

EFFECTS OF LEGAL IDENTIFICATION DOCUMENTS ON GENDER DIVERSE  
INDIVIDUALS: IDENTITIES, LOCATIONS, AND NAMES

By

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To my mother who never stopped believing I would finish. To my friends old and new who kept me focused. To Dr. Dye, Dr. McKinzie, and Dr. V, who stood by me through the years with encouragement and guidance.

## ABSTRACT

Legal identification is a universal expectation, but in Tennessee transgender and non-conforming individuals cannot obtain documents that match their gender identity. The increased use of technology and growing legislative battles leave many transgender people at risk of discrimination, unemployment, homelessness, or harm due to mismatched identifications. Identification is just one symptom of the problem in the larger framework of inequality for gender diverse people, but being able to have easily obtainable matching identification would lessen the negative impacts of being mislabeled. The purpose of this study was to explore among those born in Tennessee knowledge of the processes and experiences with changing their legal documents, and if having validated legal documents was connected to their sense of self. I found that those who identified along the gendered binary had accomplished the most changing their legal documents to reflect their gender identity while those who identified as non-binary were less likely to attempt document amendments. None of the respondents were likely to leave Tennessee to amend their documents. Instead, respondents carved out an alternative space for themselves through the use of names. Their social location became an important way to claim their personal right of expression and to re-define themselves in a situation where they legally cannot.

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## INTRODUCTION

Transgender and gender non-conforming individuals face many obstacles when trying to change their legal documents to match their gender identity. These obstacles vary by state. The state of Tennessee has extremely restrictive codes and policies regarding the change of legal name and gender markers (the marker on legal documents that states if an individual is male, female, or other) on identification documents. Tennessee is one of eight states that require one of the following to change a driver's license: proof of surgery, a court order, or an amended birth certificate (National Center for Trans Equality 2021). To add to that challenge, Tennessee is one of two states that do not allow for amendment of the gender marker on a birth certificate (National Center for Trans Equality 2021, Tenn. Code Ann. § 68-3-203(d) 2006). The purpose of my research is to investigate how transgender individuals who were born in the state of Tennessee navigate amending legal identification documents and how that process shapes/is shaped by their gender identity. Specifically, I am interested in how barriers to changing legal identification documents affect gender non-conforming individual's sense of self. I used an online survey comprised of thirty-three questions organized into nine sections. The questions centered on gender identity, experience using and changing legal identification, and location, specifically in the state of Tennessee. The survey also included four scales: three scales measured the respondent's sense of self, and a single scale measured self-reported mental health. As someone who identifies as transgender and non-binary, I am interested in this study which informs its purpose and interpretation of the findings. In the following pages, I review theory, policy, and prior research on transgender identity and

legal documentation, specifically in Tennessee, and outline relevant definitions as a foundation for understanding the research and background information on transgender studies in sociology. I also review the legal practices that may cause barriers to changing identification and the importance for gender identity. After outlining the methods I used for this study, I summarize the findings and discuss how these findings relate to past research, theory, and my personal reflection.

## BACKGROUND

### *Definitions*

As transgender and gender non-conforming people and perspectives become more visible in the public eye, the amount of attention they have gained on both social and political platforms has also increased; however, the U.S. is sharply divided on views of transgender issues and definitions (Fischer 2019). Sociologists assert that the term “transgender” is hard to define because there are many ways people use the term (Buck 2016). For the purposes of this study, I will use Schilt and Lagos’s (2017: 457) definition of transgender: “an umbrella term that refers to people whose gender identity does not necessarily correspond to the sex category to which they were assigned at birth.” The term “gender diverse” is used interchangeably with “transgender” and is often contrasted with the term “cisgender” (PFLAG 2023). The term “gender non-conforming” is under the umbrella term of transgender. Identifying as gender non-conforming means that an individual does not subscribe to the gender binary in terms of both gender identity and gender expression (Obasi 2018, 2023; PFLAG 2023). Non-binary is one of many terms used by gender non-conforming people to describe their presentation. The term “gender

identity” refers to both a gendered identity that falls inside and outside of the gender binary of female and male as well as a complex, internal definition of self (Buck 2016). Another term used in this research is “gender-affirming” which can mean social, institutional, and medical care that validates a person’s gender identity or expression. Birth markers (legal term used for markers on identification) are based on biological sex (male and female) which are then used to ascribe gender to an individual and through legal documents. This is the dilemma for non-binary individuals and anyone who does not identify with a gender that was assigned to them at birth (and often before) or changes their sex.

### *Transgender Studies in Sociology*

Over the past fifty years, the field of transgender studies has expanded. Until the late 1960s, transgender studies were primarily the topic of medical and psychological inquiries. While there is still much research in these areas today, the 1960’s was a starting point for social research in transgender studies. Harold Garfinkel, a sociologist, conducted the first known social research project that involved a transgender woman in 1967 (Schilt and Lagos 2017). Another sociologist, Erving Goffman, coined the term “passing” in 1963, four years before Garfinkel’s work. “Passing “ occurs when individuals perform social interactions to conceal parts of themselves that may cause discrimination (Schilt and Lagos 2017). Garfinkel used the term to describe his transgender subject’s way of functioning in society as a woman while being biologically male (Schilt and Lagos 2017).

According to Schilt and Lagos’s (2017) research on transgender studies in sociology, there are two theoretical lines of discussions of transgender individuals:



“gender deviant” and “gender difference” paradigms. Within the “gender deviant” line of thought, transgender scholarship views transgender persons as the object of study rather than the subject of study. Transgender is seen as deviant in terms of deviating from the social norms and thus subject to stigma. Deviation from the norm in terms of gender is not inherently problematic. The social discourse that follows a person who has deviated can be. Deviation from the gender norm can result in stigma, leading to discrimination, social displacement, self-harm, and possibly physical violence (Howell 2015; National Center of Transgender Equality 2015; Spade 2015; Puckett et al. 2018; Tan et al. 2022). Conversely, the “gender difference” paradigm conceptualizes that transgender individuals find themselves at the crossroads of gender identity and social location. Based on the themes of “passing” from Garfinkel (1967) and “doing gender” from Zimmerman and West (1987), “gender difference” explains that transgender persons have their own individual lived experiences that uniquely intersects with institutions, identity, location, and organizations and focuses on social inequality that often accompanies those who are not cisgender (Schilt and Lagos 2017).

The intersection of gender identity and social location shapes the lived experiences of the transgender community. A call to expand the theoretical and methodological framework of transgender studies within sociology and beyond has been issued (Sumerau 2020). This may be accomplished by using a selection of feminist and traditional sociological theories. By combining standpoint theory, symbolic interaction (e.g., Cooley’s “looking-glass self”), queer theory, conceptualizations of ‘otherness’ with theories of masculinity and society, a stronger understanding of how legal policy can shape social location, gender identity, and the sense of self. Standpoint theory explores a

person's position (both socially and physically) to explain lived experience (Harding 1986; Collins 1990).

Sociologists in the field of masculinity look to the division of power as a defining element of masculinity and femininity, which involves a set of acts or performances we put on rather than something we inherently are. Power, symbols, and labels are all contributing factors to identity. Gender as a social construct, means that gender is the set of acts or decisions that are socially defined and reacted to as masculine or feminine. According to Cooley's (1902) "looking-glass self," we constantly are engaging in imagining how we look to others and having an emotional response based how we think we are viewed in others' eyes. "I am not who I think I am, I am not who you think I am, I am who I think you think I am." Based on how we imagine we are perceived by others, we feel pride or shame. When we feel shame, engaging in internal social control and modifying future behavior is an impetus. George Herbert Mead (1934) expanded Cooley's ideas by arguing that our sense of self is formed by learning to take ourselves as both a subject and an object. When we are not fully developed (i.e., when we are children), we are not able to fully take on all the attitudes of society and various social groups, our sense of self is not fully mature. However, when we can take all the various aspects and viewpoints of groups and people in society into account at the same and imagine ourselves as an object to our society and groups within it, we are taking ourselves as an object to the generalized other and our sense of self is fully formed. Mead saw social psychological process as what makes society possible. If we were not able to see ourselves as both subject and object, society would not function and would be total chaos.

In Mead's book *Mind, Self, and Society* he proposed that social identities were created through social interaction and our self-reflection on who we think we are in relation to those interactions (Mead and Morris 1934). Our social interactions and the generalized other give us the definition of masculine and feminine, and these are formed through the social institutions that we are surrounded by. For example, suppose an individual grows up in the country around strong southern stereotypes. In that case, they are going to have a different definition of gender than someone raised in a northern same-sex household. Due to the perception of masculine and feminine, we are influenced to assign ourselves labels that translate to social and legal institutions. Historically, men who display hegemonic masculinity, or the normalized view of masculinity, are awarded more power and respect than those who deviate from the norm (Bird 1996).

Queer theory rejects the oppressive power given to the dominant social norms that make up the binary. Just as suggested by the idea of "doing gender," queer theory views identities as performative. Feminist scholar Judith Butler (1990) suggested that sex, sexuality, and gender are performative acts based on the socially constructed nature of biology and gender. She conceptualized that systems of power or social knowledge influence those norms that keep people in categorized labels, limiting the fluidity of sexuality and gender identity through societal norms. Her work, which combined the ideas put forth by Eve Sedgwick (1991) (who proposed that the binary is limiting freedom and understanding) and Michel Foucault (1980) (who linked sexuality and knowledge to political power), makes up the foundation of queer theory. Queer theory challenges the biological essentialist thought of sex and gender as nature and inherent by arguing that sexuality, orientation, and identity are all performative. Sex and gender

norms are only stable in social arenas due to the repetition of normalization. For gender-diverse individuals, the symbolic interaction of presenting gender becomes readily apparent and questioned rather than taken for granted, and as the individual manages legal documents that do not match their gender identity, passing can be exposed.

### *Laws affecting Transgender and Non-Binary Individuals*

I aimed to extend understanding of how social interaction and policy based legal structures affect transgender individual's sense of self based on their geographical location. National and local environments influence legal representation, institutions, and organizations that exist as sources of oppression to transgender individuals. Thus, physical location impacts the acceptance or rejection of gender-diverse individuals. Legal systems are forms of institutional structures that can hinder the growth and expression of self by limiting gender-diverse people's access to gender-affirming change (e.g., legal name change, gender marker change, etc.). Below, I review some of the past and current policies which affect the legal treatment of transgender people at the national and state levels. I then focus on laws in Tennessee that may cause social and structural barriers for transgender people to transition legally. I examine how these policies relate to gender identity and the forming of the sense of self.

### *National context*

At both the national and state levels, laws and policies impact the lived experiences of transgender people or the broader category of LGBTQ+ persons. In June of 2015, same-sex marriage was legalized in the United States at the federal level. This act was a massive success for the LGBTQ+ community. However, five years after

legalization, issues surrounding health benefits and other traditional marriage rights still do not always apply for same-sex couples (Spade 2015).

Jami Kathleen Taylor (2007) argues the United States has been in a state of policy incoherence towards transgender people. Through legislative avoidance, serious problems have been overlooked in legal coverage and civil rights toward transgender people and LGBTQ+ individuals in general. Taylor points out that sexual orientation is seen as private unless related to same-sex marriage, but transgender status is public. Vital records are accessible by almost anyone who wants to go looking for them through the public records departments or the internet (Taylor 2007). Transgender status is also made public whenever a person must show official documentation. The primary forms of identification in the United States are often a birth certificate, driver's license, and a social security card, passport, or military ID. Employment, health, education, and housing institutions all require proof of citizenship and correct, accurate identification.

On a national level, information about the legal rights of transgender people is now readily available (James et al. 2016). Because the United States is based on legal pluralism, there is an overarching federal legal system and separate legal systems within each state (and local level). Each state has its own laws and regulations regarding the process required to change identification documents.

#### *Changing identification documents*

Identity documents are linked to every form of legal personhood in the United States. From the moment someone is born to the moment they die, they are labeled using the gender binary on all documentation, which dictates how they publicly present their gender for the majority of their lives. The rights and ability to change such information

has received legal and public attention, with both support and opposition. Ways of legally transitioning vary by state, and a trans individual's geographic location is a good indicator of how smooth a legal transition can be. In addition, every form of legal identification has a different process in which a trans person must go through to change their documents.

All forms of documentation can be changed in any order, but typically the first, and perhaps the easiest, step in the legal process is to legally change one's name from a given name or "dead name" to the new name they have chosen to represent themselves. The term "dead name" is commonly used by transgender and gender non-conforming people regarding the name associated with the gender they were assigned at birth. The process of changing one's name depends, like all other documents, on the location of the trans person. Location is key in terms of legal transition. The policies, statues, and process vary from state to state. While California only requires a form to be filed to request a change of name, Tennessee requires a court order for anything other than marriage and divorce proceedings. The process of changing names after getting married is seen as a right of normalcy for those who have just wed. All other people must go through the same process as trans individuals to change their names. Still, the context is what makes legally changing one's name more important for transgender people. Changing one's name is seen as a simple matter, but to the trans person pursuing the change, it is a moment of acknowledgment and a social broadcast of transness (Howell 2015:19).

As with the other forms of identification, a name change on a social security card only requires the official name change order. A longer, time-consuming list of

information is needed to change the gender through the Social Security Administration. Howell gives a list of the requirements that include a "fully-validity, ten-year U.S. passport with the new sex," a "state-issued birth certificate with the new sex," a "court order directing legal recognition of change of sex," and the "medical certification of appropriate clinical treatment" that must include a statement from the performing physician with an ever-longer list of conditions that they have to meet to be accepted (25-6).

Arguably one of the most important forms of documentation is a formal I.D. or state-issued driver's license. An I.D. is carried on a person and is the most accessible form of identification. However, driver's licenses have the most variations in regulations for name and gender identifier amendments. Like most other forms of identification, changing the name on an I.D. requires an official court order recognizing the name change.

Making amendments to a birth certificate is more complicated than acquiring a change of name. Changing the name on a birth certificate often requires an official copy of the court order for the name change and sometimes a few additional forms (e.g., certification from a physician). Trying to change the gender marker on a birth certificate is where transgender people face the most barriers.

Even though there is not a federal level block on amendments to official documents, each state has its own set of rules and regulations. Regarding changes of name and gender markers on a birth certificate, 16 states have forms available online to request an amendment, ten states allow an 'X' to be placed as gender, 22 states plus D.C. do not require sex reassignment surgery or a court order name change, six rules are

unclear, 4 have vague regulations on gender marker amendment, 15 states require sex reassignment surgery, and three states do not allow amendments at all (Movement Advancement Project 2021; Howell 2015). Based on the policies I reviewed, 28 of 50 states are unclear about the required policies, require surgery, or do not allow changes to be made.

### *Tennessee law*

In Tennessee, a person can change their legal name on a birth certificate or driver's license by obtaining a court order (Howell 2015; National Center for Transgender Equality). They must appear in court to state their case for a name change before a judge. They are not required to formally publish the name change, giving them the privacy other states do not provide their residents (Howell 2015; National Center for Transgender Equality). The Tennessee process is costly and time-consuming for the person involved due to the many steps and fees required to complete the process. However, a name change is the easiest of the steps in the process toward legal transition.

Changing the gender marker on any document is an important part of the process. To change the gender marker of a driver's license, the person must have proof of sex reassignment surgery and/or amendment to the birth certificate. Sex reassignment surgery is often expensive and out of the reach of many transgender individuals. An amended birth certificate becomes the only way to change the gender marker on a driver's license. However, Tennessee is one of the three states that do not allow the amendment of a birth certificate. A birth certificate in Tennessee cannot be amended for transgender purposes. Thus, even with a medically confirmed sex reassignment surgery, a birth certificate cannot be amended to reflect the trans person's newly assigned sex (Howell 2015;



National Center for Transgender Equality). One statute blocks the entire legal process of transition for transgender people in Tennessee (Tenn. Code Ann. § 68-3-203).

The gender marker on an I.D. (Driver's License) can or cannot be adjusted according to several different variations of laws from state to state. Tennessee requires "A statement from the attending physician that necessary medical procedures to accomplish the change in gender are complete" or a court order recognizing gender change to amend the gender marker on an I.D. (Howell 2015; National Center for Transgender Equality). While these options give the illusion of possibility, many face barriers such as cost of surgery or dismissal from the court due to Tennessee legislation.

Compared to most of the other states, Tennessee's policies on identification documentation are some of the strictest policies in the United States, specifically for transgender people. Other states have implemented some form of workaround or even acknowledged a third gender marker on birth certificates and driver's licenses. For example, California has made the process even simpler by having one form that needs to be filled out to change name and gender identifier, but most states have not made this simple (Howell 2015; National Center for Transgender Equality).

#### *Additional Barriers to Changing Legal Documentation*

According to The U.S. Transgender Survey (USTS) conducted in 2015, "only 11% of respondents reported that all of their I.D.s had the name and gender they preferred, while more than two-thirds (68%) reported that none of their I.D.s had the name and gender they preferred" (James et al. 2016: 9). It is improbable given the political and social climate that these numbers have changed much over the past six years. The survey reports prevalence and forms of discrimination faced in any

conceivable social institution—education, health, employment, etc. The findings show that “nearly one-third (32%) of respondents who have shown an I.D. with a name or gender that did not match their gender presentation were verbally harassed, denied benefits or service, asked to leave, or assaulted” (James et al. 2016: 9). Even the medical field is often undereducated regarding trans care (Puckett et al. 2018). Although there has been growth in the field of transgender and gender non-conforming healthcare, many have a difficult time finding affordable care. That does not include the costs that are associated with any physical transition, such as hormone replacement therapy or gender affirmation surgery (Puckett et al. 2018). Cost is one of the largest barriers that trans individuals face outside of social and legal issues.

These barriers and the problems presented with using legal documentation that does not match one’s gender identity affect an individual’s sense of self and mental health (Couch et al. 2008; Fuller et al. 2018; Puckett et al. 2018; Fiani and Han 2019; Malta et al. 2020; Restar et al. 2020; Scheim et al. 2020; DeChants et al. 2022; Yee et al. 2022; Obasi and Nick 2023). For example, study conducted in conjunction with the Trevor Project found that youth (ages 13-24) who either wanted to change their legal name but could not or who could change their name but had yet to do so had greater odds of attempting suicide in the past year than those who had changed their name to match their gender identity (DeChants et al. 2022).

### *Legal Identification and Gender Identity*

Legal scholar Ally Windsor Howell points out in her book *Transgender Persons and the Law* that "changing one's name and getting identification documents to match that new name and one's newly acknowledged gender is of vital importance to

transgender persons" (2015:18). All forms of legal registration or acknowledgment are based on identification; therefore, having all forms of identification that match the person's physical and self-assigned gender is essential. Having the correct identifiers on legal documents reflects their perceived and presented identity.

Spade (2015) argues that transgender people are impacted physically, emotionally, and financially by the administrative barriers surrounding legal identification document corrections such as I.D. or driver's license, birth certificate, and social security cards. He argues that identification is the building block of security and surveillance in the United States. Every social institution has a deep connection to identification. He wrote:

the existence and operation of such administrative norms [that promote] ...a national identity centered in norms about race, bodies, health, gender, and reproduction ...is therefore less visible than those moments when people are fired or killed or excluded explicitly because of their race or body type or gender. Yet, they sometimes produce more significant harm because they structure the entire context for life (5).

At the heart of Spade's book, *Normal Life*, he charts a trans legal history that shows years of social neglect and injustice toward trans populations. Transgender people face employment discrimination, leaving trans individuals homeless. These homeless individuals then cannot get into homeless shelters due to gender-segregated facilities. The same goes for trans people who face criminal charges. In the preface, Spade tells a story of his conversations with a trans man who is forced to serve his time in an all-women's facility due to the sex he was assigned at birth rather than his self-identified gender (Spade 2015). Here, there is a disconnect between the self-identity of trans people and the

legal processes that would let those align with their identification documents. Wentling (2016) examines this disconnect and states:

(trans)Recognition and (trans)belonging are dependent upon state agents' interpretation of the in/congruence between gender-embodied identity and identity markers on IDs/records. The experience of fragmented citizenship leads trans people to practice distinctive navigation and management strategies (1).

In short, trans people are harmed by the very systems that govern central aspects of human life. A person's name is attached to them for their entire lives from birth until after death, and legal documents such as a birth certificate, social security card, and I.D. are required to gain employment, medical treatment, housing, a banking account, an education, transportation, and everything in between. These documents are a vital necessity in the United States to be able to live in any capacity. Trans individuals face the dilemma of either legal transitioning (if that is a possibility for them based on location and social acceptance) or staying in a legal limbo where their transgender identity is put on full display each time they go through a process that demands formal identification.

As technology continues to grow, the ability to digitally link and create profiles for individuals grows as well, as illustrated by Nicolaus L. Clarkson (2019). In an essay based on transgender people's relationship with identification post 9/11, they state that "though trans people had long been aware of the conflicting standards for changing legal sex designation across various state-issued identity documents, the increased integration of databases over the past decade accentuated this problem" (Clarkson 2019: 619).

### *Research Questions*

1. Do transgender and gender non-conforming individuals in the state of Tennessee know the legal processes for changing their identification documents?

2. What perceptions or experiences do transgender and gender non-conforming individuals have in the legal transitioning process (difficulties, discrimination, success, etc.)?
3. How does state legislation/social boundaries affect the self-identified gender identity of transgender and gender non-conforming individuals (relocation etc.)?

## METHODS

I used a short (10-15 minute) online survey to address my research questions. The survey was made up of nine sections, including the sections for informed consent (1) and debriefing (9). The survey was a series of open and closed ended questions including four Likert-type scales measuring sense of self and self-reported mental health. After IRB approval, the anonymous survey was distributed using the online survey platform Qualtrics.

The study included gender non-conforming individuals who were born in the state of Tennessee and are 18 years of age or older. They were not required to be medically transitioned. Location was an essential factor in this study, so respondents had to either be current or previous Tennessee resident. Respondents were excluded from the survey if they were born outside of Tennessee, identified as cisgender (i.e., aligned with gender assigned at birth), or were under the age of 18 years of age.

I recruited participants through word of mouth, emails, and social media using flyers posted on social media platforms (Facebook and Twitter) and emails forwarded to MTSU students including student organization contacts. Participants followed a link to the survey on both the social media posts as well as the recruitment emails. There was no compensation for the completion of the survey. The survey is included in Appendix C.

A few questions provided measures of key information for this research. This included experience using legal documents, making changes (legal names versus gender markers) to different types of legal documents, satisfaction with process, and plans to leave Tennessee because of barriers to changing legal documents.

A portion of the survey focused specifically on measures of sense of self. Three Likert-type scales measured the extent to which respondents felt the statements reflected their experience. For all of the scales, items were reverse coded as needed so that higher scores indicated a stronger sense of self. Adapted from “The Sense of Self Scale (SOSS): Development and Validation” (Flury 2002), the Sense of Self scale was composed of 12 items and asked respondents to indicate the extent to which a particular statement was characteristic of them. Examples included “I have a clear and definite sense of who I am and what I’m all about” and “Other peoples’ thoughts and feelings seem to carry greater weight than my own.” A similarly constructed Splitting Scale included eight items that measured the extent to which the respondent felt “split” or “pulled in different directions”. For example, respondents included the extent to which statements such as “I feel different about myself when I am with different people” characterized them. The Behavior Checklist consisted of 13 - True/False statements such as “I have defended my opinions publicly in the past month” and “When describing my personality to others, I have purposely used vague and general terms, in case my personality were to change soon after.”

The survey also included a set of items measuring self-reported mental health, which was adapted from the Brief Symptom Inventory (PHQ-9) (Kroenke, Spitzer, and Williams 1999). Respondents indicated, over the past two weeks, how often they were

bothered by specific things such as “feeling down, depressed or hopeless,” “Feeling bad about yourself or that you are a failure or have let yourself or your family down,” and “Thoughts that you would be better off dead, or of hurting yourself.” Response choice ranged from “not at all” (0) to “nearly every day” (3). Due to the response rate and sample size, I was not able to perform statistical analysis of the scales. I included these in Appendix B, Tables 2-5, as a comparison of respondents’ scale scores.

The final part of the survey was reserved for demographic questions, including age, race/ethnicity, and sexual orientation.

## RESULTS

Eighteen people started the survey, seven of whom passed the initial screening process because they were born in Tennessee. Of these seven, five completed the survey. In terms of race, one Black/African American respondent and four white respondents completed the survey. All the respondents were between the ages of 19 and 24. Three of the five identified as non-binary. These three also identified as pansexual. One individual identified as a trans woman and the other as a trans man. The trans woman identified as straight or heterosexual. The trans man identified as gay. A case summary of each respondent is included in Appendix A.

All respondents had physically transitioned in some way. Only one of the non-binary participants and the transgender man responded with specifics such as changing their appearance to match their preferred gender. In addition, the transgender man was the only person to mention hormone replacement therapy (HRT). Hormone replacement therapy is the use of estrogen or testosterone to change the hormone balance in the body to trigger changes that match the desired gender. To gain a more masculine presentation,

I have been on HRT for the past year and a half. It has increased hair growth and darkening as well as working to deepen my voice. Due to health risks or monetary issues, HRT may be unobtainable and ill-advised for an individual.

Table 1 (Appendix B) presents an overview of how these survey respondents compare to both the Tennessee section of the U.S. Transgender Survey as well as the overall USTS survey (James et al. 2016). Tennessee residents made up 1.6% of the larger survey. In the USTS, 68% ( $n = 21,716$ ) of individuals who participated had neither their preferred name nor their preferred gender on any of their documents. In the Tennessee specific report, 82% ( $n = 416$ ) had no documents that listed both preferred name and gender. Starting with the legal name change, 30% of the USTS were able to change their legal name on all their documents while 22% have their name changed on some documents. In Tennessee, 38% of respondents reported not pursuing a legal name change due to the cost. Only one of my respondents reported that they have their correct name on all their documents. Of those who attempted a legal name change in my survey, only one was non-binary. The other two non-binary individuals who responded indicated they had no plans to change their legal name.

As for gender marker changes, none of those who took my survey were successful in changing their gender markers on any of their legal identification documents because of the restrictions in Tennessee. Likewise, there was no information in the USTS on the percentage of the Tennessee residents who amended gender markers. Two thirds (or 68%) of those who participated in the USTS did not have documents that displayed the correct gender marker. Only 27% of those respondents have had success in changing their gender markers; however only 9% were able changes to their birth certificates.



### *Legal Document Changes to Manage Gender Identity*

Although the survey response rate was not high, I pulled a few themes from the information provided by the respondents. The first is how changing legal documents aided their presentation and management of their gender identity. There were varied responses when asked how they managed their identity when using documents. The answers ranged from, "Weird, since I don't identify with my birth name (non-binary)" to "Gives the perception of gender that I don't identify as" (non-binary) to "Nothing Unusual" (transgender man), which is an unusual answer itself. All the respondents had thought about changing their legal documents at some point, with three thinking about the change 'extremely often', one thinking about it 'very often', and one thinking of it 'slightly often'. Only one respondent indicated they thought about changing their documents 'not often at all' (non-binary). The knowledge of the process of changing other legal documents was varied with two 'not at all familiar' with the process, one 'moderately familiar', two 'somewhat familiar', and one 'extremely familiar' (transgender woman).

Four of the seven respondents who answered this portion of the survey had attempted to alter some form of legal documentation. Three of the respondents (transgender woman, transgender man and one non-binary) had attempted to change their legal name. The same three thought of changing their documents 'extremely often.' Only transgender respondents were successful in their attempts. One of the non-binary respondents mentioned a court-ordered change to their Birth Certificate. Although not clear, this was for a legal name change, and not related to their gender marker which cannot be changed on a Tennessee birth certificate. Only the transgender woman and man had changed other documents, and both were 'extremely satisfied' with their attempts.

The transgender woman gave an extensive list of the documents she attempted to change including her credit cards, car title, insurance, school information, post military documents, rent agreement, investing profile, and her social security card.

### *Importance of Names*

In the gender non-conforming community, the presentation and use of names and pronouns are key to managing one's identity. A person's name is one of their main points of contact with any form of communication so it makes sense that it would be central to gender identity and presentation. As previously stated, it is near impossible to amend the gender marker on a birth certificate in the state of Tennessee even after gender affirming surgery. All of the respondents who completed the questionnaire either spoke of using their name or receiving a legal name change. Gender non-conforming individuals often divide their name into their birth name or "dead name" and their chosen or preferred name. A birth name or "dead name" is the name that an individual is given at birth that may or may not align with their gender identity. In the same vein, a chosen or preferred name is the name that an individual picks for themselves instead of their given name. Some people have more than one if they identify as gender fluid. All the respondents who identified as non-binary mentioned using the name they picked for themselves without having legally changed their name.

One of the non-binary respondents stated using legal identification is "weird, since [they] don't identify with [their] birth name". They correct others by "saying [their] preferred name" instead of letting others continue to use the name they were given at birth. A second non-binary respondent made a similar statement about the use of their legal documentation. They stated that using their identification "gives perception of

gender that [they] don't identify as" in reference to their given name and gender marker on their documents. They manage their identity by "letting people know [their] chosen name" instead of going by their birth name as well. Both use verbal confrontation and confirmation to validate their perceived gender identity. Another respondent, again identifying as non-binary, mentioned, "I stayed calm and tried to look confident" in these situations. The remaining non-binary respondent did not mention using their name in how they manage their identity, but they did get a court ordered name change to more align their name with their gender identity. In addition to that information, they shared that "legally changing [their] name wasn't quite as difficult as [they] thought it would be, but the amount of time it takes to actually receive a new birth certificate after going and ordering one is absurd." They added "[I will] always be misgendered by [their] entire family, and deadnamed by many of them as well" showing that even with legal correction, social perception still plays a key role in the wellbeing of gender non-conforming people.

#### *Likelihood of Leaving Tennessee*

All respondents were asked if they currently live in Tennessee, to which four of the five answered positively. The single respondent who lives outside of Tennessee moved to Massachusetts for school. When asked if their identification documents had any bearing on the move, they specified attending school as the reason for their relocation. The transgender woman and man indicated they are 'somewhat unlikely' to leave the state of Tennessee, while all the non-binary respondents who provided a response are either neutral or 'somewhat likely' to leave the state.

#### *Personal Reflection*

In 2019, I had a friend flee Tennessee to transition physically and legally in California due to the limits on legally transitioning in Tennessee. The question of leaving Tennessee for another, more progressive state has been on my mind since. As of writing this, I have identified as gender non-conforming in some way for over five years. I first identified as non-binary and then accepted that I am a trans man before adding non-binary back to my identifiers. I have been lucky enough to be able to explore myself in inclusive, welcoming environments, which is a luxury many other trans individuals do not get to experience. I was born and raised in Tennessee with little to no hope of leaving the state at present. I, like many others, have ties and obligations that keep me in this state, even with the ever-evolving hostility towards queer folk.

In 2021, I moved back to my hometown to help take care of my mother, who has been diagnosed with Multiple Sclerosis for most of my life. Moving back to my hometown put a lot of stress on me because this was where I went to school from elementary to high school. I did not start to transition until I was a junior in college. The idea of running into people who knew me pre-transition and saw me a certain way was terrifying. I spent the first few months I was home trying to settle back into town. A few months after moving back home, I started my job hunt. Based on my trans research and my general academic training I knew that I was going to be fighting an uphill battle to be myself at work and keep my job. Tennessee is an “at-will” state, meaning that an employer can terminate an employee at any time for any reason or without reason without facing legal consequences (tn.gov). That makes the fear of coming out or transitioning publicly here a very real, terrifying situation.

I was unsure if I should even continue this line of work due to the hostility toward queer individuals and my concerns for their safety. Homelessness and unemployment are consequences that more than a handful of my gender non-conforming friends have experienced firsthand even in a progressive city like Nashville. I ended up working at a location for a year and in that year, I found myself hiding my transgender status as a safety mechanism as well as a way to blend back into my southern hometown. I realized that I was not being true to myself or the people around me about who I am because I feared confrontation and losing my job. By then, I had enough knowledge of my workplace to come out and restart my transition process by going back on HRT and using my preferred name/pronouns without fear of termination.

My current employer is inside a federal building. I must wear a badge with my legal name on full display daily. Most people do not go out of their way to look at my name, but I have had several occurrences with both security and customers where my dead name was used in a mocking manner. To combat these microaggressions, I have a name tag that has my chosen name and preferred pronouns on it. While many people do not think twice to alter their mistakes, I have been surprised at the amount of people willing to apologize for misgendering me. The other interactions I have had that include my documents are getting carded for alcohol. I have not been openly discriminated against, but I have had some very awkward conversations with a server or two. My main point of fear when using my documents is in interactions with police. Even though I have not personally had a bad experience yet, I have heard enough stories both from people I know and those I do not about negative experiences with the law to be wary of police. Having identification that matches how I look, sound, and live now would not be a

promise that I will not face discrimination, but it might help me keep employment, housing, and benefits later down the road. Finding a way to move past those obstacles as many others do in their daily lives shows that even with the legal restrictions on identity, we find a way to use our names and presentation as a vehicle for affirmation.

## DISCUSSION

Both Goffman (1963) and Garfinkel (1967) used the term “passing” in their studies to describe how someone of one gender accurately steps into the role of another in society. In my study, it seems that passing is still important to trans individuals but perhaps not as much as it was in the past. Both the trans woman and the trans man in my study sought to amend their documents to reflect their gender while more than half of those who were non-binary did not do so. It seems that those who are transgender who still align themselves with one side or the other of the binary want to pass as that gender and go to further lengths to achieve passing without suspicion of transgender status. While on the other hand, those who identify outside of the binary find it less important to pass as a specific gender and focus on their name rather than legal recognition (Fiani and Han 2019).

I compared two different paradigms (gender deviant and gender difference) used by sociologists to study transgender people. In gender deviant studies, the participant is treated like an object while in gender difference, the subject is at cross-roads between gender identity and social location. The divide is still evident in the literature focused on gender-diverse people even when not explicitly stated. Many medical or psychological studies still see gender-diverse people as the object of study rather than the subject following the gender deviance paradigm. A deviation of social norms surrounding gender

does lead to the stigma placed upon the deviant group, but the deviation is based in gender identity and social location. Gender non-conforming people as a group are deviating from the social norms placed on them by the gender binary held by society while also some cases lean back into the binary to “pass” as their preferred gender. This idea ties back into the theory of “doing gender” (Zimmerman and West 1987). Passing is a description of a collection of acts that singularly have no meaning but when linked together give off a perception of gender. I would argue as well that asserting one’s preferred name or pronouns is an act of doing gender. Instead of using only the normal means of expressing gender, all the participants in my survey used their names as a standpoint for their gender identity (Obasi 2018; Wentling 2020). Through personal and interpersonal connections, they find an alternate space of expression in social location when denied a space by physical location, policies tied to that location, and additional barriers. They overcome the limits placed on them by the legal barriers to reclaim their identity through social location and interaction. In addition, by looking through the lens of queer theory, the rejection of legal power held by social institutions is a rejection of social norms that keep such power in place. By erecting their own alternative acts of power, they have reclaimed the societal norm of naming.

The connection between social location, legal systems, and social institutions has been overlooked in favor of studying transgender individuals in either wide-sweeping generalizations or narrow, single case perspectives. Taylor spoke of legislative avoidance in 2007. Spade spoke of social neglect in 2015. The legislative avoidance of transgender issues and their connection to social institutions may have fostered the level of social neglect toward trans individuals in both institutions and legal systems. The steady growth

in technology and its partnership with surveillance is disconcerting for all identities but the constant monitoring of gendered bodies and their location in society is currently borderline hostile. Currently, in the United States, there are 506 anti-LGBTQ bills (ACLU 2023). At the moment, only sixteen of those bills have to do with identification.

Tennessee currently has 26 bills introduced in this legislative session with 10 passed, one defeated, and 15 advancing through the session (ACLU 2023). For example, while the policing of adult gendered bodies is not currently at the center of trans legal debate, trans youth (school age 5-21 years old, including college students) and their rights are. The allowance of trans athletes, specifically trans women, have been banned in the state of Tennessee. In addition to that, gender affirming care for those under the age of 18 has been all but banned here. Since starting this study, the legislative environment towards trans people and LGBTQ people in general has turned more negative.

### *Legal Documents and Managing Gender Identity*

While I do not have any amended legal documents, I find it interesting that both the transgender survey participants have done the most work towards changing their legal documents. They both seem the most informed of the processes and knowledgeable of what their legal limitations are. In fact, the transgender man used the phrase 'nothing unusual' when asked in what ways does he manage his identity and presentation of self while using his documents. The phrase is very telling to me. There is research throughout trans studies that suggest trans men have an easier time adjusting and being accepted as men compared to trans women due to the thought that a 'woman' trying to become a man isn't as threatening to masculinity as a 'man' trying to assume a feminine role (Bird 1996, Whitehead 2002). By saying he does nothing unusual, he is assuming that others know



the usual or stereotypical management of being masculine in presentation. That may include changing his mannerisms, way of dress, physical characteristics such as his hair or binding his chest. As someone who identifies as non-binary as well as a trans man, I understand what he means by 'nothing unusual' but by stating he 'doesn't have to do anything unusual,' he is also conforming himself to the binary thought of masculine and feminine. His ease in changing his documents (name in general and on documents) could be attributed to the wider acceptance of a 'woman' being a man rather than a 'man' becoming a woman in society.

In the same vein, the transgender woman stated when asked how she manages her identity and perception of self that she has changed completely other than being unable to change her gender on her birth certificate. By saying she has changed completely, she is saying that she fits the general view of a woman in society at least physically. In contrast to the transgender man, however, she has had difficulties updating her information after a legal name change. He has been able to change his name on all his documents while she has been unable to. There could be many factors that contribute to the differences in accessibility but, I believe that the view of trans men versus trans women in society plays some role in it.

In comparison, non-binary individuals can fall into any combination of presentation and identity. Their focus was on their name rather than physical visage. Even though they expressed discomfort with their legal presentation, none of them had current or future plans to change their legal information. They managed their presentation when using their documents by giving their preferred name rather than their birth name.

Names seemed to play a key role in the management and presentation of self for non-binary respondents especially.

### *Managing Names*

Of the participants who completed all the survey, three of the five had some level of success changing their documents but only in the form of their name. Figure 6.2 of the U.S. Transgender Survey (2015) shows that trans men and women are more inclined to pursue a legal name change than non-binary individuals. One of the reasons listed by those who have not changed their gender marker is that their options (Male or Female) do not align with their gender presentation. There are a few states that allow those changing their gender marker to pick from three options (M, F, and X). Tennessee is not one of them as previously stated. A study of 54 interviews with transgender and non-conforming (TGNC) individuals showed that almost all of the participants had an interest in changing their legal name though those who had not pursued that change cited a number of logistical barriers including fear of violence or discrimination, cost, and legality. The research included the individuals' views on the gender marker 'X' as well. While some wanted the X marker, 32% of the respondents considered the marker harmful, fearing that they would face higher levels of discrimination due to having it and worried about the cross-compatibility of the marker with other legal documents (Goetz and Arcomano 2023).

It is reasonable to conclude that those who completed my survey found value in changing their name either legally and/or socially to manage how they see themselves and how others see them. Names have power in most contexts. Renaming is fundamental to recognition (Obasi 2018; Wentling 2020). The block on changing gender markers on

legal documents could push those in Tennessee to obtain the only legal form of validation they have access to. Having a legally changed name could alleviate some of the pressures and stigma that come with misaligned legal documents. The name and gender marker may not match but having the validation of a correct name may assist with pushing back against structural barriers that cause gender non-conforming people issues (Restar et al. 2020). The actual experience of using legal documents is different than the theoretical use and management. Even though pronouns were not covered in my survey, they have become an important part of identification. The use and respect of pronouns or the nouns used to refer to another person have come to be accepted as another form of validation of self. By acknowledging and using a person's preferred pronouns, it shows acceptance of that person's identity and presentation.

Due to the limitations of their physical location, respondents found a way to carve out an alternative space for themselves through the presentation and use of names and pronouns. Their social location becomes so much more important as a vehicle to push back against legal institutions that are circumventing their personal right of expression. Those in the study who could not or have not changed their name legally, still used their chosen name as a source of power by stating it or trying to look confident as means to re-define themselves in a situation where they legally cannot.

### *Leaving Tennessee*

There are several social and structural barriers that might keep gender non-conforming individuals from leaving the state to make changes to their documents. Just using the five responses who completed most of the survey, they are managing what they can of their legal identity without feeling the need to leave. They have changed their

names either socially or legally to maintain their perception even though their access to changing their gender marker is blocked on some information.

The structural barriers that can be highlighted as a factor as to why gender non-conforming people cannot or will not leave the state. The first being monetary. Moving can be very costly. The housing market is not particularly good right now with houses and apartments cost heightening over the past few years. The states that have their best policies for legal transition are some of the most costly to live in.

Social support is another factor. Transitioning can be emotionally, physically, and mentally taxing. A study showed that participants with greater gender-affirming family support listed lower distress and higher resilience in the face of discrimination than those with higher discrimination from family members (Fuller and Riggs 2018). Moving to a place with little to no social support is not something that would be appealing to most people transitioning or otherwise. Some of the factors above, including low family support, poverty, lack of stable housing, and access to gender-affirming care are barriers that effect mental health disparities, which can lead to depression and suicidal ideations even in those with amended legal documents (Malta et al. 2020). Some, like me, might have responsibilities that tie them to a place like family. I cannot leave the state due to being the main caregiver of my mother due to a medical condition. I am unable to uproot us just because I cannot completely transition legally. The same could be said of those who are parents, take care of loved ones, or are medically in need of support themselves.

Gender non-conforming individuals who were not born in the state of Tennessee were not included in the survey, but the question of relocation would have been fruitful for understanding geographical location and gender identity. Only the policies for

Tennessee were looked at for this study. By doing so, the survey was limited in the number of respondents. If the survey had been opened to just those who live in Tennessee, more information about location, relocation, and barriers could have been explored.

### *Effects of Legal Documentation on Sense of Self and Mental Health*

Existing literature suggests that there is a connection between legal documents, individual sense of personhood, and psychological distress or suicidal ideations. In Australia, a survey found that 50.6% of the respondents wanted to amend their legal documents and that amending their docs were crucial to their sense of person and identity (Couch et al. 2008). Another study done in New Zealand that only 34% of the participants had their preferred name on all of their documents and only 16% had the gender marker they associated with on their birth certificate and passport. Those with aligned documents were more likely to have higher levels of education and income, be older, and have gone through gender affirming surgery (Tan et al. 2022). Individuals who faced at least one barrier in changing their gender marker scored significantly higher of psychological distress and had higher odds of suicidal ideation than those with correct documents. The probability of mental/behavioral conditions is significantly lower in those who changed their gender marker on record than those who have not (Yee, Lind, and Downing 2022). Another study here in the United States found that legal gender affirmation was significantly associated with lower reports of depression, anxiety, and distress when faced with gender-based mistreatment (Restar et al. 2020). In a study based on legal identification and connection to psychological distress, suicidal ideations, and suicide planning, those with the correct name and gender marker on all their documents

had a lower score for all three variables. Those who had some of their documents changed had a slightly lower score of psychological distress, suicidal ideations, and suicide planning. The participants with no identification that matched their gender identity and name were associated with suicide attempts (Schein, Perez-Brumer, and Bauer 2020). While only a few of these studies took place in the United States, they show that legal documents can have an impact on transgender and gender non-conforming individuals.

Although the number of respondents was too low to perform statistical analysis of the sense of self or self-reported mental health scales included in my survey, looking at the scores of the PHQ-9 (see Appendix B), the mental health disparities follow somewhat of the same trends as the literature suggest. On a case-by-case basis, two of the non-binary respondents' scores were in the moderate to severe depression range while the transgender woman and man both had scores ranging from minimal to mild depression. Both transgender respondents attempted and had some success in aligning their legal documents with their gender identity which may have led to lower levels of mental distress than those who have not have much success or have not attempted to change their documentation.

In addition to the limitations of my survey and sample size, there were structural issues in the execution of this study. Between start to finish of the project, I was unsure if I should continue. I felt as though the laws and regulations on trans bodies changed daily, making it difficult for me to keep up with the terms and conditions of the research at hand. I was unsure of the social/political climate of the current United States and Tennessee specifically. I did not want to put any of the survey takers at risk even though

none of their personal identifying information was given to participate. In the end, this social and political climate likely influenced people's willingness to participate in the survey.

### *Future Directions*

Although studies of transgender experiences including use of legal documents have been conducted around the globe, there is a lack of research centered on gender diverse individuals and geographical location. As for future research, this is an area for future development. Some interesting themes that came from this study are name management in connection to legal barriers and self-imposed spaces of power and the discourse between binary leaning transgender and non-binary individuals changing legal documents. Social location, gender expression, and gender identity all go hand in hand with the significance of gender affirming practices such as the use of pronouns and chosen names in conjunction with claiming alternate social spaces, especially in geographical locations with greater legal restrictions on transgender rights. Additional research on the gendered perception of names or gendered names and their use in alternatively created spaces is needed.

Transgender studies in sociology could also benefit from a more in-depth mixture of classic sociological theory, qualitative, and feminist methods to further detail the circumstances that surround the lived experiences of transgender and gender diverse individuals. To examine social location, gender, and identification, these could include the blending of standpoint theory, symbolic interactionism, and queer theory with Cooley's looking-glass self and the idea of 'otherness.' By combining the many different facets of gender non-conforming people's lives with how they perform their gender

identity and question the misalignment of their gender presentation, we may further understand how they develop themselves through their interactions with others and how those interactions foster a sense of community acceptance/support and/or outsider feelings toward society.

## CONCLUSION

Legal identification is a universally standard expectation for an individual to have. Identification is needed to gain employment, housing, and medical treatment. The relationship between transgender and gender non-conforming individuals and identification documents is a strained one. Identification is needed in every institution, but often trans or gender non-conforming individuals cannot obtain documents that match their gender identity. The increased use of technology and growing legislative battles leave many transgender people at risk of discrimination, unemployment, homelessness, or harm due to mismatched or misaligned identifications. Tennessee is one of two states that do not allow for the amendment of birth certificate even after receiving gender-affirming surgery. Without an amended birth certificate, those who were born in Tennessee are unable to change their gender markers on any state level legal documents meaning that they have no legal way of aligning their presentation with their documentation in this state. The questions I set out to explore in this research were if those born in Tennessee knew of the legal processes to change their legal documents, their experiences with changing their legal documents, and if having validated legal documents was connected to sense of self. I found that those who identified as one or the other of the gendered binary had done the most amount of work changing these legal documents to reflect their gender identity while those who identified as non-binary were



less likely to attempt to amend their documents. All of the responding participants had in some way connected their social or legal identity with their name either by pursuing a legal name change or giving a chosen name when called by their birth name. None of the respondents were extremely likely or unlikely to leave Tennessee to amend their documents even though they all expressed some level of thought of doing so.

Much of the work based on identification documents and gender diverse individuals is based in the medical and psychological fields. While there are spaces for such investigations in queer studies, feminist journals, and gender studies, they have not been given the same space in sociological studies. While I was able to find a few interesting themes in my research, there is still much to be learned in the area of identification documents and a sense of self, more theoretical groundwork needs to be done in transgender studies to find the best balance between seeing transgender individuals as the subject or the object of study, and sociological studies of transgender scholarship could benefit from leaning more on feminist and queer theories.

Continued research on transgender and gender diverse individuals which illuminates lived experience and the importance of gender affirming interactions and laws will be required for public perceptions and policy changes. The combination of physical location and identity can have a substantial impact on a person's life, which is compounded when considering police mistreatment and denial of services. Identification is just one symptom of the problem in the larger framework of inequality for gender diverse people. However, having easily obtainable matching identification could lessen the negative impact of being mislabeled.

## REFERENCES

[Tenn. Code Ann. § 68-3-203.](#)

Tenn. Rule § 1340-01-13-.12 (5)(6). Retrieved November 17, 2023.

(<https://www.tn.gov/content/dam/tn/safety/documents/1340-01-04.20140829.pdf>).

ACLU (American Civil Liberties Union). 2023. "Mapping Attacks on LGBTQ Rights in U.S. State Legislations." Retrieved November 17, 2023.

(<https://www.aclu.org/legislative-attacks-on-lgbtq-rights>).

Bird, Sharon R. 1996. "Welcome to the Men's Club: Homosociality and the Maintenance of Hegemonic Masculinity." Pp. 14-23 in *Unmasking Masculinities: Men and Society*, edited by E.W. Morris and R. Blume Oeur. Thousand Oaks: Sage Publications. Inc.

Buck, D. M. 2016. "Defining Transgender: What do Lay Definitions Say about Prejudice?" *Psychology of Sexual Orientation and Gender Diversity* 3(4):465-472. doi: 10.1037/sgd0000191.

Bulter, Judith. 1990. *Gender Troubles*. New York: Routledge.

Clarkson, Nicholas L. 2019. "Incoherent Assemblages: Transgender Conflicts in US Security." *Surveillance & Society* 17(5):618-630

Collins, P. H. 1990. *Black Feminist Thought : Knowledge, Consciousness, and the Politics of Empowerment*. Boston: Unwin Hyman.

Cooley, C. H. (1902). *Human Nature and Social Order*. New York, NY: C. Scribner's Son.

- Couch, Murray, Marian Pitts, Samantha Croy, Hunter Mulcare and Anne Mitchell. 2008. "Transgender People and the Amendment of Formal Documentation: Matters of Recognition and Citizenship." *Health Sociology Review* 17(3):280-289. doi: 10.5172/hesr.451.17.3.280.
- Crenshaw, Kimberlé. 1989. "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics," *University of Chicago Legal Forum* 1989(1):139-167.
- Crenshaw, Kimberlé W. 2006. "Intersectionality, Identity Politics and Violence Against Women of Color." *Kvinder, Køn & Forskning*(2-3). doi: 10.7146/kkf.v0i2-3.28090.
- DeChants, Jonah P., Myeshia N. Price, Amy E. Green, Carrie K. Davis and Casey J. Pick. 2022. "Association of Updating Identification Documents with Suicidal Ideation and Attempts among Transgender and Nonbinary Youth." *International Journal of Environmental Research & Public Health* 19(9):5016. doi: 10.3390/ijerph19095016.
- Fiani, Chassitty N., and Heather J. Han. 2019. "Navigating Identity: Experiences of Binary and Non-Binary Transgender and Gender Non-Conforming (TGNC) Adults." *International Journal of Transgenderism* 20(2):181-194. doi: 10.1080/15532739.2018.1426074.
- Flury, Judith M. 2004. "The Sense of Self Scale (SOSS): Development and Validation." Ph.D. dissertation, The University of Texas at Arlington, United States – Texas
- Foucault, Michel. 1978. *The History of Sexuality*. New York: Random House.

- Fuller, Kimberly A., and Damien W. Riggs. 2018. "Family Support and Discrimination and their Relationship to Psychological Distress and Resilience Amongst Transgender People." *International Journal of Transgenderism* 19(4):379-388. doi: 10.1080/15532739.2018.1500966.
- Garfinkel, Harold. 1967. *Studies in Ethnomethodology*. Englewood Cliffs: Prentice-Hall.
- Goetz, Teddy G., and Amanda C. Arcomano. 2023. "'X' Marks the Transgressive Gender: A Qualitative Exploration of Legal Gender-Affirmation." *Journal of Gay & Lesbian Mental Health* 27(3):304-318. doi: 10.1080/19359705.2021.2008572.
- Goffman, Erving. 1963. *Stigma: Notes on the Management of Spoiled Identity*. Englewood Cliffs: Prentice-Hall.
- Harding, S. G. 1986. *The Science Question in Feminism*. Ithica: Cornell University Press.
- Howell, Ally W. 2015. *Transgender Persons and the Law*. Chicago, Illinois: American Bar Association.
- James, S. E., Herman, J. L., Rankin, S., Keisling, M., Mottet, L., & Anafi, M. 2016. The Report of the 2015 U.S. Transgender Survey. Washington, DC: National Center for Transgender Equality. Retrived November 17, 2023.  
<https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>
- Kimberly, Claire. 2016. "Assessing Political Opinions about Transgender Legal Rights using a Multiple-Segment Factorial Vignette Approach." *Sexuality Research & Social Policy* 13(1):73-83. doi: [10.1007/s13178-015-0216-7](https://doi.org/10.1007/s13178-015-0216-7).
- Kroenke, K., Spitzer, R. L., & Williams, J. B. W. (1999). *Patient Health Questionnaire-9 (PHQ-9)* [Database record]. APA PsycTests. doi: [10.1037/t06165-000](https://doi.org/10.1037/t06165-000).

Malta, Monica, Sara LeGrand, Jack Turban, Tonia Poteat and Kathryn Whetten. 2020.

"Gender-Congruent Government Identification is Crucial for Gender Affirmation." *The Lancet Public Health* 5(4):e178-e179. doi: 10.1016/S2468-2667(20)30054-2.

Mead, George H., and Charles W. Morris. 1934. *Mind, Self, and Society; from the Standpoint of a Social Behaviorist*. The University of Chicago Press.

Movement Advancement Project. "Equality Maps: Identity Document Laws and Policies." Retrieved November 17, 2023 ([https://www.lgbtmap.org/equality/maps/identity\\_document\\_laws](https://www.lgbtmap.org/equality/maps/identity_document_laws)).

National Center for Transgender Equality. 2015. "The Report of the 2015 U.S. Transgender Survey." *National Center for Transgender Equality.org*. Retrieved November 17, 2023 (<https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>).

National Center for Transgender Equality. 2019. "ID Documents Center: Tennessee." *National Center for Transgender Equality.org*. Retrieved November 17, 2023 (<https://transequality.org/documents/state/tennessee>).

National Center for Transgender Equality. 2019. "Issues: Identity Documents and Privacy." *National Center for Transgender Equality.org*. Retrieved November 17, 2023 (<https://transequality.org/issues/identity-documents-privacy>).

Obasi, S. N., and I. M. Nick. 2023. "Laws and Policies Regulating Personal Names and Transgender and Gender Diverse Identities in the US and Canada." *Names*,

*Naming, and the Law: Onomastics, Identity, Power, and Policy*:51; 51-68; 68.

doi: 10.4324/9781003431510-4.

Obasi, Sharon N., Richard MocarSKI, Natalie Holt, Debra A. Hope and Nathan Woodruff.

2019. "Renaming Me: Assessing the Influence of Gender Identity on Name

Selection." *Names* 67(4):199-211. doi: 10.1080/00277738.2018.1536188.

PFLAG (Parents, Families, and Friends of Lesbians and Gays). 2023. "LGBTQ+

Glossary." Retrieved November 17, 2023 (<https://pflag.org/glossary/>).

Puckett, Jae A., Peter Cleary, Kinton Rossman, Brian Mustanski and Michael E.

Newcomb. 2018. "Barriers to Gender-Affirming Care for Transgender and

Gender Nonconforming Individuals." *Sexuality Research & Social*

*Policy* 15(1):48-59.

Restar, Arjee, Harry Jin, Aaron Breslow, Sari L. Reisner, Matthew Mimiaga, Sean Cahill

and Jaclyn M. W. Hughto. 2020. "Legal Gender Marker and Name Change is

Associated with Lower Negative Emotional Response to Gender-Based

Mistreatment and Improve Mental Health Outcomes among Trans

Populations." *SSM - Population Health* 11. doi: 10.1016/j.ssmph.2020.100595.

Scheim, Ayden I., Amaya Perez-Brumer and Greta R. Bauer. 2020. "Gender-Concordant

Identity Documents and Mental Health among Transgender Adults in the USA: A

Cross-Sectional Study." *The Lancet Public Health* 5(4):e196-e203. doi:

10.1016/S2468-2667(20)30032-3.

- Schilt, Kristen, and Danya Lagos. 2017. "The Development of Transgender Studies in Sociology." *Annual Review of Sociology* 43:425
- Sedgwick, Eve K. 1990. *Epistemology of the Closet*. Berkeley: University of California Press.
- Spade, Dean. 2015. *Normal Life*. North Carolina: Duke University Press.
- Sumerau, J. E. 2020. "Expanding Transgender Studies in Sociology." *Sociological Inquiry* 90(2):217-225. doi: [10.1111/soin.12345](https://doi.org/10.1111/soin.12345).
- Tan, Kyle K. H., Ryan J. Watson, Jack L. Byrne and Jaimie F. Veale. 2022. "Barriers to Possessing Gender-Concordant Identity Documents are Associated with Transgender and Nonbinary People's Mental Health in Aotearoa/New Zealand." *LGBT Health* 9(6):401-410. doi: 10.1089/lgbt.2021.0240.
- Taylor, Jami. 2007. "Transgender Identities and Public Policy in the United States: The Relevance for Public Administration." *Administration & Society - ADMIN SOC* 39:833-856. doi: 10.1177/0095399707305548.
- Wentling, Tre L. 2016. "Trans Gender Embodied States of Recognition: Agency and Fragmented Citizenship." Ph.D. dissertation, Syracuse University, United States -- New York.
- Wentling, Tre. 2020. "Contested Citizenship: Renaming Processes among People of Transgender Experience." *Journal of Homosexuality* 67(12):1653-1674. doi: 10.1080/00918369.2019.1610634.

- West, Candace, and Don H. Zimmerman. 1987. "Doing Gender." *Gender and Society* 1(2):125-151.
- Whitehead, Stephen M. 2002. *Men and Masculinities*. Cambridge: Blackwell Publishers Ltd.
- Yee, Kimberly, Bonnie K. Lind and Jae Downing. 2022. "Change in Gender on Record and Transgender Adults' Mental Or Behavioral Health." *American Journal of Preventive Medicine* 62(5):696-704. doi: 10.1016/j.amepre.2021.10.016.
- Zimman, Lal. 2019. "Trans Self-Identification and the Language of Neoliberal Selfhood: Agency, Power, and the Limits of Monologic Discourse." *International Journal of the Sociology of Language* 2019(256):147-175. doi: [10.1515/ijsl-2018-2016](https://doi.org/10.1515/ijsl-2018-2016).



## APPENDICES

APPENDIX A:  
Case Summaries

**Non-binary, 21-year-old, White:** They identified as gender non-conforming for 1.5 years when taking the survey. They indicated that they have physically transitioned in some form, adding that they have changed their clothing and hair. When asked about their experience using their identification documents, they responded 'weird' because they do not identify with their birth name.\* They reported a slightly negative experience when using their documents and responded by stating their preferred name when someone misnamed them.\* They were only slightly familiar with the processes in Tennessee to change their legal documents. They have thought about changing their legal documents 'very often' but indicated that they have no plans in the future to change them. They are the only respondent who does not currently live in Tennessee. They have moved to Massachusetts for school, with their legal documents not influencing their move. They are twenty-one years of age, white, and they identified their sexual orientation as pansexual.

**Transgender Woman:** identified as gender non-conforming for her 'entire life'. She has physically transitioned in some way but did not specify how. She stated that using her identification documents is 'sometimes easy, sometimes difficult.' She said updating her information after a legal name change is 'especially difficult.\*' That said, she stated that she had a 'positive' experience using her documents. She has changed almost all her documents to match her identity, including her birth certificate. She was 'extremely familiar' with changing all forms of documentation she was asked about. She did think about changing her documents 'extremely often'. She attempted to change her driver's license, legal name, and other documents (Credit cards, car title, bank, insurance, school, post-military documents\*, rent agreement, investing profiles, and social security). She

has yet to attempt to change the gender marker on her birth certificate. She stated that she was successful in changing her legal name on her driver's license and other documents but unsuccessful in changing her gender marker on her birth certificate. She was 'extremely satisfied' with the three she did change and 'extremely unsatisfied' with the one she was able to do so. She currently lives in Rutherford County, Tennessee. She is somewhat unlikely to leave Tennessee to change her information. She is a twenty-four-year-old, white, and identifies as straight/ heterosexual.

**Non-Binary, 19 years, Black:** They identified as gender non-conforming for two years at the time of the survey. They have changed their gender identity at some point. They have physically transitioned in some way but did not specify how. They did not enter anything about their experiences using the identification documents. They stated that they have had neither a positive nor negative time using their identification. They did not state how they manage their identity or presentation when using their documents. They stated to be 'slightly familiar' with changing all the documents asked about. They have thought about changing their documents' slightly often'. They indicated that they tried changing their birth certificate and driver's license. They skipped the questions about their success and satisfaction with their experience. They currently live in Rutherford County, Tennessee. They are somewhat likely to leave Tennessee to change their identification documents. They are nineteen years of age, Black, and identify as Pansexual.

**Transgender Man:** He has identified as gender non-conforming for nine years. He has changed his identity at some point. He has physically transitioned in some way. The cited changed their appearance to be more masculine and are in the process of starting HRT\*. When asked about his experience using his legal documents, his response was 'nothing

unusual.' When asked how he managed his identity/self when using his documents, he said, 'Nothing unusual.\* His experience was neither positive nor negative with using his documents. He is 'moderately familiar' with all the processes asked about in the survey. He has thought about changing his documents 'extremely often'. He has attempted to change his legal and amended all his legal papers to reflect that name.\* He did not specify what 'all' means about updating his name on his papers. He was successful in changing his name on his documents.\* He was 'extremely satisfied' with both his name change and changing his other legal paperwork. He left the rest of the questions relating to his future plans to change other documents blank. He is 'somewhat unlikely' to leave Tennessee to pursue legal document changes. He currently lives in TN but splits his location between two counties due to school (Hamilton and Rutherford). He is a twenty-one-year-old white individual who identifies as gay.

**Non-Binary, 23 years, White:** They have identified as gender non-conforming for six years. They have changed their gender at some point during their life. They have started their physical transition but did not specify in what way. Their answer to their experience using legal documents in practice is somewhat complicated. They stated they had yet to use them because their Birth Certificate had yet to come in. They mentioned a court order\* to change their name on their Birth Certificate. They did not mention their experience using their documents before getting a court ordered name change. Their experience was positive. When using legal documents, they manage their presentation by 'staying calm and trying to look confident.' They stated they were 'moderately familiar' with changing their birth certificate, 'slightly familiar' with changing their driver's license, and 'not familiar at all' with changing their other documents. They have thought of

changing their documents' extremely often.' They have tried to change their legal name but were unsuccessful\*. They were 'somewhat satisfied' with their attempt. They left their plans for future attempts blank. They currently live in Murfreesboro, Tennessee. They are somewhat likely to move to change their information. They are a twenty-three-year-old white individual who identifies as Pansexual.

**Non-Binary, unknown:** They identified as gender non-conforming for ten years. They have changed their presentation at some point. They have physically transitioned somehow, but they did not specify how. Using their legal documents gave them 'a perception of gender' that they do not identify with. They rated their experience using their documents as 'slightly negative.' They manage their identity when using their identification by letting people know their 'chosen name.'\* They are 'moderately familiar' with changing their Birth Certificate, 'extremely familiar' with changing their Driver's License, and 'not familiar at all' with changing any other legal documents. They have considered changing their documents but 'not often at all.' They have not attempted to change anything on their documents. They have no plans in the future to change their documents. They currently live in Rutherford County, Tennessee. They are neither likely nor unlikely to move to change their documents. They did not answer any scale questions or fill in any demographics.

APENDIX B:  
Results Tables

**Table 1.****Table 1. Demographic Profile of Survey Respondents and Comparison with State and National Samples from the U.S. Transgender Survey, 2015 (USTS)**

	<i>RESPONDENT PROFILE – CURRENT STUDY</i>	<i>USTS 2015: TN RESPONDENTS ONLY</i>	<i>USTS 2015: ALL U.S. RESPONDENTS</i>
<i>SAMPLE SIZE</i>	7 (born in TN)	416 (1.6% of USTS sample)	27,716
<i>NAME OR GENDER CHANGE (% NO)</i>	60% (none)	82% (none)	68% (none)
<i>NAME CHANGE (% YES)</i>	40% (some documents)	Not reported	30% (all documents) 22% (some documents)
<i>GENDER ID CHANGE (% YES)</i>	0%	Not reported	12% (all) 21% (some)
<i>PANSEXUAL</i>	71%	Not reported	18%
<i>NON-BINARY</i>	71%	Not reported	36%
<i>RACE</i>	14.3% Black; 85.7% White	Not reported	12.6% Black; 62.2% White
<i>AGE</i>	19-24 (100%)		18-24 (43%)

Sources:

[https://transequality.org/sites/default/files/docs/usts/USTSTNStateReport\(1017\).pdf](https://transequality.org/sites/default/files/docs/usts/USTSTNStateReport(1017).pdf) and  
<https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf> .



**Table 2. Sense of Self Scale**

Item	Respondent's Score					Total: Mean (SD)
	NB#1	TW#1	NB#2	TM#1	NB#3	
Q1 I wish I was more consistent in my feelings.	2	3	1	3	2	2.8 (0.84)
Q2 'It's hard for me to figure out my own personality, interests, and opinions.	2	4	3	3	3	3 (0.71)
Q3 I often think how fragile my existence is.	4	4	1	1	4	2.8 (1.64)
Q4 I have a pretty good sense of what my long-term goals are in life.	3	3	4	4	3	3.4 (0.55)
Q5 I sometimes wonder if people can actually see me.	1	4	1	3	1	2 (1.41)
Q6 Other 'people's thoughts and feelings seem to carry greater weight than my own.	2	4	4	3	2	3 (1)
Q7 I have a clear and definite sense of who I am and what 'I'm all about.	2	4	4	3	3	3.2 (0.84)
Q8 It bothers me that my personality 'doesn't seem to be well-defined.	2	4	4	3	3	3.2 (0.84)
Q9 'I'm not sure that I can understand or put much trust in my thoughts and feelings.	2	4	3	3	3	3 (0.71)
Q10 Who am I? is a question that I ask myself a lot.	2	4	4	3	1	2.8 (1.30)
Q11 I need other people to help me understand what I think or how I feel.	2	4	4	3	3	3.2 (0.84)
Q12 I tend to be very sure of myself and stick to my own preferences even when the group I am with expresses different preferences.	3	4	4	3	2	3 (1.22)
<b>Totals</b>	27	46	37	35	30	

Note: Higher scores = stronger sense of self

**Table 3. Sense of Self Splitting Scale**

Question	Respondent's Score					Total: Mean (SD)
	NB#1	TW#1	NB#2	TM#1	NB#3	
Q1 I feel different about myself when I am with different people.	2	3	4	2	1	2.4 (1.14)
Q2 My feelings about myself shift dramatically.	2	4	1	2	1	2 (1.22)
Q3 The different parts of my personality are difficult to put together.	2	4	4	3	2	3 (1)
Q4 Sometimes I am not sure who I am.	2	4	4	3	1	2.8 (1.30)
Q5 My feelings about myself are very powerful, but they can change from one moment to the next.	2	4	2	3	2	2.6 (0.89)
Q6 I sometimes feel "pulled apart" by my feelings about myself.	2	3	2	3	2	2.4 (0.55)
Q7 Who I am depends on how I am feeling.	2	4	3	3	1	2.6 (1.14)
Q8 My feelings about myself do not change easily.	2	4	2	3	2	2.6 (0.89)
<b>Totals</b>	16	30	22	22	12	

Note: Higher scores = stronger sense of self

**Table 4. Sense of Self Behavior Checklist (0=False; 1=True)**

Question #	Respondent's Score				
	NB#1	TW#1	NB#2	TM#1	NB#3
Q1 I keep a diary.	0	0	1	0	1
Q2 I have defended my opinions publicly within the past month.	0	0	0	0	0
Q3 I have developed a step-by-step plan for accomplishing my career goals.	1	0	1	0	0
Q4 I have felt overlooked or ""invisible"" in a recent social situation.	1	1	1	0	1
Q5 I have recently had trouble making a major purchase because I 'didn't know if I would like something or not.	0	0	1	0	0
Q6 I have signed a petition or written a political statement within the past year.	0	0	0	0	1
Q7 I bought an item of clothing within the past six months that 'wasn't at all right for me	0	0	1	0	0
Q8 Sometimes when I have looked in the mirror lately it seemed like I was looking at a stranger.	1	0	0	0	1
Q9 My personality is strongly evident in how my bedroom is decorated.	0	0	1	1	0
Q10 I put my own personal stamp on everything I do.	0	1	0	1	1
Q11 Within the past month, I have asked friends or family what they think about an issue to help me decide what my own opinion should be.	1	0	0	0	0
Q12 When describing my personality to others, I have purposely used vague and general terms, in case my personality were to change soon after.	0	0	0	0	0
Q13 Within the past month, I have engaged in a debate with someone about a particularly strong opinion that I hold.	0	0	0	1	0
<b>Totals</b>	4	2	6	3	5

Note: Higher scores = stronger sense of self

**Table 5. Self-Reported Depression Scale (PHQ-9)**

Question #	Respondent's Score				
	NB#1	TW#1	NB#2	TM#1	NB#3
<b>Q1 Little interest or pleasure in doing things</b>	1	0	3	0	2
<b>Q2 Feeling down, depressed, or hopeless</b>	1	1	2	1	3
<b>Q3 Trouble falling or staying asleep, or sleeping too much</b>	1	0	3	2	3
<b>Q4 Feeling tired or having little energy</b>	1	0	3	1	3
<b>Q5 Poor appetite or overeating</b>	1	0	3	2	3
<b>Q6 Feeling bad about yourself or that you are a failure or have let yourself or your family down</b>	1	0	3	0	3
<b>Q7 Trouble concentrating on things, such as reading the newspaper or watching television</b>	1	0	3	0	2
<b>Q8 Moving or speaking so slowly that other people could have noticed. Or the opposite being so figety or restless that you have been moving around a lot more than usual</b>	1	0	3	0	1
<b>Q9 Thoughts that you would be better off dead, or of hurting yourself</b>	0	0	0	0	3
<b>Totals</b>	8	1	23	6	17

APPENDIX C:  
Survey Questionnaire

### **Q1.1 Information and Disclosure Section**

The following information is provided to inform you about the research project in which you have been invited to participate. Please feel free to contact the investigators with any questions. If you would like a copy of this consent form, a link will be provided at the end of this survey.

- Your participation in this research study is voluntary.
- You are also free to withdraw from this study at any time without loss of any benefits.

For additional information on your rights as a participant in this study, please contact the Middle Tennessee State University (MTSU) Office of Compliance (Tel 615-494-8918 or send your emails to [irb\\_information@mtsu.edu](mailto:irb_information@mtsu.edu). (URL: <http://www.mtsu.edu/irb>).

**Please read the following and respond to the consent questions at the bottom if you wish to enroll in this study.**

1. **Purpose:** The purpose of this study is to evaluate transgender and non-binary individuals knowledge of and experience with changing their legal documentation to reflect their gender. In addition, the study considers the ways these documents connect to individuals sense of self and identity. Since state laws and policies regarding transgender legal documentation vary widely, this study focuses specifically on the state of Tennessee

2. **Description:** This is an online, anonymous survey that consists of closed and open-ended questions that ask you to reflect on your knowledge and experiences with using and changing your legal identification documents.

### **3. IRB Approval Details**

o Protocol Title: “Transgender Legal Identity: A Research Study on Identification Documents and Sense of Self”

o Primary Investigator: Danny Dean

o PI Department & College: Department of Sociology, College of Liberal Arts

o Faculty Advisor (if PI is a student): Dr. Meredith Dye

o Protocol ID: IRB-FY2023-41

o Approval Date: 02-20-2023

4. **Duration:** The survey should take about 10 minutes to complete.

### **5. Here are your rights as a participant:**

- Your participation in this research is voluntary.
- You may skip any item that you don't want to answer, and you may stop the survey at any time (but see the note below)
- If you leave an item blank by either not clicking or entering a response, you may be warned that you missed one, just in case it was an accident. But you can continue the study without entering a response if you do not want to answer any questions. • Some items may require a response to present the survey accurately.

6. **Risks & Discomforts:** While the survey includes questions regarding gender status and legal documentation, which may induce negative emotions, these should involve no more risk than that encountered in personal, daily interactions. No personal identifying information is collected or needed to complete the survey. All survey questions are completely voluntary and anyone can stop participating in the survey without penalty at any time.

7. **Benefits:** This study will benefit transgender studies by adding to the understanding of

identification documents, perceptions, identity, and location. Specifically, the benefits of this proposed study include increased knowledge of how Gender Non-Conforming (Transgender and non-binary) citizens may be affected by Tennessee law and legislation, and how to inform GNC people of the legal process better to change their identification as well as how identification documents may be connected to gender identity, embodiment, or sense of self. The study has potential to inform policy changes regarding transgender legal documentation.

8. **Identifiable Information:** You will NOT be asked to provide identifiable personal information (e.g., name, phone number, etc.).

9. **Compensation:** There is no compensation for participating in this study.

10. **Confidentiality.** All efforts, within reason, will be made to keep your survey responses private but total privacy cannot be promised. Your survey responses may be shared with MTSU, such as the Middle Tennessee State University Institutional Review Board.

11. **Contact Information.** If you should have any questions about this research study or possibly injury, please feel free to contact Danny Dean by telephone (615)-766-0512 or by email [dtd3f@mtmail.mtsu.edu](mailto:dtd3f@mtmail.mtsu.edu) OR my faculty advisor, Dr. Meredith Dye, at [meredith.dye@mtsu.edu](mailto:meredith.dye@mtsu.edu). You can also contact the MTSU Office of compliance via telephone (615 494 8918) or by email ([compliance@mtsu.edu](mailto:compliance@mtsu.edu)). This contact information will be presented again at the end of the survey. You are not required to do anything further if you decide not to enroll in this study. Just quit your browser. Please complete the response section below if you wish to learn more or you wish to part take in this study.

Q1.2 I have read the informed consent document pertaining to the above identified research

Yes (1)

No (2)

*Skip To: End of Survey If I have read the informed consent document pertaining to the above identified research = No*

Q1.3 The research procedures to be conducted are clear to me

Yes (1)

No (2)

*Skip To: End of Survey If The research procedures to be conducted are clear to me = No*

Q1.4 I confirm I am 18 years or older

- Yes (1)
- No (2)

*Skip To: End of Survey If I confirm I am 18 years or older = No*

Q1.5 Were you born in the state of Tennessee?

- No (1)
- Yes (2)

*Skip To: End of Survey If Were you born in the state of Tennessee? = No*

Q1.6 I am aware of the potential risks of the study

- Yes (1)
- No (2)

*Skip To: End of Survey If I am aware of the potential risks of the study = No*

Q1.7 By clicking below, I affirm that I freely and voluntarily choose to participate in this study. I understand I can withdraw from this study at any time without facing any consequences.

- Yes, I do consent (1)
- No, I do not consent (2)

*Skip To: End of Survey If By clicking below, I affirm that I freely and voluntarily choose to participate in this study. I... = No, I do not consent*



**Identity**

Q2.1 This section of the study focuses on your perception of your gender identity.

Q2.2 What is your gender identity?

- Cisgender Girl/ Woman (1)
- Cisgender boy/ Man (2)
- Transgender Woman (3)
- Transgender Man (4)
- Non-binary/ Gender-queer (5)
- Questioning/ Unsure (6)

*Skip To: End of Survey If What is your gender identity? = Cisgender Girl/ Woman*

*Skip To: End of Survey If What is your gender identity? = Cisgender boy/ Man*

Q2.3 How long have you identified in a gender non-conforming way?

---

Q2.4 Have you ever changed how you identify? (Transgender to Non-Binary, Transgender AND Non-Binary, etc.)

- No (1)
- Yes (2)

Q2.5 Have you started your physical transition? (HRT, Cosmetic, Clothing, etc.)

---

**Experience with Legal Identification Documents**

Q3.1 This section of the study has questions based on your experience with identification documents (Driver's License, Birth Certificate, Legal Name, Passport, etc.) in the state of Tennessee.

Q3.2 What has been your experience using legal documents in practical matters such as applying for a job, applying for housing, travel, banking, school, or any other?

---

Q3.3 How would you rate your experience using your legal documents in these practical matters?

- Extremely negative (1)
- Negative (2)
- Slightly negative (3)
- Neither positive nor negative (4)
- Slightly positive (5)
- Positive (6)
- Extremely positive (7)

Q3.13 In what ways have you had to manage your identity and presentation of self in these practical situations using legal identification documentation?

---

Q3.6 How familiar are you with changing your Tennessee birth certification?

- Extremely familiar (5)
- Very familiar (4)
- Moderately familiar (3)
- Slightly familiar (2)
- Not familiar at all (1)

Q45 How familiar are you with changing your Driver's License?

- Extremely familiar (5)

- Very familiar (4)
- Moderately familiar (3)
- Slightly familiar (2)
- Not familiar at all (1)

Q46 How familiar are you with changing your other legal documents (e.g. Passport)?

- Extremely familiar (5)
- Very familiar (4)
- Moderately familiar (3)
- Slightly familiar (2)
- Not familiar at all (1)

Q3.4 Have you ever thought about trying to change your legal information (name, gender. etc.) on your documentation?

- Yes (1)
- No (2)

Q3.5 How often would you say that you thought about changing your legal information?

- Not often at all (1)
- Slightly often (2)
- Moderately often (3)
- Very often (4)
- Extremely often (5)

Q3.7 Have you attempted to change any of the following identification documents?

	Yes (1)	No (2)
Legal Name (1)	<input type="radio"/>	<input type="radio"/>
Gender on Birth Certificate (2)	<input type="radio"/>	<input type="radio"/>
Gender on Driver's license (3)	<input type="radio"/>	<input type="radio"/>
Any other legal documents (4)	<input type="radio"/>	<input type="radio"/>

Q3.8 What other legal documents did you attempt to change?

---

Q3.9 Were you successful in your attempt to change your legal documents?

	No (1)	Yes (2)
Legal Name (1)	<input type="radio"/>	<input type="radio"/>
Gender on Birth Certificate (2)	<input type="radio"/>	<input type="radio"/>
Gender on Driver's License (3)	<input type="radio"/>	<input type="radio"/>
Other Legal Documents (4)	<input type="radio"/>	<input type="radio"/>

Q3.10 How satisfied were you with your attempt to change your legal documents?

	Extremely dissatisfied (1)	Somewhat dissatisfied (2)	Neither satisfied nor dissatisfied (3)	Somewhat satisfied (4)	Extremely satisfied (5)
Legal Name (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Gender on Birth Certificate (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Gender on Driver's License (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other Legal Documents (4)

Q3.11 Do you plan on attempting to change your legal documents in the future?

No (1)

Yes (2)

Q3.12 Which of your legal documents are you planning to challenge?

	No (1)	Yes (2)
Legal Name (1)	<input type="radio"/>	<input type="radio"/>
Gender on Birth Certificate (2)	<input type="radio"/>	<input type="radio"/>
Gender on Driver's License (3)	<input type="radio"/>	<input type="radio"/>
Other Legal Documents (4)	<input type="radio"/>	<input type="radio"/>

### Location

Q4.1 The following questions are based on where you currently live.

Q4.2 Do you currently live in the state of Tennessee?

No (1)

Yes (2)

Q4.3 What county do you live in?

---

Q4.4 Where do you live now?

---

Q4.5 What influenced your move?

---

Q4.6 To what extent did your identification documents factor into your reasons for moving?

- None at all (1)
- A little (2)
- A moderate amount (3)
- A lot (4)
- A great deal (5)

Q4.7 How likely are you to move out of the state of Tennessee to change your identification documents?

- Extremely unlikely (1)
- Somewhat unlikely (2)
- Neither likely nor unlikely (3)
- Somewhat likely (6)
- Extremely likely (7)

### **Sense of Self**

Q57 The following section asks questions based around how you see yourself.

Q5.1 Please respond to each of the items below by marking the appropriate response alternative on your answer sheet next to the number for each item.

	very uncharacteristic of me (1)	somewhat uncharacteristic of me (2)	somewhat characteristic of me (3)	very characteristic of me (4)
I feel different about myself when I am with different people. (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My feelings about myself shift dramatically (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The different parts of my personality are	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

difficult to put together. (3)				
Sometimes I am not sure who I am. (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My feelings about myself are very powerful, but they can change from one moment to next. (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I sometimes feel pulled apart by my feelings about myself. (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Who I am depends on how I am feeling. (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My feelings about myself do not change easily. (8)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q5.2 Please consider the statements below, and answer "true" if the item is true of you, or "false" if the item is not true of you.

	False (1)	True (2)
I keep a diary. (1)	<input type="radio"/>	<input type="radio"/>
I have defended my opinions publicly within the past month. (2)	<input type="radio"/>	<input type="radio"/>
I have developed a step-by-step plan for accomplishing my career goals. (3)	<input type="radio"/>	<input type="radio"/>
I have felt overlooked or invisible in a recent social situation. (4)	<input type="radio"/>	<input type="radio"/>
I have recently had trouble making a major purchase because I didn't know if I would like something or not. (5)	<input type="radio"/>	<input type="radio"/>
I have signed a petition or written a political statement within the past year. (6)	<input type="radio"/>	<input type="radio"/>
I bought an item of clothing within the past six months that wasn't at all right for me. (7)	<input type="radio"/>	<input type="radio"/>

- Sometimes when I have looked in the mirror lately it seemed like I was looking at a stranger. (8)
- My personality is strongly evident in how my bedroom is decorated. (9)
- I put my own personal stamp on everything I do. (10)
- Within the past month, I have asked friends or family what they think about an issue to help me decide what my own opinion should be. (11)
- When describing my personality to others, I have purposely used vague and general terms, in case my personality were to change soon after. (12)
- Within the past month, I have engaged in a debate with someone about a particularly strong opinion that I hold. (13)

Q5.3 Please respond to each of the items below by marking the appropriate response alternative on your answer sheet next to the number for each item.

- |   | Very<br>Uncharacteristic<br>of Me (1) | Somewhat<br>Uncharacteristic<br>of Me (2) | Somewhat<br>Characteristic of<br>Me (3) | Very<br>Characteristic of<br>Me (4) |
|---|---------------------------------------|---|---|-------------------------------------|
| I wish I were more consistent in my feelings. (1)                               | <input type="radio"/>                 | <input type="radio"/>                     | <input type="radio"/>                   | <input type="radio"/>               |
| It's hard for me to figure out my own personality, interests, and opinions. (2) | <input type="radio"/>                 | <input type="radio"/>                     | <input type="radio"/>                   | <input type="radio"/>               |
| I often think how fragile my existence is. (3)                                  | <input type="radio"/>                 | <input type="radio"/>                     | <input type="radio"/>                   | <input type="radio"/>               |
| I have a pretty good sense of what my long-term goals are in life. (4)          | <input type="radio"/>                 | <input type="radio"/>                     | <input type="radio"/>                   | <input type="radio"/>               |
| I sometimes wonder if people can actually see me. (5)                           | <input type="radio"/>                 | <input type="radio"/>                     | <input type="radio"/>                   | <input type="radio"/>               |



Other people's thoughts and feelings seem to carry greater weight than my own. (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I have a clear and definite sense of who I am and what I'm all about. (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
It bothers me that my personality doesn't seem to be well-defined. (8)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I'm not sure that I can understand or put much trust in my thoughts and feelings. (9)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Who am I? is a question that I ask myself a lot. (10)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I need other people to help me understand what I think or how I feel. (11)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I tend to be very sure of myself and stick to my own preferences even when the group I am with expresses different preferences. (12)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## Mental Health

Q6.1 Over the last 2 weeks, how often have you been bothered by any of the following problems?

- Little interest or pleasure in doing things (1)  Not at all (0)  Several days (1)  More than half the days (2)  Nearly every day (3)
- Feeling down, depressed, or hopeless (2)  Not at all (0)  Several days (1)  More than half the days (2)  Nearly every day (3)
- Trouble falling or staying asleep, or sleeping too much (3)  Not at all (0)  Several days (1)  More than half the days (2)  Nearly every day (3)
- Feeling tired or having little energy (4)  Not at all (0)  Several days (1)  More than half the days (2)  Nearly every day (3)
- Poor appetite or overeating (5)  Not at all (0)  Several days (1)  More than half the days (2)  Nearly every day (3)
- Feeling bad about yourself or that you are a failure or have let yourself or your family down (6)  Not at all (0)  Several days (1)  More than half the days (2)  Nearly every day (3)
- Trouble concentrating on things, such as reading the newspaper or watching television (7)  Not at all (0)  Several days (1)  More than half the days (2)  Nearly every day (3)
- Moving or speaking so slowly that other people could have noticed. Or the opposite being so fidgety or restless that you have been moving around a lot more than usual (8)  Not at all (0)  Several days (1)  More than half the days (2)  Nearly every day (3)

Thoughts that  
you would be  
better off dead, or  
of hurting  
yourself (9)

Not at all  
(0)

Several days  
(1)

More than  
half the days  
(2)

Nearly every  
day (3)

### **Demographics**

Q59 This section of the survey asks some general demographic questions.

Q7.1 What is your ethnicity?

- White (1)
- Black or African American (2)
- Native/ Indigenous (3)
- Asian (4)
- Latinx (5)
- Middle Eastern/ Northern African (6)
- Native Hawaiian or Pacific Islander (7)
- More than one race or ethnicity (8)

Q7.2 Age

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Q7.3 Sexual Orientation

- Straight or Heterosexual (1)
- Gay (2)
- Lesbian (3)
- Bisexual (4)
- Pansexual (5)
- Queer (6)

Questioning (7)

Asexual (8)

### **Additional Information**

Q8.1 Is there anything else you would like to share regarding your experiences with your gender identity, transitioning, or your legal identification documents?

(Write as much or as little as you like.)

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### **Debriefing**

Q9.1 Thank you for completing my survey! I appreciate your time and participation.

Purpose of Study:

I previously informed you that the purpose of this study is to find out about gender non-conforming individuals' knowledge of and experiences with Identification documents and those documents connect to your sense of self and gender identity. My focus is to see if the GNC persons experiences with their Identification documents has a connection to their likelihood of moving out of the state of Tennessee as well as if the access or denial of correct identification documents factor into how a GNC person sees themselves and their gender.

Confidentiality:

This is an anonymous survey which means your responses cannot be linked to any identifying information.

Please do not disclose survey questions or purposes to anyone who might participate in this study in the future as this could affect the results of the study.

Final Report:

If you would like to receive a copy of the final report of this study (or a summary of the findings) when it is completed, please feel free to contact me (Danny Dean).

Useful Contact Information:

If you have any questions or concerns regarding this study, its purpose or procedures, or if you have a research-related problem, please feel free to contact the researcher, Danny Dean 615-766-0512 or dtd3f@mtmail.mtsu.edu.

If you have any questions concerning your rights as a research subject, you may contact

the Middle Tennessee State University's Institutional Review Board (IRB) at [irb\\_information@mtsu.edu](mailto:irb_information@mtsu.edu).

If you feel upset after having completed the study or find that some questions or aspects of the study triggered distress, talking with a qualified clinician may help. If you feel you would like assistance, please contact MTSU's Counseling Center at KUC 326-S 615-898-2670 Office Hours: 8:00am - 4:30pm Monday-Friday.

If there is an emergency outside of office hours, please call the Suicide Hotline at 1-800-273-8255, Mobile Crisis at 1-800-704-2651, or go to the nearest hospital ER. In a serious emergency, remember that you can also call 911 for immediate assistance.

If you are under the age of 24, you can contact the Trevor Project by text (Text 'start' to 678-678), call (1-866-488-7386), or online chat (<https://www.thetrevorproject.org/webchat>).

Another hotline option is the LGBT National Help Center. They provide three different hotlines as well as on online chat. They offer the LGBT National Hotline (888-843-4564) for adults and youth, the LGBT National Youth Talkline (800-246-7743), and the LGBT National Senior Hotline (888-234-7243). Their website is <https://www.lgbthotline.org/>.

Two resources for information on your identification documents and the laws surrounding them are the Transgender Law Center (<https://transgenderlawcenter.org/>) and the National Center for Transgender Equality (<https://transequality.org/>)

If you have information you would like to share with me beyond what you included in the survey or would like to speak to me about identification documents, feel free to reach out to me through contact information listed above for Danny Dean (He/They).

\*\*\*Please keep a copy of this form for your future reference. Once again, thank you for your participation in this study!\*\*\*

APPENDIX D:  
Institutional Review Board Approval



Office of Research Compliance  
2269 Middle Tennessee Blvd.  
Sam H. Ingram Bldg (ING) Room 010A  
Box 124  
Murfreesboro, TN 37132  
[www.mtsu.edu/irb](http://www.mtsu.edu/irb)

Date: February 20, 2023

PI: Danny Dean

Department: Middle Tennessee State University, Dean Liberal Arts

Re: Initial - IRB-FY2023-41

Transgender Legal Identity: A Research Study on Identification Documents and Sense of Self

The Middle Tennessee State University Institutional Review Board has rendered the decision below for Transgender Legal Identity: A Research Study on Identification Documents and Sense of Self. The approval is effective starting February 20, 2023.

Decision: Approved

Category: 7. Research on individual or group characteristics or behavior (including, but not limited to, research on perception, cognition, motivation, identity, language, communication, cultural beliefs or practices, and social behavior) or research employing survey, interview, oral history, focus group, program evaluation, human factors evaluation, or quality assurance methodologies.

Findings:

Research Notes:

**Please note:**

**Any modifications to the approved study must be submitted for review through Cayuse IRB.** Please note, as well, that according to MTSU Policy, a researcher is defined as anyone who works with data or has contact with participants. Anyone meeting this definition needs to be listed on the protocol and needs to complete the required training. If you add researchers to an approved project, please add them to the project within Cayuse IRB for approval before they begin to work on the project.

**Any unanticipated harm to participants or adverse events must be reported to the Office of Compliance,** and any subsequent changes to the protocol must be submitted to the IRB for review before implementing this change.

**You must submit an end-of-project form to the Office of Compliance upon completion of your research. Completed research means that you have finished collecting data.**

All research materials must be retained by the PI or faculty advisor (if the PI is a student) for at least three (3) years after study completion and then destroyed in a manner that maintains confidentiality and anonymity.

All approval letters and study documents are located within the Study Details in Cayuse IRB.

We wish you a successful research project,

*Middle Tennessee State University Institutional Review Board*