



Trans woman claims bias at Kmart

By Timothy Cwiek

PGN Writer-At-Large

© 2008 [Philadelphia Gay News](#)

A transgender woman says she had to get the help of a Philadelphia police officer to gain entry into a women's fitting room at a Center City store last week.

Kate Lynn Blatt said she was trying to select clothes at Kmart in The Gallery, 901 Market St., around 11 a.m. May 30, when she was prevented from accessing the women's fitting room by a guard.

After two managers were summoned, the dispute still wasn't resolved. She said a mid-level manager was rude to her, claiming she's not female, even though Blatt's driver's license with its female designation was shown to him.

Blatt, 27, said two calls were placed to 911, and after a 70-minute wait, an officer arrived.

The officer continually referred to Blatt using male pronouns. But after Blatt showed her driver's license to the officer, she was granted access to the fitting room, Blatt said.

Then, she purchased the clothes.

Earlier that day, Blatt, of Pottsville, had been attending a transgender health conference at the nearby Pennsylvania Convention Center when she spilled some coffee on her outfit, prompting her visit to Kmart for fresh clothing.

Later in the day, after the initial confrontation at Kmart, she returned to the store with a transgender attorney who also was attending the conference.

They were hoping for an apology from the workers who denied Blatt access to the fitting room. But no apology from those workers was forthcoming, Blatt said.

They also were unable to gain adequate assurances that Kmart employees would receive proper training so that a similar incident would be avoided in the future, Blatt said.

“I want to make sure that something like this doesn’t happen to anyone else,” she said. “People don’t have the right to ask you to prove what your sex is. That’s crazy. Where does it stop?”

She’s reached out to Equality Advocates Pennsylvania, and also **plans to file a complaint against Kmart with the city’s Human Relations Commission.**

Jeff Weiss, a store manager at Kmart in The Gallery, said he regretted the incident.

“I wish it didn’t happen. It’s a very diverse culture, and we strive to treat everyone equally,” Weiss said. “I guarantee you this won’t happen again.”

He said about 140 workers under his supervision will be counseled, so that transgender people are granted equal access to store facilities without being asked for identification.

Weiss also said he’ll contact a district manager for Kmart to determine whether efforts can be made to ensure equal access for transgenders at all Kmart stores in the area.

Officer Christine O’Brien, a spokesperson for the Philadelphia police, confirmed that police were dispatched to Kmart at 11:40 a.m., May 30 to respond to Blatt’s call for assistance.

She didn’t know the time span between Blatt’s 911 calls and the dispatch to police. O’Brien also said the responding officer’s name wouldn’t be released at this time.

Blatt has the right to access public facilities such as store fitting rooms, even without showing an ID card, O’Brien said. She questioned whether the responding officer understood the city’s transgender-rights law.

She said the officer waited until seeing Blatt’s driver’s license — with the female gender marker — before directing store workers to let Blatt enter the fitting room.

O’Brien said the officer may have asked Blatt for her driver’s license as part of the information-gathering process to write the incident report, not as a requirement for directing the workers to let Blatt enter the fitting room.

Still, Blatt said the responding officer should receive sensitivity training so she refers to transgenders using correct pronouns.

“Other than that, she was very cordial,” Blatt said. “[The officer] handled the situation, and ordered them to let me into the fitting room. But I think she should receive some training.”

At press time, O'Brien didn't have information about the training given to police officers concerning the city's transgender-rights law.

Timothy Cwiek can be reached at (215) 625-8501 x. 208.