

Runnin' Scared

The State Adopts New Rules for LGBT Youths in Juvenile Detention
But mum's the word on the good treatment of transgendered kids

by Maria Luisa Tucker

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A year and a half after paying a \$25,000 settlement to a male-to-female transgirl, the agency that runs the state's juvenile-detention centers has quietly adopted a host of new rules to accommodate lesbian, gay, bisexual, and transgender youth in its custody.

The new rules, adopted in March by the Office of Children and Family Services, now allow transgender youth to request special housing, wear their hair however they want, be called by their chosen name rather than their legal name, and shower privately. The new guidelines even allow biological males to wear girls' panties and bras if they prefer. The agency has also included transgender kids in its anti-discrimination policy—a first for any New York state agency, according to OCFS spokesman Edward Borges.

The policy shift and new rules



Alvaro

Diaz-Rubio

—quietly hailed by transgender advocates who say that transkids often get harassed by staff and peers at detention centers—were approved without fanfare or even a press release.

"We were concerned about the *Post*—what their headline would be, you know? Twisting it and making it sensational," says Mishi Faruqee, the director of youth-justice programs at the Children's Defense Fund and co-chair of the working group that created the guidelines. As the OCSF trains its staff on the new guidelines this month, the agency has continued its strategy of easing into what it admits, for some, is uncomfortable new territory. "There are a lot of staff, especially in upstate facilities, [for whom] this is a whole new world," says Borges.

The policy shift comes after a 2006 lawsuit that received little attention outside the gay media, but that created big waves inside the OCFS.

Alyssa—formerly Andrew—Rodriguez was born male, but identified and dressed as a girl. She had been diagnosed with gender-identity disorder, a common psychiatric diagnosis for transgender people, and has prescribed feminizing hormones at age 12 or 13. Rodriguez was regularly taking the hormones to develop breasts and suppress facial-hair growth when she was arrested and placed in a juvenile-detention facility at age 15. Once in juvie, her hormones were taken away for months at a time, and the staff was directed to call her Andrew. Worse, she was transferred back and forth between the regular boys' facilities and special facilities for the two years she remained in state custody.

In a civil complaint alleging sex and disability discrimination, Rodriguez

