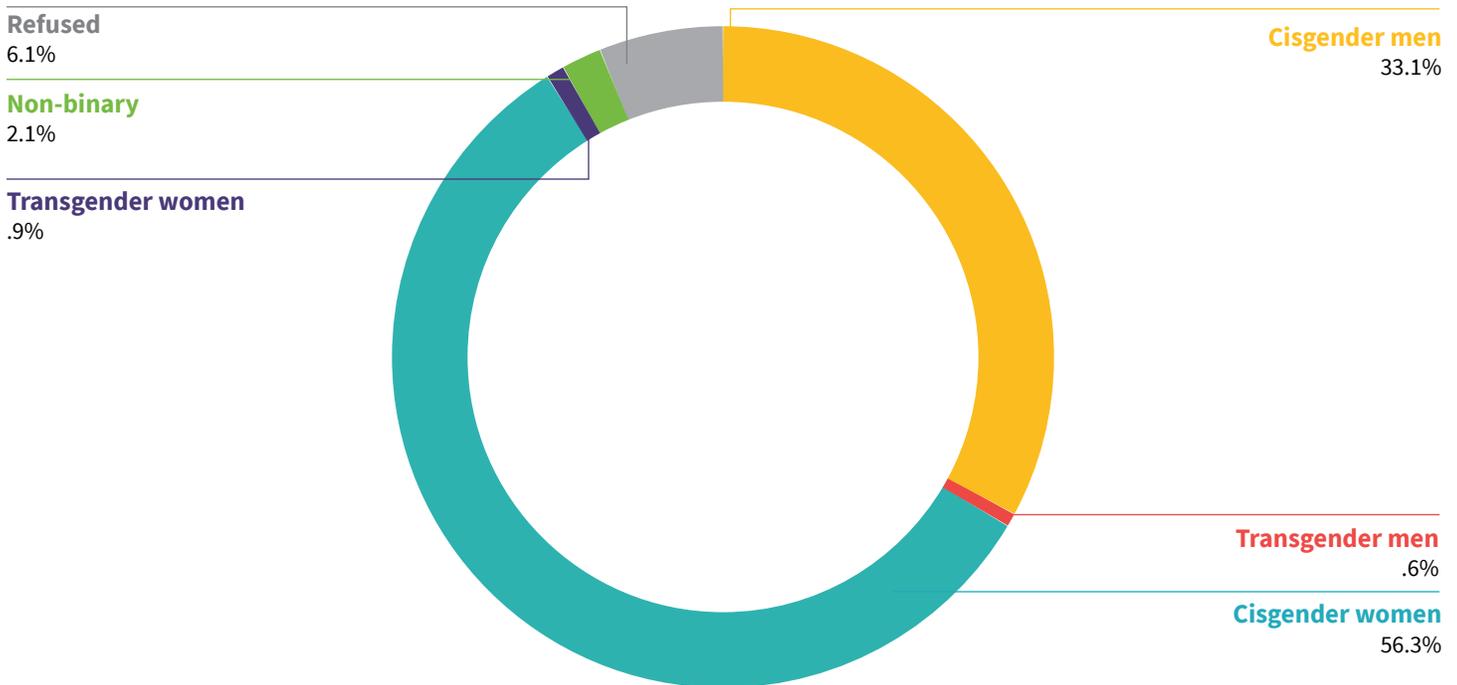
Black Futures Lab asked Black Census respondents to choose one of several gender identity options: male, female, trans male/trans man, trans female/trans woman, genderqueer/gender non-conforming/non-binary, or “different identity.” In this report, we refer to Black Census respondents who selected trans male/trans man or trans female/trans woman as “transgender” or “trans.” We refer to respondents who selected the genderqueer/gender non-conforming/non-binary option as “gender non-conforming/non-binary.” At the same time, we recognize the limitations of grouping respondents who identify as genderqueer, gender non-conforming, and/or non-binary into one category, because these terms do not necessarily mean the same thing. While non-binary and genderqueer are often used interchangeably, gender non-conforming is a distinct term used to describe a person who rejects conventional gender norms, but may still identify as male or female, neither, both or a combination of both genders. A person who identifies as gender non-conforming may not necessarily identify as genderqueer or non-binary. Grouping our response options in this way limits our ability to tell how many (or which of the) respondents who selected the “genderqueer/gender non-conforming/non-binary” option fall into this category. Other surveys attempting to gather information about the experiences of transgender and non-binary people have varied in their use of terminology, language choice, and response options, reflecting an evolution of language and ongoing debate about the best way to fully capture trans identities.⁷ Black Futures Lab’s use of “gender non-conforming/non-binary” as shorthand for respondents who selected the genderqueer/gender non-conforming/non-binary option throughout the report is an effort to best reflect this range of identities.

Who Are Black Census Respondents When It Comes to Gender?

Black Census respondents selected from among the following gender identity options: male, female, trans male/trans man, trans female/trans woman, genderqueer/gender non-conforming/non-binary, or “different identity.” Overall, 58 percent of Black Census respondents (18,302 people) identified as female, including 18,029 cisgender women and 273 transgender women. An additional 34 percent of Black

Census respondents (10,611 people) identified as male, including 10,408 cisgender men and 203 transgender men. Six percent of Black Census respondents (647 people) identified as genderqueer/gender non-conforming/non-binary, or “different identity.” A final 6 percent of respondents declined to answer questions about gender identification; these responses are not included in this report.

Black Census Respondents by Gender



Black Census respondents who identify as transgender or gender non-conforming/non-binary tend to be younger than cisgender Black Census respondents: 65 percent of transgender, non-conforming/non-binary, and genderqueer respondents are under the age of 30, compared to 27 percent of cisgender men and women (with little age difference between cisgender men and women). Similarly, while 16 percent of cisgender Black Census respondents are over the age of 65, only a handful of transgender or non-conforming/non-binary respondents are older than 65. This finding—that young adults are significantly more likely than older people to identify as transgender or non-conforming/non-binary—is consistent with findings from other surveys and may be a reflection of

generational change.⁸ Rising awareness of transgender issues and growing trans visibility over the last two decades may have contributed to an environment where younger respondents are more easily able to openly identify as transgender or non-conforming/non-binary. If this is the case, then an increasing number of Black people would be expected to identify as transgender or non-conforming/non-binary as more and more young people come of age.

Cisgender women responding to the Black Census were significantly more likely to have attained a college degree or further education (46 percent) than cisgender men (33 percent). This is broadly consistent with other research findings that Black women are more likely to complete 4

years of college than Black men, a trend that has persisted over 40 years.⁹ At the same time, cisgender men responding to the Black Census were more likely to have concluded their education with a high school diploma or less (28 percent) than cisgender women (17 percent), also consistent with broader research.¹⁰ Researchers suggest a number of reasons for the education gap between Black men and women: Black boys are more likely to be pushed out of school by suspensions and expulsions, receiving more severe penalties for less serious or more subjective violations of rules.¹¹ In addition, Black men are incarcerated at higher rates than their female counterparts, further limiting educational opportunity. Scholars also suggest that Black males may face more negative academic stereotypes than Black girls and women, creating an additional barrier to academic success.¹²

The finding that cisgender women in the Black Census tend to be better educated than cisgender men may help explain why cisgender men and women reported roughly equal household incomes (61 percent earning less than \$50,000 a year and 39 percent paid more) despite a well-documented gender pay gap between Black men and women.¹³ Another factor behind the similar household incomes of cisgender male and female respondents may be that many respondents live with partners and other income-earners of different genders, so household income does not exclusively reflect the gender of the respondent.

Transgender Black Census respondents have significantly lower rates of education: More than half (55 percent) of trans men and women report having no formal education beyond high school, and just 14 percent report completing college. Transgender women report the lowest college completion rate, at 9 percent. Several factors may contribute to the lower rate of educational completion for transgender respondents: First, transgender respondents tend to be younger and may still be in the process of pursuing an education. At the same time, transgender and gender non-conforming students often face extremely hostile environments at school, including a high rate of bullying, harassment, and discrimination,¹⁴ which increases the risk of missing days of school or leaving school entirely.¹⁵ Respondents who identify as gender non-conforming/non-binary have a similar educational profile to cisgender Black Census respondents.

Transgender and gender non-conforming/non-binary Black Census respondents report lower incomes than cisgender Black Census respondents: 91 percent of transgender men and women report household incomes below \$50,000 a year, compared to 61 percent of cisgender men and women. **Black transgender women respondents report especially low**

incomes, with 29 percent reporting an income less than \$15,000 annually, compared to 16 percent of Black Census respondents overall. Lower incomes among transgender and non-conforming/non-binary Black Census respondents may be related to the lower educational completion of transgender respondents, as well as pervasive discrimination in the labor market. The 2015 U.S. Transgender Survey found a similar trend of extreme economic marginalization: According to the survey, transgender Black people were twice as likely as the Black population overall to be unemployed and were also significantly more likely than Black people overall to be living in poverty.¹⁶ Furthermore, the effects of race, gender identity and class are particularly acute for Black transgender respondents; the 2015 U.S. Transgender Survey found that Black transgender respondents were significantly more likely to be living in poverty than transgender respondents who did not identify as Black.¹⁷

Organizers working with transgender people in the South were key partners in administering the Black Census, producing a deliberate oversample of this population. As a result, 70 percent of all transgender respondents to the Black Census live in the South (compared to 46 percent of cisgender respondents and 44 percent of gender non-conforming/non-binary respondents). This perspective is important because stereotypes often depict transgender and non-conforming/non-binary people as living in major cities on the East or West Coasts of the United States. The reality, however, is that most people who identify as LGBTQ+ live in the South. According to the Williams Institute at the UCLA School of Law, 35 percent of people who identify as LGBTQ+ live in the South, compared to 19 percent in the Northeast, 20 percent in the Midwest, 8 percent in the Mountain region, and 12 percent in the Pacific coast.¹⁸ The fact that such a large percentage of transgender Black Census respondents live in the South has profound implications; many of the most aggressive efforts to roll back basic rights for transgender people and destroy the social safety net are concentrated in the South.¹⁹ LGBTQ+ people living in the South are more likely to live in poverty and have difficulty affording food and health care.²⁰ In addition, while violence against transgender people occurs across the United States, recent studies have highlighted the alarming amount of violence targeted at transgender people in the South. A recent report released by Southerners on New Ground (SONG) and the Transgender Law Center found that nearly half of transgender people living in 13 Southern states experienced violence and harassment perpetrated by strangers.²¹ Forty-one percent of respondents in the study reported being targeted, harassed or assaulted by law enforcement.²²

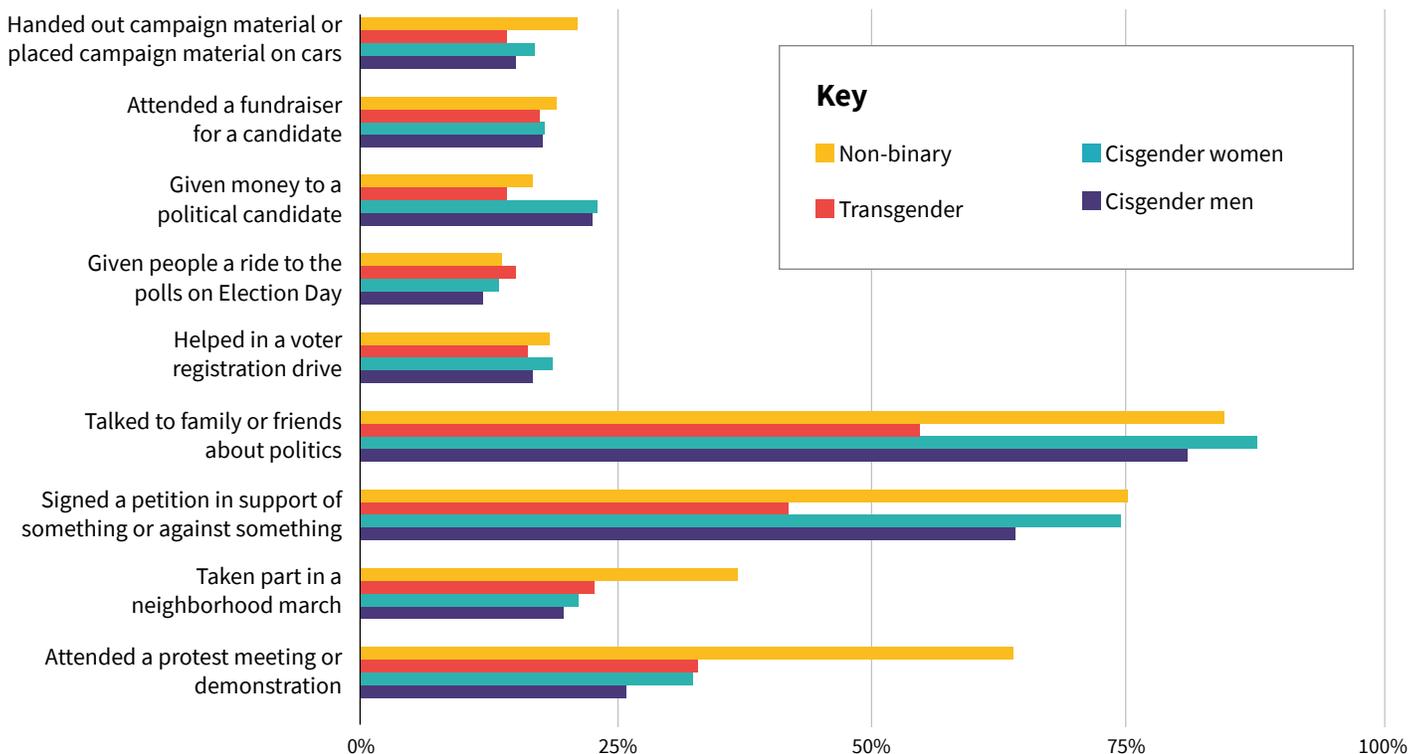
Gender Identity and Civic Engagement in the Black Census

It is widely recognized that Black women are the backbone of political and electoral organizing in Black communities.²³ Black Census findings support this truism: Among Black Census respondents, cisgender women are the most likely to report **voting in the 2016 presidential elections** (81 percent) compared to 75 percent of cisgender men and 63 percent of respondents who identify as trans or gender non-conforming/non-binary. While reliable national statistics on transgender and gender non-conforming/non-binary voters are difficult to come by, census data consistently shows that Black women who are eligible to vote are 5-10 percentage points more likely than voting-eligible Black men to actually cast a ballot (the Census does not ask if men and women are cis- or transgender).²⁴ Cisgender women responding to the Black Census also describe the highest rates of voter registration and report “always” voting in a variety of elections—from congressional midterms to local races to ballot referenda—more often than any other gender demographic. Cisgender women are the most likely to talk to family or friends about politics and help with a voter registration drive. Yet while cisgender Black women’s impressive participation in elections is vital, it is not the whole story of civic

engagement and gender.

For example, although transgender and gender non-conforming/non-binary Black Census respondents are somewhat less likely to report voting, this population is more engaged than cisgender Black Census respondents in key ways outside of electoral politics. For example, 49 percent of transgender and non-conforming/non-binary Black Census respondents **attended a protest meeting or demonstration** in the last year, compared to 31 percent of cisgender women and 25 percent of cisgender men. Gender non-conforming/non-binary respondents are the most likely to report protesting, with 61 percent attending a demonstration. Transgender and gender non-conforming/non-binary Black Census respondents are also more likely to report belonging to, participating in, or **volunteering with a social justice organization**: 44 percent report participating in a social justice group, compared to 26 percent of cisgender women and 21 percent of cisgender men. Again gender non-conforming/non-binary respondents were the most likely to report belonging to a social justice organization (53 percent).

Fig. 1 Participation in Political Activities





Transgender and gender non-conforming/non-binary Black Census respondents' higher level of political agitation outside the electoral system combined with less participation within the system may reflect a desire for social and political change (reflected elsewhere in Black Census findings) but lower trust in the electoral system to deliver it. Indeed, the top-ranked reason that transgender respondents provide for not voting is a conviction that “my vote wouldn’t make a difference” (selected by 33 percent of transgender respondents compared to 19 percent of cisgender respondents). Along the same lines, transgender and gender non-conforming/non-binary respondents are also more likely to express a strong sense that **politicians don’t value the community**: 64 percent of trans men, 56 percent of trans women, and 67 percent of gender non-conforming respondents report politicians do not care about “people like you” at all, compared to 53 percent of cisgender Black Census respondents. Approximately 3 percent of transgender and gender non-conforming/non-binary respondents who did not vote report **not casting a ballot because of not having required identification**. As states adopt increasingly stringent voter ID laws, transgender voters are at particular risk of being disenfranchised because they may face greater difficulty acquiring forms of ID that accurately display their name, gender, and appearance.²⁵

Seven percent of Black Census respondents overall report **not being eligible to vote in the 2016 presidential**

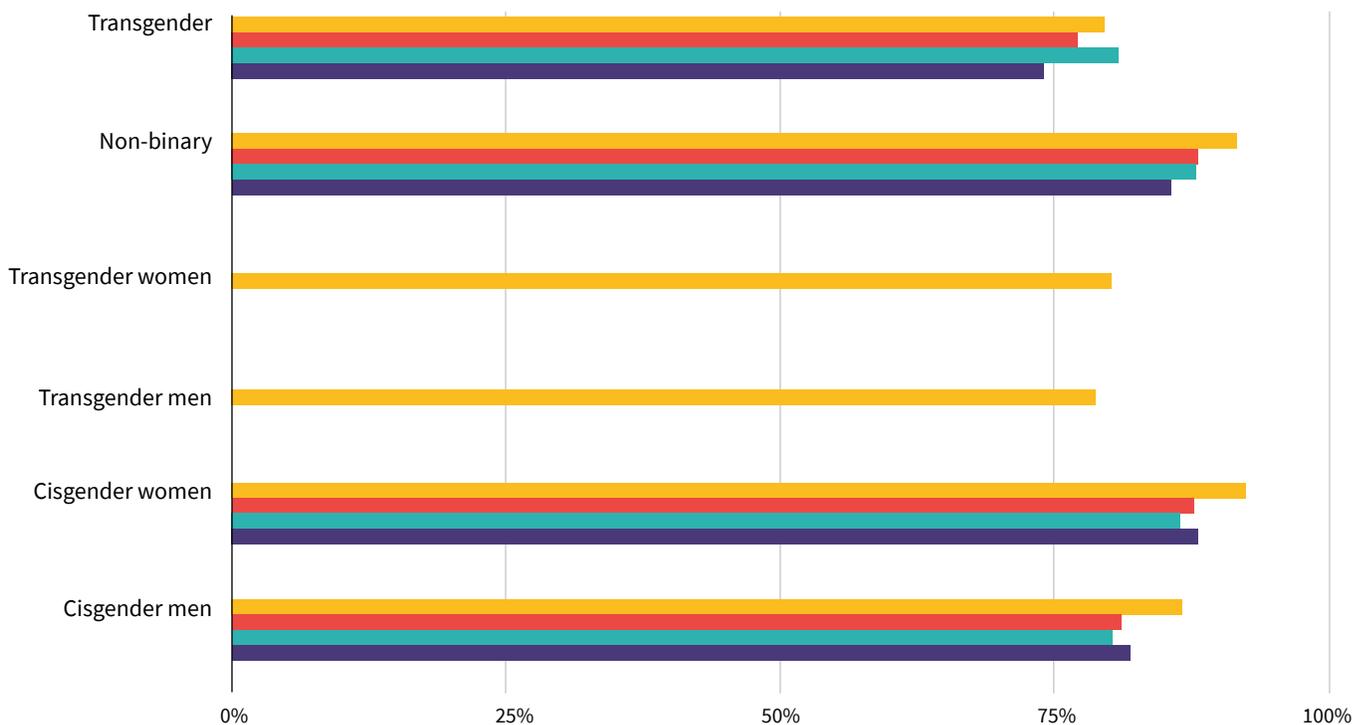
election because of a prior felony conviction. This finding corresponds with broader research: 7.4 percent of the Black voting-age population overall was disenfranchised in 2016 due to a felony conviction.²⁶ This percentage translates to 2.2 million Black citizens who are not allowed to vote, the result of a system of mass incarceration and of state laws—particularly in Southern states—that were designed to exclude the growing number of Black voters after Reconstruction and continue to suppress Black political power today.²⁷ Over-policing and mass incarceration predominantly target Black men, and the Black Census finds that cisgender men are the most likely to cite a felony conviction as the reason for not voting (11 percent). Transgender women are also more likely than other gender demographics to cite ineligibility due to a felony conviction as a reason for not voting. While the Black Census did not ask respondents about the nature of their felony conviction, the 2015 U.S. Transgender Survey from the National Center for Transgender Equality finds that a lack of economic options drives 28 percent of Black transgender respondents to participate in the underground economy for income, including in sex work, drug sales, and other criminalized employment.²⁸ Black transgender women in particular experience a higher likelihood of participating in sex work for income and of coming into contact with the criminal justice system as a result—a potential reason for higher felony disenfranchisement rates among transgender women.

Broad Agreement across Genders on Economic Policy Priorities

Black Census respondents of all genders describe economic policy issues as among the most serious problems faced by Black communities. There is a high degree of alignment between cis- and transgender men and women and gender non-conforming/non-binary respondents around major economic challenges and many of the policies that might address them. This is particularly the case for problems and policy solutions that broadly affect everyone who is struggling economically. For example, all genders are virtually unanimous in saying that **low wages** that are not enough to sustain a family are a major problem in Black communities (87 percent of cisgender men, 93 percent of cisgender women, 79 percent of transgender men, 81 percent of transgender women, and 92 percent of gender non-conforming/non-binary respondents) and favor a policy of **raising the minimum wage**

to \$15 an hour (88 percent of cisgender men, 94 percent of cisgender women, 82 percent of transgender men, 85 percent of transgender women, and 92 percent of gender non-conforming/non-binary respondents). There is similarly strong agreement that a **lack of affordable health care, shortage of affordable housing, and unaffordable college costs** are problems. Black Census respondents of all genders support government action to **provide adequate housing, guarantee a job for people who cannot find one, provide affordable and quality health care to all Americans, provide access to affordable child care, and pay reparations** to African Americans for its role in the slave trade and subsequent history of discrimination. In general, cisgender women are the most likely to see problems as serious and the most likely to strongly support policies that address them.

Fig. 2a Considered Major Problems in Community



Key

- Low wages that are not enough to sustain a family
- Lack of affordable healthcare
- Lack of affordable quality housing
- Rising college costs that make it unaffordable

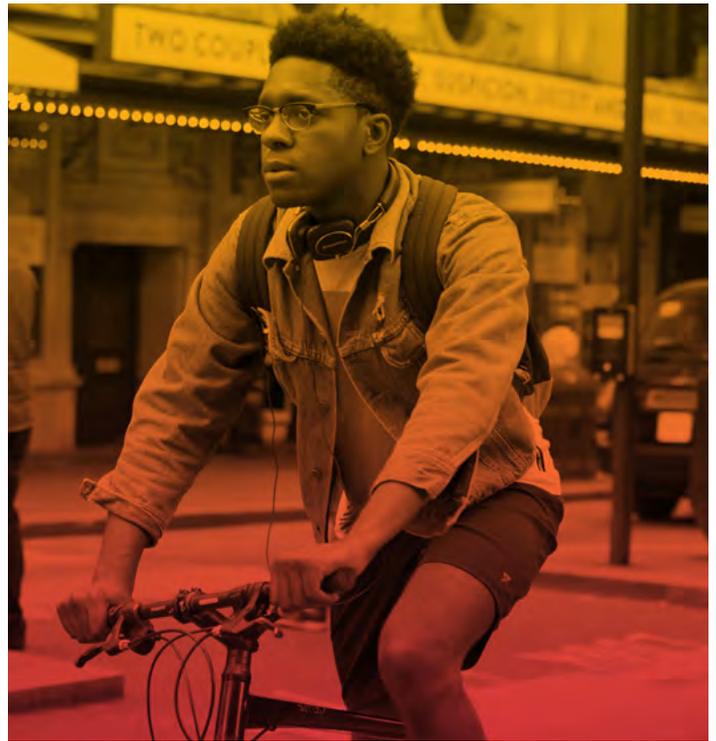


Fig. 2b Functions Government Should Do



Key

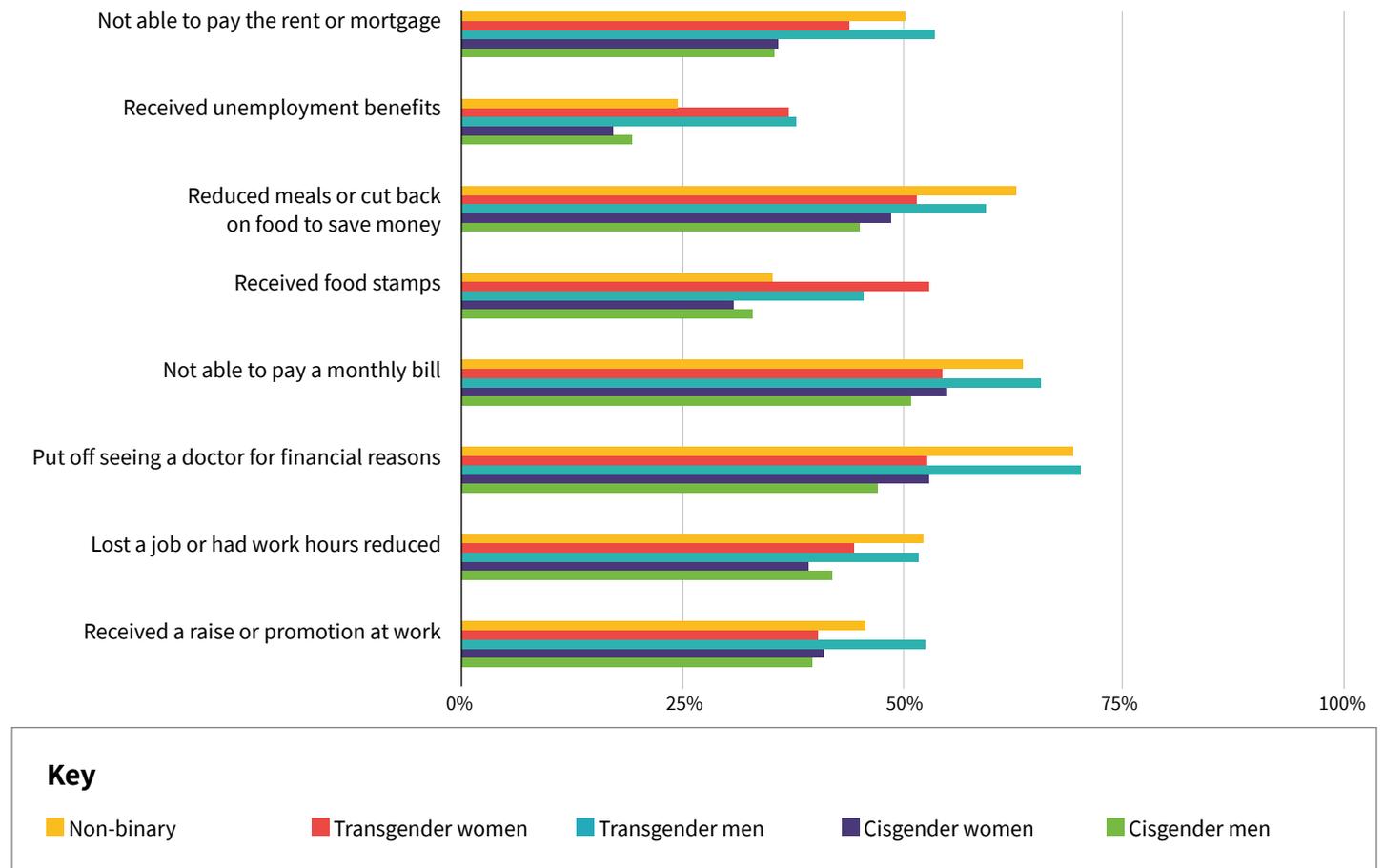
- Provide adequate housing for people who lack it
- Pay reparations to African Americans for its role in the Slave Trade and history of discrimination
- Guarantee a job for those who want to work and cannot find one
- Address the gap between rich and poor
- Provide affordable and quality health care for all Americans

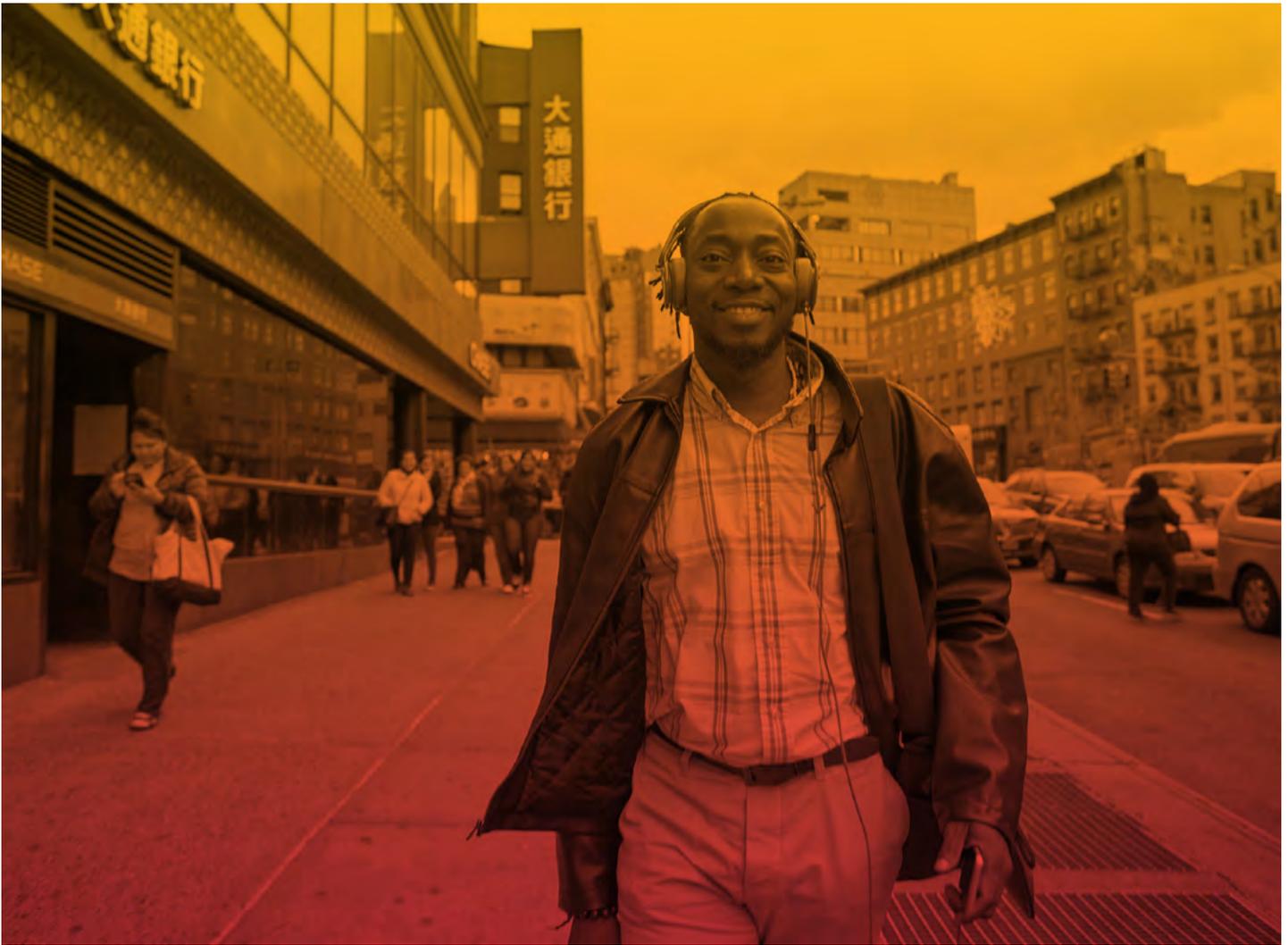
The widespread recognition of economic problems and support for deep structural changes in the economy to confront them stems from a lived experience of economic struggle for many Black Census respondents. Structural racism throughout the economy—from hiring, to pay, benefits, lending, housing, and beyond—impacts the daily lives of Black Census respondents and contributes to economic hardship for respondents of all genders. Yet for trans- and cisgender women, racial discrimination is compounded by the impact of sexism. Transgender and gender non-conforming/non-binary respondents must contend with often virulent transphobia. The overlapping forms of discrimination are best understood through the lens of intersectionality, a term pioneered by Black feminist scholar Kimberlé Crenshaw to describe how multiple forms of exclusion and oppression shape people’s lives.²⁹

The impact of discrimination based on the intersection of race and gender identity and expression for Black transgender and non-conforming/non-binary people is clear: Research consistently shows that Black transgender people experience alarmingly high rates of unemployment, economic hardship, poverty, and homelessness, and are much more likely to lack

health coverage and access to health care than the general population. The 2015 U.S. Transgender Survey found that 47 percent of Black transgender women reported being fired, denied promotion, and/or not hired in the past year as a result of being transgender. The same survey found that Black transgender and gender non-conforming/non-binary respondents were also likely to experience harassment and even assault while working.³⁰ The steep medical costs associated with health care, including gender-affirming health care and the treatment of conditions, such as HIV, may compound economic burdens for Black transgender and non-conforming/non-binary people.³¹ Reflecting these larger realities, **transgender and gender non-conforming/non-binary Black Census respondents report living extremely economically precarious lives:** 62 percent live in a household where someone was unable to pay a monthly bill in the last year (compared to 53 percent of cisgender respondents); 50 percent put off seeing a doctor for financial reasons (compared to 35 percent of cisgender respondents); 33 percent were not able to pay rent or a mortgage (compared to 22 percent of cisgender respondents).

Fig. 3 Economic Insecurity





The overlapping impacts of racial and gender discrimination on cisgender Black women is also visible in the Black Census: 38 percent of cisgender women report they reduced meals or cut back on food to save money in the last year, compared to 29 percent of cisgender men, while cis women were also more likely than cis men to report being unable to pay a monthly bill or putting off seeing a doctor for financial reasons. Much of this financial disadvantage stems from the reality that **Black women are systematically shortchanged in the labor market:** Black women consistently have a higher labor force participation rate than women of any other race, yet pervasive discrimination pushes many Black women into low-paying jobs with limited benefits or opportunity for advancement

(this data does not distinguish between cis- and transgender women).³² The expectation that Black women work, and the devaluation of that work, has deep roots in the history of slavery and its aftermath, when Black women were compelled to work as laborers or as caregivers and housekeepers in the homes of white women, often at the expense of caring for their own children and loved ones.³³ Yet even as greater numbers of Black women pursue higher education and enter more highly-paid occupations, Black women are frequently not perceived as matching the typically white and male stereotype of career success, and severe wage gaps persist: Black women who work as physicians and surgeons, for example, are paid just 54 cents for every dollar paid to a white man in the same occupation.³⁴

Not My Problem? Differences on Gender-Specific Problems and Policies

While there is broad consensus among Black Census respondents on problems and solutions on issues like jobs, health care, education, and housing, opinions begin to diverge when challenges and proposals to address them are described or understood in more explicitly gendered terms. For example, just 57 percent of cisgender men describe **sexual harassment of women** in the workplace as a major problem, compared to 68 percent of cisgender women, 71 percent of transgender men, 68 percent of transgender women, and 82 percent of gender non-conforming/non-binary respondents. Yet analyses of sexual harassment complaints suggest that Black women (both trans- and cisgender) face elevated rates of harassment at work and may be increasingly targeted by harassers because Black, Latinx, and other women of color are seen as more vulnerable and less likely to report harassment than white women.³⁵ The pervasiveness of sexual harassment against Black women also contributes to gender pay gaps—for example by pushing women out of male-dominated, often better paying, industries and occupations.³⁶

While the Black Census asked about harassment targeting women in general, it is transgender women, as well as transgender men and gender non-conforming/non-binary people, who confront nearly universal harassment on the job. The U.S. Commission on Civil Rights found that 90 percent of transgender workers faced discrimination and harassment at work, including being compelled to use restrooms that did not match their gender identity or being told to dress, act and present as a different gender from their own to keep their job.³⁷

Harassing behavior has clear consequences: According to the 2015 Transgender Survey, more than 1 in 3 Black transgender people who held or applied for a job during the past year reported being fired, denied a promotion, or not being hired for a job they applied for because of being transgender. These negative job experiences were especially prevalent for Black transgender women.³⁸

In addition to sexual harassment, a similar gender split emerges around other overtly gendered issues, such as recognizing **violence against women** as a major problem (67 percent of cisgender men, 79 percent of cisgender women and 81 percent of transgender and gender non-conforming/non-binary respondents) and supporting policies such as ensuring **access to safe and affordable abortion care** (supported by 72 percent of cisgender men, 80 percent of cisgender women, 78 percent of transgender men, 70 percent of transgender women, and 92 percent of gender non-conforming/non-binary respondents). In each case, cisgender male respondents are the least likely to recognize the severity of gendered problems and are less likely to support a solution that promotes the safety and security of Black women, transgender, and gender non-conforming/non-binary people. This suggests a mindset that places Black men above Black women and cisgender Black people above transgender and gender non-conforming/non-binary Black people. From this perspective, problems and concerns seen as primarily affecting women or transgender people appear less urgent or important than concerns that directly impact men.



Fig. 4 Sexual Harassment in the Workplace

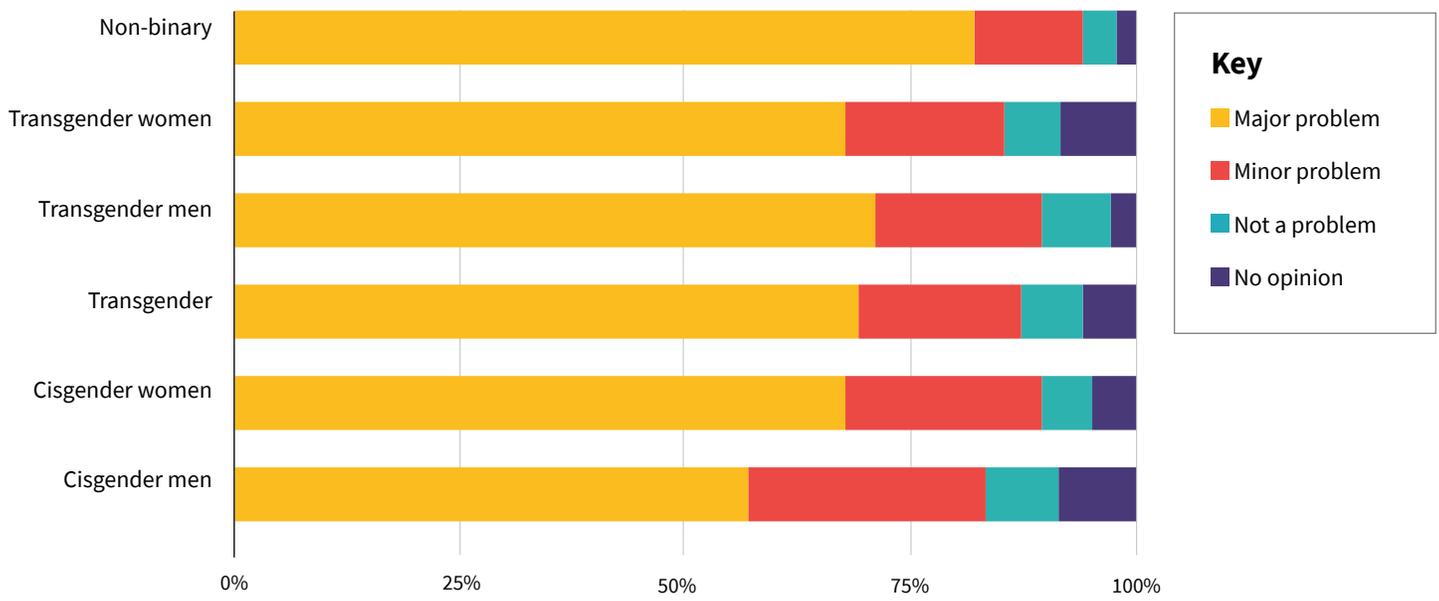
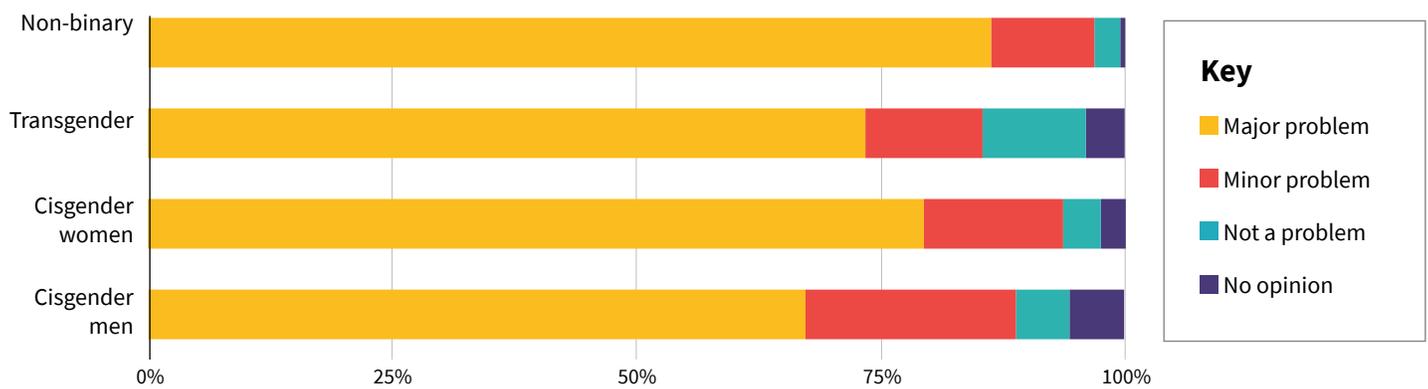


Fig. 4a Violence Against Women as a Problem



Cisgender women, too, may be less perceptive about issues that do not impact their own daily experience. When asked to name the single biggest issue the community is facing, transgender and gender non-conforming/non-binary respondents most often rank **violence against transgender women** as the most significant threat, and an overwhelming 81 percent of transgender men, 79 percent of transgender women, and 85 percent of gender non-conforming/non-binary respondents describe it as a major problem. In contrast, only 42 percent of cisgender men and 59 percent of cisgender women see violence against transgender women as a major problem. And yet Black transgender women are being killed at a horrific rate: In the first 9 months of 2019 alone, 17 Black

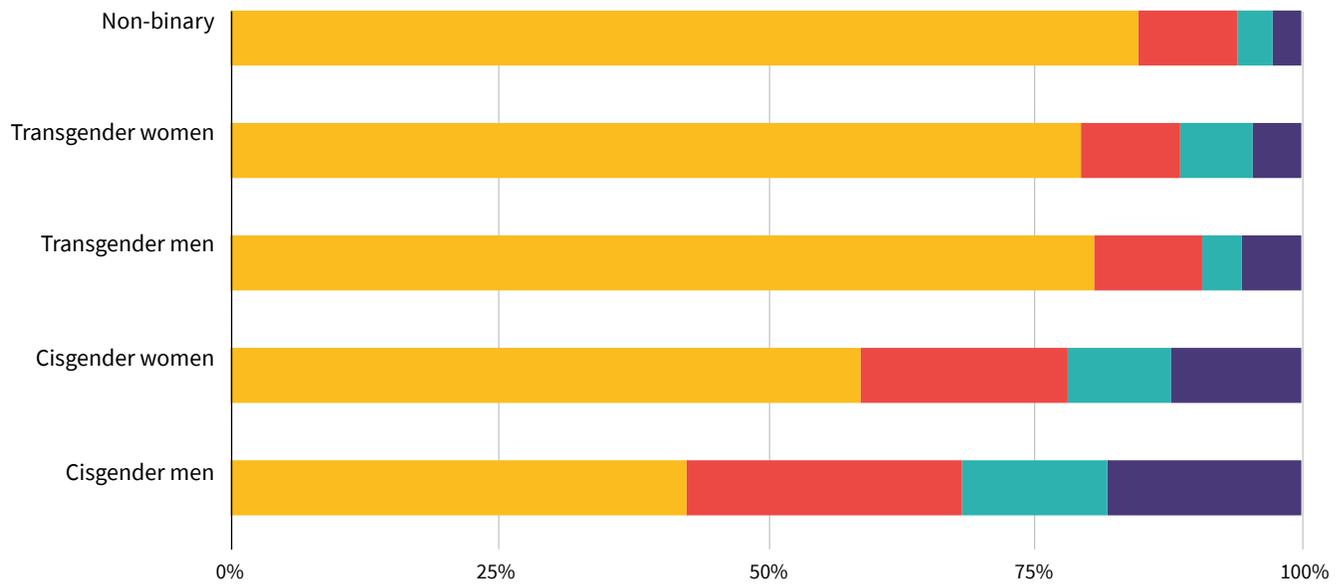
transgender women were killed across the U.S. according to the Human Rights Campaign. The deaths of Dana Martin, Jazzaline Ware, Ashanti Carmon, Claire Legato, Muhlaysia Booker, Michelle “Tamika” Washington, Paris Cameron, Chynal Lindsey, Chanel Scurlock, Zoe Spears, Brooklyn Lindsey, Denali Berries Stuckey, Kiki Fantroy, Pebbles LaDime Doe, Tracy Single, Bailey Reeves, and Bee Love Slater demonstrate the horrifying toll of hate-filled attacks on Black transgender women and the failure of our society to prevent the violence.³⁹ The unexplained death of Layleen Polanco Extravaganza, a transgender Afro-Latinx woman, in a New York City correctional facility further reveals the inadequacy of the criminal justice system to protect the lives of Black transgender women.⁴⁰

While violence targeting transgender women is hardly a new phenomenon, incidents of hate violence have increased at an alarming rate in recent years.⁴¹ Among transgender

Black Census respondents, the threat of violence is tangible: 1

in 5 transgender women reports feeling threatened or harassed almost every day, while 45 percent of transgender women and men feel threatened or harassed at least once a week, compared to 19 percent of cisgender respondents.

Fig. 5 Violence Against Transgender Women as a Problem



Key

- Major Problem
- Minor Problem
- Not a Problem
- No opinion

When it comes to problems and solutions viewed through a gendered lens, the danger is clear: Failure to recognize major problems in Black communities is a significant obstacle to preventing and addressing the harms they cause. And while problems such as sexual harassment, abortion access, and violence against transgender women may appear limited by gender, their actual impact reaches throughout Black communities. After all, when Black women (cis or trans) lose out on pay or are pushed out of jobs by sexual harassment, Black men who rely on mothers, daughters—or if they are in heterosexual relationships, wives or girlfriends—to contribute to the household income feel the hit in their own wallets.

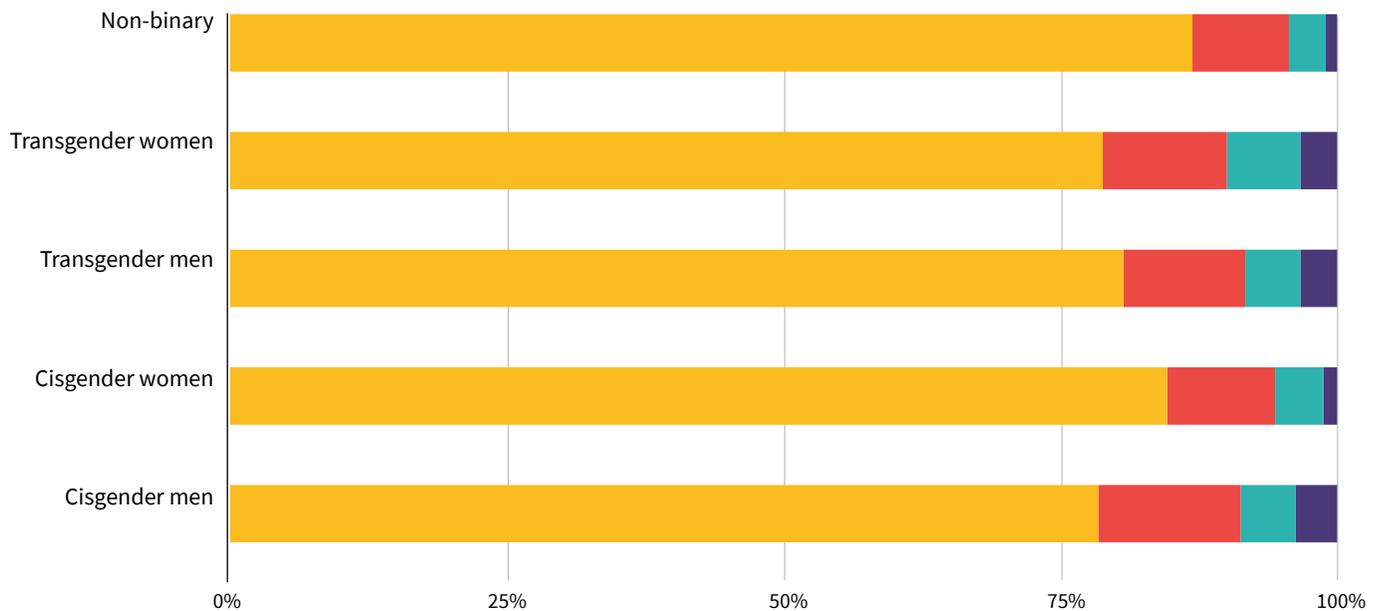
Similarly, access to abortion for Black cisgender women, trans men, gender non-conforming/non-binary people, and others who may experience unwanted pregnancy is associated with better health, education, and incomes for not only the person seeking abortion care but also their families and partners.⁴² And if Black lives truly matter, the lives of Black transgender women, threatened at every turn, must be made to matter too. To thrive as a community and build the political power to address urgent concerns, Black people of all genders must recognize the common interest beneath apparently gender-specific problems.

Policing and Criminal Justice: Different Experiences, Common Concerns

Black Census respondents of all genders share a deep concern about the illegitimate use of force by police and a lack of accountability for police misconduct. Throughout American history, relations between law enforcement and Black communities have always been contentious: Police have frequently been deployed to repress Black people rather than to improve public safety in Black communities. Today, systemic racism continues to pervade police departments nationwide. Unarmed Black people continue to be targets of police violence at far higher rates than white people.⁴³ **The police killing of Black people** is a nearly universal source of alarm among

Black Census respondents, described as a major problem in the community by 78 percent of cisgender men, 85 percent of cisgender women, 81 percent of transmen, 79 percent of transwomen, and 87 percent of gender non-conforming/non-binary respondents. Perceived impunity by law enforcement stirs similarly widespread outrage: 83 percent of cisgender men, 87 percent of cisgender women, 78 percent of transgender men and women (cannot be disaggregated due to small sample size) and 89 percent of gender non-conforming/non-binary respondents agree that **police officers not being held accountable for their crimes** is a major problem.

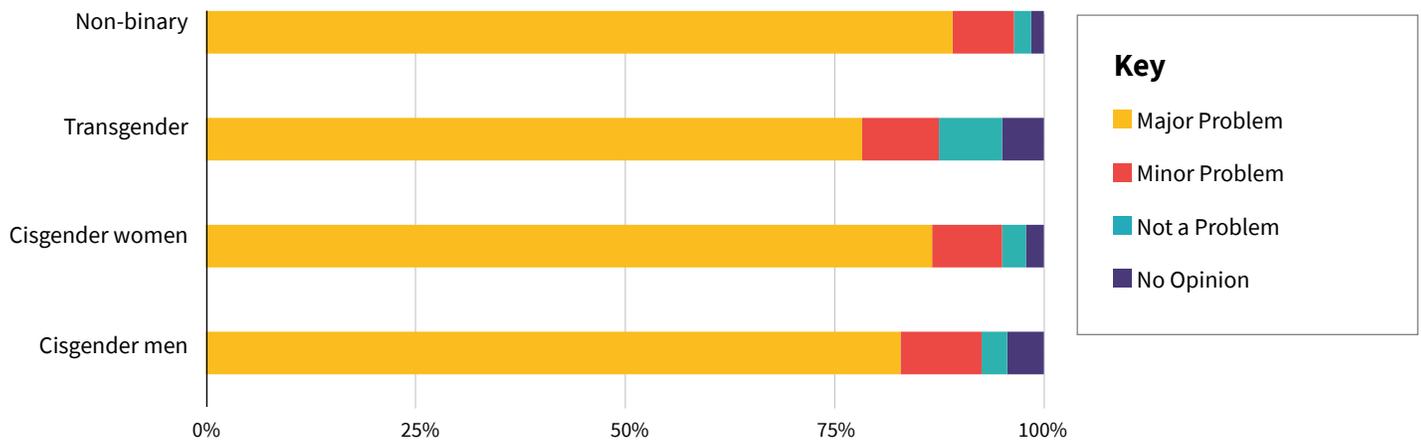
Fig. 6a The Killing of Black People by Police as a Problem



Key

- Major Problem
- Minor Problem
- Not a Problem
- No opinion

Fig. 6b Police Not Being Held Accountable as a Problem



While problems with policing are broadly recognized, Black Census respondents report significant differences along lines of gender in personal experiences with law enforcement. In general, male respondents, both cis- and transgender, report significantly more negative interactions with the police—and a greater likelihood of having been arrested—than female Black Census respondents. For example, **male Black Census respondents (both cis- and transgender) are more likely to describe personal interactions with the police as being mostly or always negative (27 percent) than female respondents (18 percent).** Gender non-conforming/non-binary respondents were the most likely to report negative police interactions, at 45 percent. In addition, male and gender non-

conforming/non-binary respondents report having their first negative interactions with the police at a younger age: 60 percent of men and gender non-conforming/non-binary respondents report a negative police encounter before age 18, compared to 40 percent of cis- and transwomen. Similar trends carry over to experiences of police detention and arrest: Cisgender Black men are the most likely to report having ever been arrested or detained by the police (10 percent arrested, 40 percent detained) followed by transmen (14 percent arrested, 29 percent detained), gender non-conforming/non-binary people (11 percent arrested, 25 percent detained), transwomen (9 percent arrested, 19 percent detained) and cisgender women (8 percent arrested, 17 percent detained).

Fig. 7a Ever Been Arrested or Detained

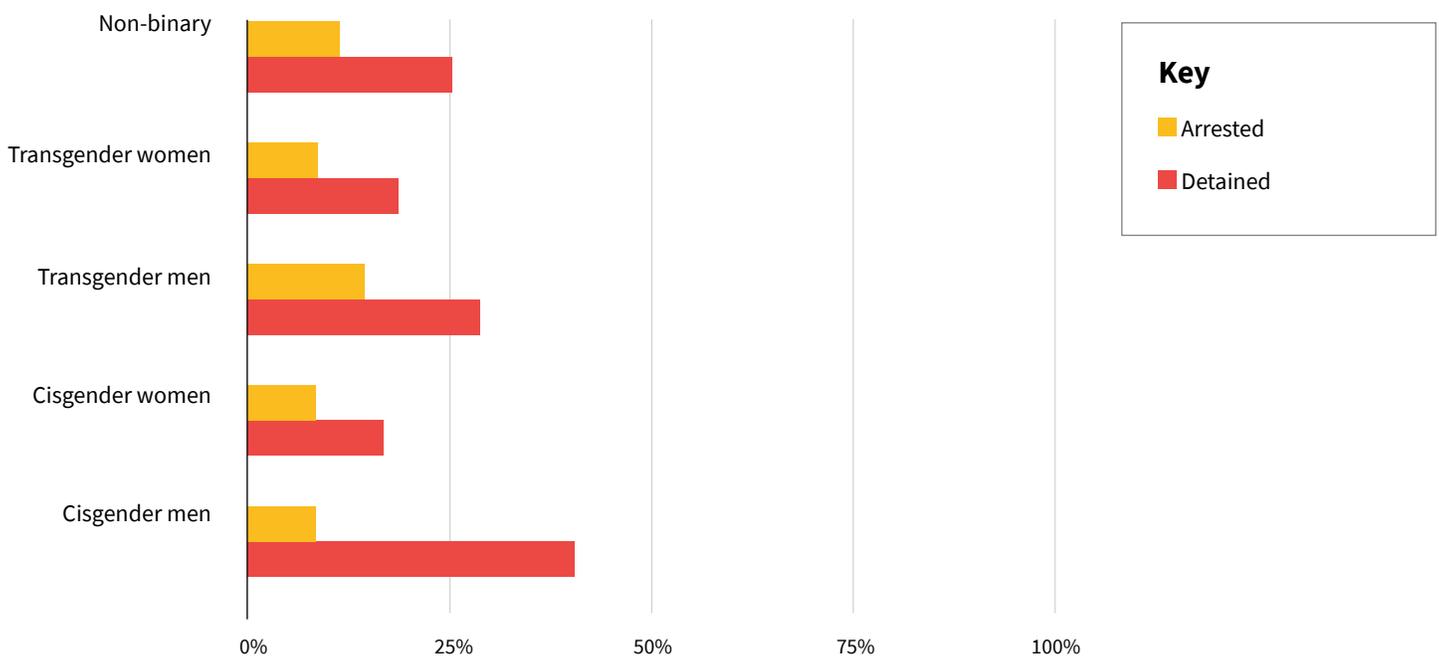
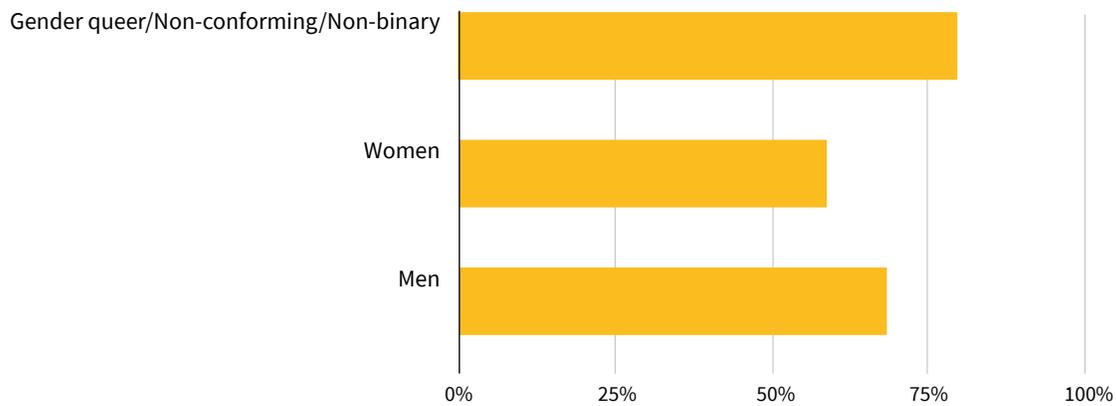


Fig. 7b Report Their Interactions with Police as Negative

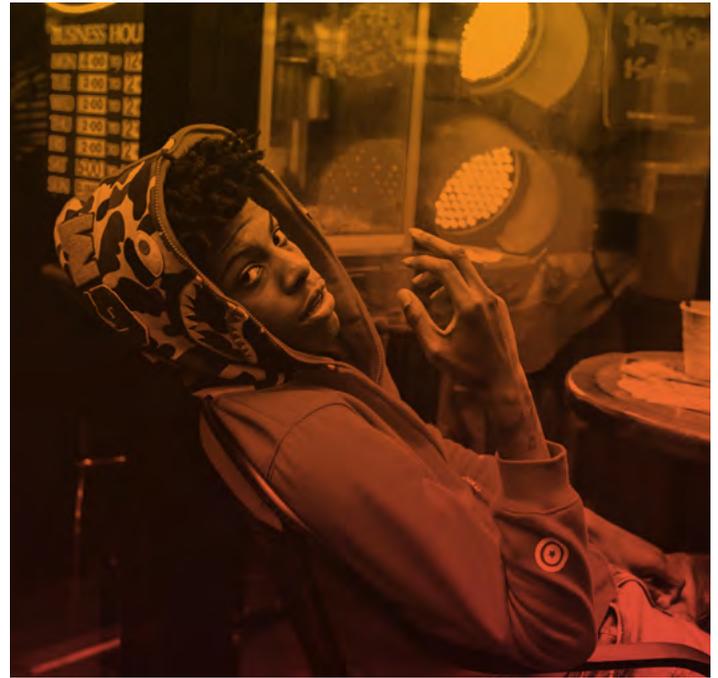


Despite different experiences, cisgender male and female Black Census respondents tend to have similar views of **relations between police and the Black community**, with 43 percent describing them as “somewhat” or “extremely” bad and only 19 percent characterizing police-community relations as “somewhat” or “extremely” good (another 33 percent say relations are neither bad nor good). Transgender and gender non-conforming/non-binary respondents have an even more negative view of community-police relations, with 59 percent asserting that relations between police and the Black community are “somewhat” or “extremely” bad. At the same time, transgender and gender non-conforming/non-binary respondents are much more skeptical of any interventions to improve police-community relations and significantly more likely to say “I don’t think the relationship between the police and Black people in my community can improve,” compared to cisgender men and women. Twenty-one percent of transgender and gender non-conforming/non-binary respondents see no means of improving police community relations, compared to 8 percent of cisgender men and 6 percent of cisgender women. The skepticism about improving policing among transgender and gender non-conforming/non-binary respondents reflects a broader lack of trust in mainstream institutions as well as personal experience with a criminal justice system that too often criminalizes—rather than protecting—Black transgender and gender non-conforming/non-binary people.

At the same time, the problem of racist policing extends beyond police departments themselves to a broader society that sees Black people, and especially Black men, as inherently threatening and violent. Stereotypes of Black men as “thugs” or “brutes” inherently prone to aggression and criminality are deeply ingrained in racist ideas used to justify slavery and the repression of Black people from the Reconstruction era up to the present.⁴⁴ The persistence of these myths today has

cost Black boys like 17-year-old Trayvon Martin their lives, while creating a shield of impunity for their killers when they tap into the widely accepted notion that fear of Black people is reasonable—as killer George Zimmerman did when he described Martin as a “real suspicious guy” who “looks like he’s up to no good.”⁴⁵ Even when the profiling of Black men as inherently dangerous does not lead to violence, it can impose contact with the criminal justice system for activities as innocent as waiting in a Starbucks coffee shop.⁴⁶ In the Black Census, half of male respondents (both cis- and transgender) report that **“people act as if they are afraid of you”** at least once a month. Being treated fearfully is a particularly common experience for transmen: as 40 percent report that people react to them with fear almost every day. This compares to 22 percent of cisgender men, 24 percent of transgender women, 23 percent of gender non-conforming/non-binary people, and 10 percent of cisgender women who report being treated with fear on an almost daily basis. Based on interviews with nearly two dozen transmen of different racial and ethnic backgrounds, journalist Charlotte Alter finds that transmen often report being treated more fearfully once the world perceived them as male: “Everyone said they’d experienced a moment when they were walking at night behind a woman, and suddenly realized that she was walking faster or clutching her purse because she was scared.”⁴⁷ Alter suggests that transgender men are more likely to experience people reacting with fear, not because transmen are perceived as transgender but because they are perceived as men—not having been perceived as male throughout their lives, transmen may be more aware than cisgender men of the fear that perceived maleness can inspire.

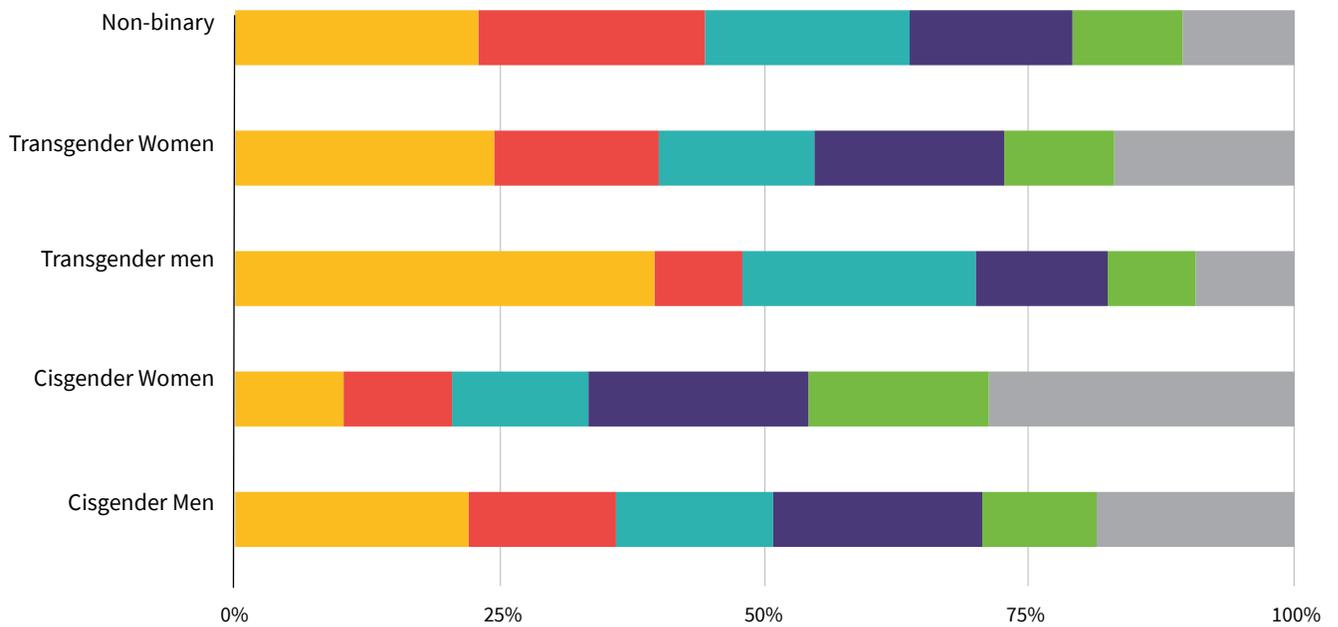
While the Black Census reveals a clear and visible gender split toward greater fear and criminal profiling of cis Black men, transgender, and gender non-conforming/non-binary respondents, it is important to recognize that cisgender Black



women also experience disproportionately harsh punishment and criminalization from a young age compared to white women and girls, and are also targets of violence by the police

and criminal justice system, mostly prominently in the recent cases of Sandra Bland and Rekia Boyd.⁴⁸

Fig 8. People Act as if They Are Afraid of Me



Key

- Almost everyday
- A few times a month
- Less than once a year
- At least once a week
- A few times a year
- Never

Rights under Attack: Rolling Back Protections for Black Transgender People

One hallmark of the Trump administration is its ongoing push to further restrict the rights and opportunities of already vulnerable and marginalized people, including Black cisgender women, cisgender men, transgender, and gender non-conforming/non-binary people. The administration's proposed restrictions on accessing birth control and abortion particularly threaten the health and economic security of Black cisgender women,⁴⁹ while new limits on the ability of the U.S. Department of Justice to reform abusive local police departments disproportionately harm cisgender Black men.⁵⁰ Yet Black transgender people face the most sustained attack: The administration has worked particularly intently to dismantle the few legal protections that exist for transgender people, seeking to rescind federal protections for transgender students, roll back regulations protecting transgender people from discrimination in health care settings, and block transgender people from serving in the military.⁵¹ In one particularly cruel policy shift, the administration moved to strip regulations that banned discrimination against transgender people in federally-funded homeless shelters.⁵² If the policy is finalized and implemented, homeless transgender people could increasingly be turned away from shelters because of their gender identity. The move comes amidst a crisis of housing among Black transgender people: According to the 2015 Transgender Survey, more than half of Black transgender women report having been homeless at some point in life and 22 percent of all Black transgender and gender non-conforming/non-binary people report experiencing homelessness in the last year as a result of being transgender.⁵³

At the state and local level, policy has been more mixed, with some jurisdictions moving to strip protections and block the rights of transgender people to use the bathroom of their choice, and others acting to expand civil rights safeguards.⁵⁴ One key federal policy to protect the rights of transgender and gender non-conforming/non-binary people is **the Equality Act**, which recently passed the U.S. House of Representatives. The bill clarifies that discrimination based on sexual orientation, gender identity, or gender expression constitutes unlawful sex discrimination. While there are already federal laws protecting people from discrimination based on race, religion, sex, and disability, there are no such federal laws explicitly protecting LGBTQ+ people from discrimination. If passed, the bill would prohibit discrimination in employment, housing,

credit, education, public spaces and services, federally funded programs, and jury service based on gender identity and expression as well as sexual orientation.⁵⁵

The continued discrimination that Black people confront despite decades of anti-discrimination laws shows that outlawing discriminatory behavior is not sufficient to uproot it; however, clarifying that discrimination on the basis of gender identity and expression is unlawful is an important step toward improving both the physical safety and economic security of Black transgender and non-conforming people, and provides additional tools and resources to all LGBTQ+ people who continue to face unfair treatment.

Other promising policies to strengthen the rights of transgender and gender non-conforming/non-binary people include state level legislation that **removes barriers to changing names or genders on identification documents** such as drivers' licenses and birth certificates. These documents impact people's lives profoundly: The U.S. Transgender Survey finds that using identification that does not match gender identity or presentation can expose people to harassment, violence, and negative outcomes in employment, housing, and public benefits.⁵⁶ In addition, some states are adding a gender-neutral option (such as "X" in addition to "male" and "female") to identity documents, enabling gender non-conforming/non-binary people to have more accurate identification. The process for changing gender markers and names on federal identity documents such as passports, social security cards, and immigration documents should also be streamlined and a gender-neutral option should be offered.

At the federal level, **the Therapeutic Fraud Prevention Act** would ban the harmful and medically discredited practice of "conversion therapy," which purports to change the gender identity of transgender and gender non-conforming/non-binary people (as well as the sexual orientation of homosexual and bisexual people), based on the false assertion that being transgender, gender non-conforming/non-binary, lesbian, gay, bisexual, or queer is a mental illness to be cured. So-called conversion therapy has been linked to depression, substance abuse, and suicidal behavior, especially among young people.⁵⁷ A number of states have already acted to protect young people from being endangered by fraudulent therapies purporting to

change their gender identity or sexual orientation. Legislation requiring schools to combat bullying and harassment of transgender and gender non-conforming/non-binary students, and efforts to **reverse the Trump administration's ban on**

transgender people serving in the U.S. military would also preserve rights and improve the lives of many Black transgender and gender non-conforming/non-binary people.

Conclusion

A close look at gender in the Black Census reveals important similarities and differences: Respondents of all genders contend with racism throughout the economy, the criminal justice system, and society at large. At the same time, examining differences by gender highlights the dire economic instability and extreme prevalence of harassment and violence confronted by transgender and gender non-conforming/non-binary Black Census respondents, and illuminates how the intersection of race and gender pose particular barriers for Black women (both cis- and transgender) in the workplace and for Black men (cis- and transgender) seen as inherently suspicious or dangerous by police and society. While there is broad consensus across gender around structural reforms to the economy and policing, divergences are also revealing:

Cisgender men were less likely than other Black Census respondents to see violence or harassment of women as major problem, or to support access to an affordable and safe abortion. And cisgender men and women were less likely to recognize violence against transgender women as a major problem despite a dramatic rise in killings of Black transgender women.

Building enduring Black political power requires a shift away from a politics that puts the concerns and perspectives of cisgender men ahead of the needs of women, transgender, and gender non-conforming/non-binary people and towards a broader and more inclusive vision of justice for Black people of all genders.



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 - Rosenberg Foundation
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 - NEO Philanthropy
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