

www.sfreporter.com

SANTA FE

REPORTER

AND CULTURE



Being transsexual
in Santa Fe is
hard. Being poor
and homeless
is harder.

By Brendan L Smith

Page 12

A ROOM OF HER Own

THE SPY

The indefensible
defense budget.

PAGE 10

OUTTAKES

Bill and Bonnie Hearn battle
the healthcare system.

PAGE 6

SFR PICKS

What's Robert Cray got
to be sad about?

PAGE 21



A ROOM
OF HER
Own

Being transsexual
in Santa Fe is hard.
Being poor and homeless
is harder.

Michelle Jinich exists on the tattered fringes of society.

Even in Santa Fe's liberal environment, Jinich meets almost none of society's basic expectations. She is transsexual, poor, mentally ill, unemployed, formerly homeless and on the verge of becoming homeless again, and is considered, at least by some people in positions of authority, to be armed and dangerous. She has been handcuffed and stuffed into the back of a Santa Fe police cruiser twice for psychiatric evaluations at St. Vincent Hospital. Now her landlord is evicting her, claiming Jinich threatened apartment staff, threats which Jinich denies making, saying she would never do anything to jeopardize the roof over her head.

"I've had to hide most of my life from people's discrimination, their ridicule," Jinich says. "I'm not a threat to anyone or anybody. If I was, I would have stayed a man."

Doug Belknap—a psychotherapist who befriended Jinich when he ran a counseling program at St. Elizabeth Shelter—says Jinich's struggles with the police, her landlord and local social-services agencies are symptomatic of a larger problem: the use of a punitive rather than a therapeutic approach in dealing with poor, mentally ill and often homeless people, a motley collection of the downtrodden whose own fight-or-flight defense mechanisms to a lifetime of abuse often brands them as problematic to work with, yet hard to ignore. "This population is difficult, and the difficult people are the ones who don't seem to be able to access services," Belknap says. "People who are compliant get services. People who are aggressively difficult are most often the people who don't find their way into the system."

In Jinich's case, "The question is who is going to bend," Belknap says. "The anticipation is she should bend because the power is on the other side."

Most people will ignore a homeless man curled in a ball of rags on the sidewalk or sleeping in a park. It's only when he is angry and screaming that the police get called, that someone finally takes notice. While Jinich doesn't shout at people from the street corner, she is difficult in her own right, and very different from what many people consider normal.

Even though she isn't homeless now, Jinich's only friends are homeless people she has met downtown near the Santa Fe River.

"They understand exactly what I'm going through," she says. "Here, I haven't found any happiness. I feel awkward here and that I'm not wanted."

"I don't want to go back to living on the streets."

On her California driver's license, Jinich is listed as a woman, but she is a 6-foot-tall, 200-pound woman with a penis she doesn't want anymore.

Except for two pairs of high heels

placed on the carpet near the front door, Jinich's sparsely furnished apartment on Hopewell Street shows no signs she is a pre-op transsexual, a man who now has breasts from hormonal therapy and wants to undergo gender reassignment surgery but cannot afford the expensive operation.

A secondhand sofa and coffee table bought from Goodwill are the only furniture in Jinich's small living room, where two tabby cats prowl and purr, leaning against hands or legs for signs of affection. A velvet wall hanging of two tigers adorns a bedroom wall, while a small American flag stuck in the grill of a fan flaps in the artificial breeze.

Wearing a man's black silk shirt and brown pants, Jinich sits on her sofa petting a cat named Jake. Her shoulder-length dyed-blond hair is pulled into a ponytail behind pale blue eyes with plucked eyebrows, but her face is undeniably that of a large man who, despite her desire to be a woman, realizes she will never pass as one to most people.

Jinich lives on a \$552 monthly Social Security disability check for osteoarthritis and bipolar disorder, a mental illness characterized by shifts between depression and mania. Jinich says she also suffers post-traumatic stress disorder from a childhood of physical, sexual and verbal abuse.

In Santa Fe, Jinich usually dresses in men's clothes, except when she is going out on the weekend and can hurry from her apartment to a waiting cab. The Las Palomas Apartments where she lives is filled with families with young children, many of them Mexican immigrants whom Jinich says don't understand her or her lifestyle.

"There probably have been complaints of, 'Look, there's a man in a dress.' I've heard it from the kids," Jinich says. "Being transsexual and everybody talking and everybody laughing, they don't want me around."

Jinich's journey from a "normal" life to the one she lives today began about six years ago in Santa Fe when Jinich's wife left with their two children for a trip to Mexico to see relatives. The trip, which was supposed to last only two weeks, stretched to eight months, with little communication from his wife or children. While his family was gone, Jinich lived in his van but eventually met a man with whom he developed a relationship and moved in. Jinich also realized that he wanted—needed—to become a woman, an acknowledgement of feelings dating

DAVID KAUFMAN



Michelle Jinich fears she may end up homeless again.

An estimated 1,000 to 3,000 people in Santa Fe County are homeless, with 50 to 70 percent of the adult homeless suffering some form of mental illness.

Transsexuals are men or women who dress as the opposite sex and often take steps, through hormonal therapy and surgery, to physically appear as the opposite sex. Transgendered is a much broader term, including transvestites, hermaphrodites and others with gender-identity issues.

back to his childhood.

When a brief reconciliation with his wife failed, Jinich moved to San Francisco because of its openness toward transsexuals. Jinich had no job, no game plan for survival, and ended up homeless, eating in soup kitchens and volunteering at an AIDS organization while dressing and living fulltime as a woman.

In San Francisco, Jinich completed psychological tests that led to a diagnosis of gender identity dysphoria, a psychological condition whereby a small minority of men or women feel trapped in their own bodies because they believe they should have been born the opposite sex. Jinich enrolled in a gender-change program that allowed her to change her first name from Michael to Michelle and be listed as a female on her California driver's license. She began taking estrogen about five years ago and says she even slept and showered in women's homeless shelters.

As Jinich flips through photos of herself with other male-to-female transsexual friends in San Francisco, she notes that one friend was HIV-positive, another was a prostitute with mainly straight male customers and a third sold drugs.

"Transsexuals end up being very lonely people," she says. "Transsexuals are not loved. They are used as toys, as toys for sex or drugs."

Jinich says she never sold drugs or prostituted herself because she didn't want to deal with the consequences. Jinich is smiling in most of the San Francisco pictures where she is dressed as a woman, with heavily applied makeup and a penchant for elaborate evening gowns, large necklaces and high heels.

"I basically lost that smile when I came here," she says, standing in the doorway of her Santa Fe apartment while children from the next apartment peer up at her with curiosity.

Two years ago, Jinich returned to Santa Fe to be with the same boyfriend she lived with before moving to San Francisco. But that relationship ended badly last summer and led to her problems with Santa Fe police and her landlord at Las Palomas Apartments.

"My boyfriend told me, 'I want a gay man. I don't want a cheap copy of a woman,'" Jinich says.

Distraught over the breakup with her boyfriend, Jinich admits that on July 28 she told her caseworker that "because of his cruelty, maybe I should put 29 bullets in him and one in myself."

Jinich says she was severely depressed and had no plans to carry out the threat, but her caseworker from The Life Link reported the threat to Santa Fe police, which a Life Link official says is legally required of them. (Life Link, a local nonprofit that serves mentally ill homeless people, pays most of Jinich's rent through one of its three transitional housing programs.)

Jinich says officers responded with guns and Tasers drawn, while she covered in a closet. "They did not talk to me," she says. "They came blazing weapons into my apartment. They just grabbed me and took me to the hospital."

Police would not release the report on the incident, but Deputy Police Chief Eric Johnson says officers searched Jinich's apartment and seized a .22-caliber handgun for Jinich's own safety. The gun was later returned. If officers have information that a subject is armed, they often may draw guns or Tasers for officer safety, Johnson says.

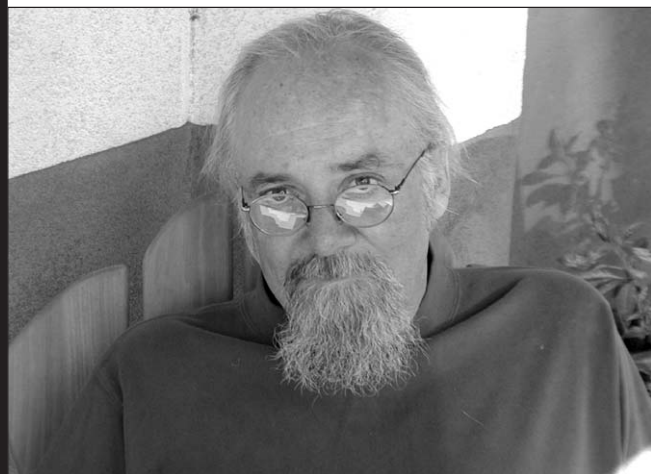
Jinich was released from St. Vincent Hospital after clearing a psychiatric evaluation, and no charges were filed. Less than two months later, almost the same scenario played out again.

On Sept. 12, Jinich says she told an apartment-complex employee she was "a little depressed" before walking downtown.

Johnson says apartment staff called police, saying Jinich was suicidal and had threatened them. Officers picked Jinich up downtown and took her to St. Vincent for another psychiatric evaluation. Jinich was released later the same day, with her discharge papers stating she suffered only from "acute agitation," which Jinich says resulted from being taken in handcuffs to the hospital in the first place.



Jinich's California driver's license lists her as female.



Doug Belknap still advocates for homeless people he met while running a counseling program at St. Elizabeth Shelter.



Jinich is being evicted from her apartment at Las Palomas Apartments.

When Jinich returned to her apartment from the hospital, she found a card from a Santa Fe police officer stuck in her front door, which had been left unlocked and her .22-caliber handgun was missing. Jinich says neighbors told her an apartment manager gave police officers a key so they could confiscate the gun. Jinich feels her legal rights and her privacy were violated.

“They basically came into my house and stole that weapon,” she says. “They are denying it because they know they broke the law.”

The Sept. 12 police report does not list the gun being taken into evidence, and the gun is not in police custody, Johnson says.

“The guy can claim whatever he wants,” Johnson says. “It’s not uncommon for people to claim things that law-enforcement officers didn’t do.”

However, downstairs neighbor Samantha Flores says she and her cousin saw two police officers go upstairs to Jinich’s apartment on Sept. 12. Because of the thin ceiling, Flores heard the officers rummaging through Jinich’s apartment for at least 10 minutes.

During the next four days, Las Palomas managers filed four eviction notices against Jinich, saying she had threatened or shouted at apartment staff. The apartment complex also filed a complaint against Jinich in municipal court about the alleged threats and notified Jinich that she has to move out by Oct. 30. Jinich, who denies making any threats, is now looking for a new place to live.

“If they are discriminating against me, why do I need to be there?” she says. “It would be better to get out of there.”

Lupe Urbano, one of the apartment managers who reported threats from Jinich, referred comment on Jinich’s case to Karen Glinski, regional property supervisor for Monarch Properties that manages Las Palomas Apartments. Glinski says any information about apartment residents is confidential, and she wouldn’t comment further.

Lisa Krooth, special counsel on hunger and homelessness for New Mexico Legal Aid, is working with Life Link and Las Palomas Apartments to find a new home for Jinich.

“This could be a success story,” Krooth says. “It also could be the example of someone ending up on the streets.”

As with Jinich, it’s not uncommon for the mentally ill to end up evicted after disputes with their landlords. In one of Krooth’s other cases, a mentally ill woman was evicted for allegedly threatening her neighbor’s children. In another case that was upheld by a county magistrate, a mentally ill woman was evicted from a Santa Fe apartment because she kept feeding birds, which her landlord says was attracting rats that could be infected with hantavirus.

“Unfortunately, mental disability manifests in ways that aren’t always understood by neighbors or landlords,” Krooth says.

Landlords, public-housing officials and judges need to be educated about fair-housing laws that require landlords to make reasonable accommodations for the mentally ill, she says.

“Some people end up homeless because the laws that were enacted to protect them haven’t worked in the courts,” Krooth says. “A mental illness is just like cancer or diabetes. It has to be treated and needs to be given the same care and compassion. There is no difference, other than the social stigma.”

On July 1, New Mexico became the first state in the nation to include legal protections for transgendered people both in a hate-crimes law and an amendment to the state Human Rights Act, which prohibits discrimination in housing and employment.

Virginia Stephenson, a male-to-female transsexual who is executive director of the New Mexico Gender Advocacy Information Network, estimates there are from 500 to 1,000 transsexuals living in New Mexico. She believes acceptance of transgendered people is very good in the state.

Belknap is not Jinich's therapist but he has been acting as an advocate for her. He says he's never seen Jinich try to hurt anyone and does not believe she threatened apartment staff.

"The apartment complex is convinced she's dangerous. It's really not clear how they have come to that conclusion," Belknap says. "It all could have been defused from the very beginning. Instead, it was confrontation, and confrontation provokes overreaction and on and on and on."

Jinich says "whatever is on her mind," but that "doesn't mean she literally believes what she's saying as far as acting it out," Belknap says. He believes Jinich's reaction of "puffing herself up" when she is threatened is a common defensive response among mentally ill people who often become homeless. Belknap says most homeless people have been traumatized by past physical or sexual abuse, mental illness or drug or alcohol addiction.

"They were homeless in the family they grew up in," Belknap says. "There is a need for more psychological understanding of these people so you don't aggravate the very thing you are afraid of. There needs to be an approach that is more than just punitive."

However, the punitive approach is quite common in Santa Fe, where mentally ill people often end up in jail even though they have committed no crime.

A person who is deemed dangerous to himself or others can be taken under police custody for a psychiatric evaluation at St. Vincent Hospital. Since St. Vincent does not

have a detox facility, mentally ill people who are drunk or high often are taken to the county jail on a 24-hour protective-custody hold to sober up before being released or taken back to St. Vincent for a psychiatric evaluation, Santa Fe Police according to Chief Beverly Lennen.

"Someone who is not convicted of a crime does not belong in the jail," Lennen says. "It's the only available protective-custody environment that exists now."

Crisis Response, a crisis hotline and mobile outreach team run by Presbyterian Medical Services, tries to help mentally ill people but a lack of communication with jail staff, along with federally-mandated patient confidentiality rules at St. Vincent, often cause Crisis Response to

lose track of mentally ill patients at the hospital door, says Crisis Response clinical coordinator Barbara LoLordo.

"We don't know what happens to them after that," LoLordo admits. "Because we only have five beds at the Recovery of Alcoholics Program, the jail has become a protective-custody detox center. This is happening more and more around the country."

LoLordo says she is concerned about sending drunk or high mentally ill people to the Santa Fe County Adult Detention Center because of the jail's questionable record with inmate health care, a major focus of a US Justice



Police Chief Beverly Lennen says mentally ill people not charged with a crime don't belong in jail.



Jinich still hasn't found a new apartment.

Department investigation of the jail earlier this year. In August, the family of 27-year-old Tyson Johnson filed a federal lawsuit against Santa Fe County, jail operator Management & Training Corporation and jail health-care provider Physicians Network Associates, claiming inadequate mental-health and suicide-prevention services at the jail led to Johnson's hanging death in January 2002, which occurred while he was on suicide watch in a foam-padded cell.

To help address the problem, a coalition of local social-services agencies, St. Vincent Hospital and Santa Fe police are working with the city and county to establish the CARE Connection Center, which will be housed in the former Santa Fe County Magistrate Court building on Galisteo Street.

The center will offer centralized mental-health assessments, with referrals to other agencies for transitional housing, benefits assistance, medical care and other services. Santa Fe County, which purchased the building, has not yet chosen an operator but plans to open the center this winter.

In the second year, plans call for adding a 15-bed detox or sobering facility, where mentally ill, homeless or uninsured people who need to detox from drugs or alcohol could spend up to a week without going to jail.

With the worsening economy and even tighter funding for social-services agencies, the CARE Connection Center is desperately needed to help with the growing homeless population, says Dorian Dodson, executive director of St. Elizabeth Shelter, which runs a 35-bed shelter and 37 transitional-housing apartments.

"As the safety net breaks down, we are called upon to serve more people than our respective capacities can hold," Dodson says. "The working poor cannot afford the housing, so they are staying in shelters so they can get back on their feet."

Despite their own mental and physical

disabilities, a group of local homeless people is trying to take charge of their future by forming a nonprofit called Life Spirit. Hank Hughes, executive director of the New Mexico Coalition to End Homelessness, and Belknap are working with the group to locate property and a building for a small communal-living center for up to 12 people.

"I think they want a place that is more their own," Hughes says. "Even though they are disabled, they are very highly motivated."

Part of the problem in working with the homeless, says Belknap, is treating people with dignity and respect while getting them to admit they need help.

"If you call it case management, they feel they are a case and that someone is managing them. If you call it advocacy, they feel someone is working for them," he says. "Many people have retreated so much it is very difficult for them to access services. They have to be pulled out or pried out because they are so used to being inside of themselves."

Before her problems with the police began, Jinich had been studying for her high-school equivalency degree through Life Link. She no longer trusts the organization because it was the caseworker's call to the police that snowballed into her eviction. "The trust was lost, so I see no reason to go back," she says. "I felt betrayed because I didn't mean what I said. I was just burning steam."

Jinich has almost no work history, in part because of her mental illness, but also because of the difficulty in finding a job as a transsexual. She says she would be interested in working as a clerk, nursing assistant or massage therapist. But for now, she is focusing on finding a new place to live.

"I'd like to stay here in Santa Fe if I can straighten out this whole thing and straighten out my whole future," she says.

SFR

Women's Health Services conducted a two-day workshop in March for doctors and social-services providers on health issues concerning transsexuals and transgendered people.

A local transsexual support group can be contacted at santafetransgroup1@hotmail.com.