

## **September 10th, 2024 Statement from the NASW-TX SOGIE Committee**

On August 20th, the Texas Department of Public Safety (DPS) instituted a new policy which automatically denies court-ordered gender marker changes on DPS issued state identification documents for transgender individuals. Just 10 days later on August 30th, the Texas Department of State Health Services (DSHS) instituted a new policy removing the option for transgender to amend their sex on birth certificates. The NASW-TX Sexual Orientation, Gender Identity and Expression (SOGIE) Committee strongly opposes these policy changes. These policies not only undermine the dignity and rights of transgender Texans but also imposes unnecessary barriers to their ability to live authentically and safely.

Moreover, the DPS policy related to driver's licenses and state IDs also mandates DPS to track any court order for sex/gender marker changes that DPS receives. This decision to track individuals who seek gender marker changes represents an alarming violation of privacy and could have severe repercussions for the safety and well-being of transgender individuals.

The NASW-TX SOGIE Committee stands firm in its commitment to advocating for the rights and dignity of all individuals. Everyone should have the liberty to make decisions regarding their body and identity. We are deeply concerned at any state oversight of the personal decisions made by people in Texas, and with the timing of these policy changes, we can't interpret this to be anything other than Texas officials manipulating the administrative system to deny folks the right to their personal freedom. We call on the Texas DPS and Texas DSHS to rescind these harmful policies and to respect the legal rights of transgender Texans, including their right to accurate identification and privacy.

We offer the following information for social workers to assist them in supporting transgender and gender expansive clients. Keep in mind that this is relevant guidance at the time of publication of this statement. It is possible that the policies may change.

### **What is known at this time is that:**

1. Texas DPS has been directed to **NOT** change a person's sex/gender on their Texas driver's license and/or ID, even if they have a court order.
2. Texas DPS has been directed to **NOT** change a person's name on their Texas driver's license and/or ID, even if they have a court order, **IF** that court order also directs them to change the person's sex/gender.
3. Texas DPS has been directed to **email copies of court orders for all requests for sex/gender marker corrections** made to DPS (if you go to get your driver's license/ID updated with your court

order) to a special, designated email address. This **WILL** create a list/record of your request - something that had not been previously tracked, and something that Ken Paxton's office has attempted to request in the past.

4. Texas DSHS has been directed to **NOT** change sex marker entries on Texas birth certificates, even if they have a court order.

5. Court orders do not expire, unless they have a specific date of expiration noted within them. So a person could potentially hold on to their court order(s) for an extended period of time until these policies are lifted or modified.

6. These policies **SHOULD NOT** impact you if you have already updated your Texas driver's license/ID and/or birth certificate.

7. TheDPS policy **SHOULD NOT** impact you if you are only changing your name on your Texas driver's license/ID **AND** your court order is **ONLY** to change your name.

**Guidance for social workers:**

1. Be prepared to support your clients who are transgender/gender expansive, and/or any clients who have loved ones who are transgender/gender expansive. People are feeling angry, afraid, and trapped. These are valid feelings. Offer support and validation while also collaborating with clients to identify points of hope, and recognition that they do have a future.

2. Take active steps to improve your allyship. Utilize our [Best Practices guide](#) for best practices and resources, and follow the [Transgender Education Network of Texas \(TENT\)](#) and [Trans Legal Aid Clinic TX \(TLACT\)](#) to stay updated on these policies and emerging responses.

3. **TAKE ACTION** by [contacting your state Rep and Senator](#) and demand that they speak up against these discriminatory policy changes, and actively work to prevent the passage of anti-trans and anti-LGBTQ+ bills in the upcoming 2025 legislative session.

Again, we want to unequivocally state that we are opposed to the DPS and DSHS policy changes, and we will do all we can to support Texas Social Workers and the LGBTQ+ community.

In solidarity,



Ashley Heidebrecht, LMSW  
Chair, NASW-TX SOGIE Committee