

# THE HARMFUL IMPACT OF ILLINOIS' NAME CHANGE LAW

**Illinois' name change law is one of the most restrictive in the nation.**

Illinoisans with felony convictions are denied the ability to change their names, including on identity documents, for a full decade after they complete their sentence. Illinois is one of only eight states with this kind of restriction.

Illinois is also one of only 12 states that prohibit name changes for people on registries and one of only two states that prohibit name changes for people with identity theft convictions.

Those restrictions result in real harm, including threats to safety, barriers to employment and mistreatment, to individuals who fall under the existing law. The stories below are real life examples of that harm.

HB 2542 seeks to reduce the harm and bring Illinois's name change law in line with the majority of other states.

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## **Alyssa Jeane Martinez, 36**

I'm an entrepreneur and a freelance worker. Each time I enter into a contract for a job and disclose my legal name, it leads to confusion. In one instance, I was accused of fraud. I'm not ashamed of who I am, but outing myself shouldn't have to be part of building my career. I completed my sentence and paid my dues. Not being able to change my name for ten years after that extends my punishment beyond parole. This law makes things difficult for me that shouldn't be hard, and aren't this difficult for other people. I'm opening my own business, and a name that doesn't reflect who I am is on all of the paperwork. I've worked hard getting to this point, and am bringing an exciting, innovative venture to Chicago. The name on the business should be the one that keeps me safe and reflects the woman behind it.

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## **Kylie Green, 54 years old (must comply with registration requirements)**

My driver's license says Female, but my legal name sounds very masculine. Employers refuse to use my chosen name. My legal name on my social security card outs me to prospective employers. I have been turned down for jobs and terminated after being outed based on my legal name. I am unable to find stable employment. I get harassed when I present an ID in public. I have been accused of using a fraudulent ID when presenting it at public benefits office. That accusation happens so much it has become normal. I live in constant fear of showing my IDs. If I could change my name, I would have a better chance at getting stable employment. I would no longer be scared to show my ID. The fear would be gone.

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## **Theresa Birch, 38 years old**

Not being able to change my name is a burden on my entire life. I am consistently perceived as a cisgender woman, and my ID says Female. Employers always use my legal name, and when my coworkers find out they start harassing me and telling me I cannot use the women's restroom. I have been turned down for many jobs. I will apply and they say they are ready to hire me, but when they look at my legal name and look at my face, they make a look of confusion and then a look of disgust. They then tell me "we don't have any positions right now." But I know that is not true because they just told me they wanted to hire me. Before they learn my legal name, they are

always very friendly. I am accused of fraud and trying to deceive people when they learn my legal name. I have terrible experiences in the social security office and other waiting rooms when they call out my name and everyone else looks at me with looks of disgust.

My name coincides with who I am visually and who I am inside. If I could legally change my name, I would face less challenges in life and it would be less of a burden to just be in the world. I would not get looks and stares anymore. I would be harassed and embarrassed less in waiting rooms, employers, and government offices. It would greatly improve my self-esteem. I have been going by the name of Theresa since I was 13. I literally forget my birth name sometimes because I do not associate with it. Sometimes when people call me by my legal name I do not answer because I do not even realize they are talking to me.

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### **Hanna Ross, 26 years old**

Co-workers at work call me by my legal name because we have to wear our legal names on our work shirts. I look like a girl but my shirt says I'm a boy. I am always viewed by others as female. My ID says female, but I am outted based on my legal name. They call out my legal name at the hospital and at the DMV and it is very embarrassing. It's already embarrassing enough to be a felon, and now on top of that I have to live with this name. Sometimes I have mail sent to me in my preferred name and then I have trouble accessing it through the post office because my ID does not reflect that name. I am afraid to apply to any jobs due to my name and felony conviction. If I could legally change my name, I would feel free to go places and show my ID and go to waiting rooms. I could live without fear. My co-workers would respect me and my gender.

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### **Benita Thomson, 55 years old**

I have identified as transgender woman since a young age. I have always wanted to change my name. My name has been Benita since I was little. It is extremely distressing when my legal name is called out in places like waiting rooms. I do not like when people don't know how to react to me and are confused by me. I feel guilty when people feel uncomfortable around me and they don't give me an opportunity to show who I really am and what I can do. And I dearly want transgender people to have an opportunity to show who they really are and not just have doors closed in our faces before we even have a chance. If I had been allowed to change my name, I would have been able to achieve a lot more in my career and contribute a lot more and not have to rely so much on government benefits. I want to be a productive member of society, but feel I'm not allowed to do that.

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### **Krystal Patterson, 30 years old**

I'm a woman, but my name at birth was a male name. The gender marker on my identification reflects who I am, but because I can't legally change my name, the name on my identification does not match. Having that name on my identification outs me as a transgender person and creates barriers in every area of my life. Co-workers at my job found out my name at birth and told security, and now some security guards try to stop me from using the women's restroom. I am in

school, and having to navigate my name at birth being on school documents, and used in class by professors, makes it difficult to focus on my schoolwork. Having a night out with friends feels unsafe, because showing my ID to bartenders or bouncers will out me, and transgender women experience disproportionate rates of violence just for being who they are. Anywhere I go, I am thinking about how my name might put me at risk for harm or discrimination. There are jobs I would apply to, and goals I would pursue, if I could legally change my name. Because I can't, I have to limit myself in order to stay safe.

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### **From the House Testimony of Eisha Love**

My name is Eisha Love, a name that I have used for many years that reflects who I am. My pronouns are she/her. HB 2542 would improve my life and the lives of others in the transgender community. It would get rid of what has been a huge barrier I face in getting back on my feet. It is a barrier that has at times left me discouraged, feeling unsafe and mentally drained. I left prison ready for a second chance. But the current name change law has been an obstacle keeping me from moving forward and fully leaving the past behind.

Let me give 2 examples. My job options are limited. I work at temp jobs because I don't want to be on a staff schedule that uses my legal name because I could be forced to out myself and explain why the name, I use is different from the name on the schedule, or my pay check, or my name tag. Explaining "who I am as a person" leaves me emotionally drained.

The law puts me in the position of being judged every day. That can be harmful in big ways, like being denied a place to live. I recently moved and in the process of looking for an apartment I filled out an application using my legal name, but when I went to see the place, the manager commented on the difference between my legal name and the name I used when I introduced myself. She asked me questions about my personal life that made me uncomfortable. She basically told me that the owner of the apartment wouldn't rent to me. I was judged because I had to out myself again.

It is hard experiencing these things every day. Passing this bill would allow me to legally change my name today.

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