

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

DANIELA ARROYO GONZÁLEZ; VICTORIA
RODRÍGUEZ-ROLDÁN; J.G.; and PUERTO
RICO PARA TOD@S,

Plaintiffs,


v.

RICARDO ROSSELLÓ-NEVARES, in his
official capacity as Governor of the
Commonwealth of Puerto Rico; RAFAEL
RODRÍGUEZ-MERCADO, in his official capacity
as Secretary of the Department of Health of the
Commonwealth of Puerto Rico; and WANDA
LLOVET-DÍAZ, in her official capacity as
Director of the Division of Demographic Registry
and Vital Statistics of the Commonwealth of
Puerto Rico,

Defendants.

Civil No. 3:17-cv-01457-CCC

**DECLARATION OF PEDRO JULIO SERRANO BURGOS IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**



I, Pedro Julio Serrano Burgos, being of legal age and sound mind, do hereby declare and state as follows:

1. I am a Board Member, President, and founder of Puerto Rico Para Tod@s, Inc., an organizational plaintiff in the above-captioned action. I have actual knowledge of the matters stated in this declaration.

2. I am 42 years old and reside in Carolina, Puerto Rico. I have personal knowledge of the matters stated in this declaration and can and will so testify if called as a witness.

3. I studied communications at the University of Puerto Rico—Río Piedras Campus. I have more than 20 years of experience working for the rights of lesbian, gay, bisexual, transsexual and transgender (LGBT) people in Puerto Rico and the United States. I have worked

as the Director of Communications of LLEGO, a national organization for LGBT for Latinos in the United States, the Communications Manager for the National Gay and Lesbian Task Force, a national organization that seeks to build the grassroots power of the LGBT community, and the Communications Director for New York City Council Speaker Melissa Mark Viverito. In September 2003 I, along with other people interested in social justice and human rights, founded Puerto Rico Para Tod@s. Since then I have served on the Board of Directors of Puerto Rico Para Tod@s and also serve as its President and spokesperson.

4. Puerto Rico Para Tod@s, Inc. is a domestic nonprofit corporation organized under the laws of Puerto Rico. It is a leading nonprofit organization working to secure, protect, and defend the equal civil rights, dignity, and welfare of LGBT people and their families in Puerto Rico. Puerto Rico Para Tod@s is governed by a board of directors, of which Plaintiff Daniela Arroyo González is a member.


5. Puerto Rico Para Tod@s has hundreds of members throughout Puerto Rico, including multiple transgender people, who have contributed time, money and resources to help the organization achieve its goals. Its board and membership includes transgender persons who were born or reside within the Commonwealth of Puerto Rico.

6. Puerto Rico Para Tod@s endeavors to fulfill its mission through education, legislative advocacy, grassroots organizing, and coalition building. These efforts are designed to educate the public and the media, to promote a politically active, effective membership, and to inform policymakers about issues affecting our members.

7. As part of its advocacy efforts, Puerto Rico Para Tod@s issues communications, engages in public education, advocates, and plans events in support of the rights, equality, and dignity of LGBT people in Puerto Rico. For example, in the past two years, Puerto Rico Para

Tod@s has organized an effort to oppose House Bill 1018 which aims to legalize discrimination against LGBT people; helped organize the “Trans Day in the University Strike” and was recognized for the first time by the National Puerto Rican Day Parade; advocated for the enactment of nondiscrimination protections for LGBT people in the workplace, public accommodations, and housing; helped train law enforcement officers about hate crimes and LGBT awareness; and conducted workshops in schools about LGBT issues and bullying.

8. The promotion, achievement, and protection of the civil rights of transgender people in Puerto Rico is a priority for Puerto Rico Para Tod@s. As such, Puerto Rico Para Tod@s has called for the ability of transgender persons born in Puerto Rico to correct the gender marker on their birth certificates and has successfully advocated for the ability of transgender persons to correct the gender marker on their Puerto Rico driver’s licenses.




9. I, along with the leadership and membership of Puerto Rico Para Tod@s, am aware that the Commonwealth of Puerto Rico has a policy and practice, pursuant to the Vital Statistics Registry Act of Puerto Rico, as interpreted by the Supreme Court of Puerto Rico in *Ex parte Delgado*, 165 D.P.R. 170 (2005), that categorically prohibits transgender persons, including members of Puerto Rico Para Tod@s, from correcting the gender marker in their birth certificates so that the birth certificates may accurately reflect their sex, as determined by their gender identity (hereinafter the “Birth Certificate Policy”).

10. Transgender members of Puerto Rico Para Tod@s, including Ms. Arroyo González, desire and intend to amend their Puerto Rican birth certificates to accurately reflect their sex, as determined by their gender identity, but have been prevented from doing so by Puerto Rico’s Birth Certificate Policy because they are transgender. Transgender members of Puerto Rico Para Tod@s have experienced and continue to experience a variety of physical and

emotional hardships and stigma because they cannot update their Puerto Rican birth certificate gender markers.

11. I, along with the leadership and membership of Puerto Rico Para Tod@s, am also aware of the high incidence of violence, harassment, hate crimes, and discrimination directed at transgender persons in Puerto Rico. For example, just between 2008 and 2011, there were at least 18 homicides of LGBT persons in Puerto Rico.

12. Exposure of one's transgender status based on an inaccurate birth certificate could subject transgender persons to potential physical harm, violence, harassment, hate crimes, and discrimination. Consequently, transgender members of Puerto Rico Para Tod@s live in fear of what may happen the next time they have to show their birth certificate to a stranger, and worry that they may be subject to such harms as a result of Puerto Rico's Birth Certificate Policy.



13. Being denied birth certificates that accurately reflects their sex, as determined by their gender identity, is also psychologically and emotionally harmful to transgender members of Puerto Rico Para Tod@s, who are faced with the persistent reminder that the Commonwealth of Puerto Rico does not respect them for who they are and does not recognize their personhoods.

14. Puerto Rico's Birth Certificate Policy compels transgender persons, including members of Puerto Rico Para Tod@s, to possess and, because of its ubiquitous nature, use a form of identification that inaccurately reflects who they are. It compels them to express an identity contrary to who they are. As a result, Puerto Rico's Birth Certificate Policy inhibits the ability of transgender persons born in Puerto Rico to fully participate in our society.

Signed under penalty of perjury under the laws of the United States this 23 day of
June 2017.



Pedro Julio Serrano Burgos