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Alexandria
COMMUNITY MEDIA

The landmark case of a transgender Alexandrian

BY AMY BERTSCH

In 1985, a local woman named Jennifer Casoni achieved what is widely regarded as the first successful federal discrimination challenge by a transgender person. Her case, Jane Doe v. United States Postal Service, emerged from a painful personal injustice but ultimately helped carve out new legal ground for transgender Americans at a time when few avenues for protection existed.

In spring 1983, Casoni, then in her early 30s and living in Alexandria, was offered a temporary clerical job with the U.S. Postal Service. Only a week earlier in Alexandria Circuit Court she had legally changed her name, an important milestone in her transition.

When she informed her immediate supervisor that she would soon undergo gender-affirming surgery and asked permission to begin work in women's clothing, she initially received approval. But the general manager of the personnel division swiftly rescinded the offer.

Even when Casoni said she would start the job presenting as male, the manager refused. With little doubt that her gender identity motivated the decision, she filed a complaint with the Equal Employment Opportunity Commission.

After the Postal Service re-



Headline from the Tucson Citizen, Dec. 9, 1985.

PHOTO/TUCSON CITIZEN VIA NEWSPAPERS.COM

jected her administrative complaint and the EEOC affirmed that denial, Casoni turned to federal court. In October 1984, Alexandria attorney Victor M. Glasberg filed suit on her behalf in U.S. District Court under the pseudonym Jane Doe.*

Earlier attempts by transgender plaintiffs to assert sex discrimination claims had failed, so Glasberg advanced a novel legal strategy. He not only argued sex discrimination and equal protection violations but also that the Postal Service had violated the Rehabilitation Act of 1973, which prohibited discrimination in federal employment against otherwise-qualified individuals with disabilities.

The case hinged on whether Casoni's medically documented need for gender-affirming surgery could be understood as a disability under the act. The government urged dismissal, but in June 1985 the judge rejected that argument, finding that whether

her "transsexualism" constituted a handicap was a question for litigation and not an assumption the government could rely on. His ruling allowed the Rehabilitation Act claim to proceed.

Facing the prospect of trial after this important setback, the Postal Service agreed to settle. In November 1985, the court approved a \$12,500 settlement, marking the first successful use of the Rehabilitation Act by a transgender person to challenge federal employment discrimination.

Because the case had been filed under "Jane Doe," Casoni remained anonymous in the national news coverage that followed. Syndicated columnist Sarah McClendon praised the decision as a landmark for transgender Americans and described Doe as likely "one of the loneliest figures in society" who had nevertheless secured justice.

Privately, Casoni continued to struggle with health is-

sues and the cumulative toll of discrimination, and she died by suicide in May 1986 on her 34th birthday. More than 40 years after her legal victory, her landmark case reverberates today as transgender rights are once again contested.

*Glasberg still respects the confidentiality of his client and Casoni's name is used publicly with the approval of her sister.

Alexandria first celebrated Pride Week, since expanded to Pride Month, in 1988. You can learn more about Alexandria's LGBTQIA+ history here: www.alexandriava.gov/historic-alexandria/lgbtqia-history-in-alexandria. Historic Alexandria invites all readers to an annual Pride Month edition of Tavern Games on June 5 at Gadsby's Tavern Museum from 7 to 9 p.m. Tickets are available here: shop.alexandriava.gov.

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