



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** BOARD OF SUPERVISORS  
**DISTRICT 1**  
**File #:** 16-439

Board Meeting Date: 8/8/2017

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**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors  
**From:** Dave Pine, Supervisor  
**Subject:** Resolution opposing President Donald Trump's statement re the service of transgender service members in the United States military

### **RECOMMENDATION:**

Adopt a resolution opposing President Trump's declaration banning transgender people from serving in the United States military.

### **BACKGROUND:**

On July 26, 2017, President Donald Trump wrote on Twitter: "After consultation with my Generals and military experts, please be advised that the United States Government will not accept or allow... Transgender individuals to serve in any capacity in the U.S. Military." President Trump justified the Tweet by writing: "Our military must be focused on decisive and overwhelming victory and cannot be burdened with the tremendous medical costs and disruption that transgender in the military would entail." If implemented, President Trump's statement would override President Barack Obama's policy of allowing transgender people to serve openly in the military. It is unclear if President Trump's statement is meant to apply to transgender service members currently serving in the military.

Although there is limited research on the number of transgender persons serving in the military, a UCLA study published in 2014 estimated 15,500 transgender people currently serve in active duty, the reserves, and the National Guard. A more recent RAND study estimated between 1,320 and 6,630 transgender active service members. According to The Washington Post, the upper estimate of transgender medical costs in the military amounts to a thousandth of one percent of the Defense Department's annual budget. The UCLA study also estimated that 134,300 transgender people are military veterans or retired. Only about 1% of the general American population chooses to serve in the military.

Fifty-six retired generals and admirals have come out against President Trump's statement, arguing it would "cause significant disruptions" and decrease talent in the military. John Kirby, a Navy veteran who served for twenty-nine years and then was the State Department spokesperson under President Obama, wrote: "Transgender troops serving openly for more than a year with no disruptions to unit

cohesion, no morale probs, NO impact on readiness.”

The day after President Trump’s statement, the Chairman of the Joint Chiefs of Staff, Joseph Dunford, stated: “There will be no modifications to the current policy until the President’s direction has been received by the Secretary of Defense and the Secretary has issued implementation guidance. In the meantime, we will continue to treat all of our personnel with respect.” Defense Secretary Jim Mattis’ spokeswoman also announced: “The Department of Defense is awaiting formal guidance from the White House as a follow-up to the Commander-in-Chief’s announcement on military service by transgender personnel.” The Coast Guard Commandant, Paul Zukunft, told the first openly transitioning member of the Coast Guard that he will “not turn [his] back” on transgender Coast Guard members.

Dru Brenner-Beck, a former Army judge advocate general and current National Institute for Military Justice, told Politico the President would normally issue an executive order ordering the policy change only after the Department of Defense coordinated with various parts of the military. Brenner-Beck said it was unclear whether a Tweet could be sufficient for implementing new policy.

On August 2, 2017, Deputy Secretary of Defense Patrick Shanahan announced the Department of Defense still has not received any guidance on implementing the President’s Twitter statement.

Not including the United States, nineteen countries allow transgender people to serve in the military, including Canada, Bolivia, Spain, France, the UK, Israel, and Australia. Netherlands was the first country to establish a right for transgender people to serve in its military in 1974.

The Board of Supervisors has a long history of supporting government policy promoting inclusion for all members of the community, especially those who identify as LGBTQ. On August 1st, the County LGBTQ Commission unanimously voted on a recommendation to the Board of Supervisors that it make a statement in opposition to President Trump’s Tweet.

## **DISCUSSION:**

President Trump’s post on Twitter stating transgender Americans will not be allowed to serve in the nation’s armed forces under this administration is an attack on an already vulnerable segment of the population. In 2014, the FBI recognized 109 hate crimes based on gender identity. In 2016, there were at least twenty-two deaths of transgender people as a result of fatal violence in the United States, and there have been fifteen such deaths thus far in 2017. President Trump’s policy would put the United States behind other North American, South American, European, Asian, and Australian nations that allow transgender people to serve in their military. And, according to a significant portion of the military’s retired service men and women, President Trump’s policy would harm military effectiveness and readiness.

President Trump’s plan is not only harmful to the military as a whole, the men and women serving within it, and the transgender civilians who are often targeted and sometimes attacked because of their gender identity: it also sowed confusion within the civilian and military leadership of the armed forces. The lack of guidance as to whether the policy should be implemented and, if so, how has left military leadership unsure of how to proceed and current transgender service members unsure of whether they still have a job. Such uncertainty further harms military preparedness and creates uncertainty for those who have chosen to serve the United States of America in uniform.

This resolution builds on previous action by the County of San Mateo, including the creation of the County LGBTQ Commission and the celebration of International Transgender Day of Visibility, to support its transgender residents and speak out against bigotry. Opposing President Trump's statement shows the County of San Mateo is dedicated to respect towards all members of its community and stands against discriminatory measures aimed at members of the LGBTQ community.

**FISCAL IMPACT:**

There is no fiscal impact to this resolution.