

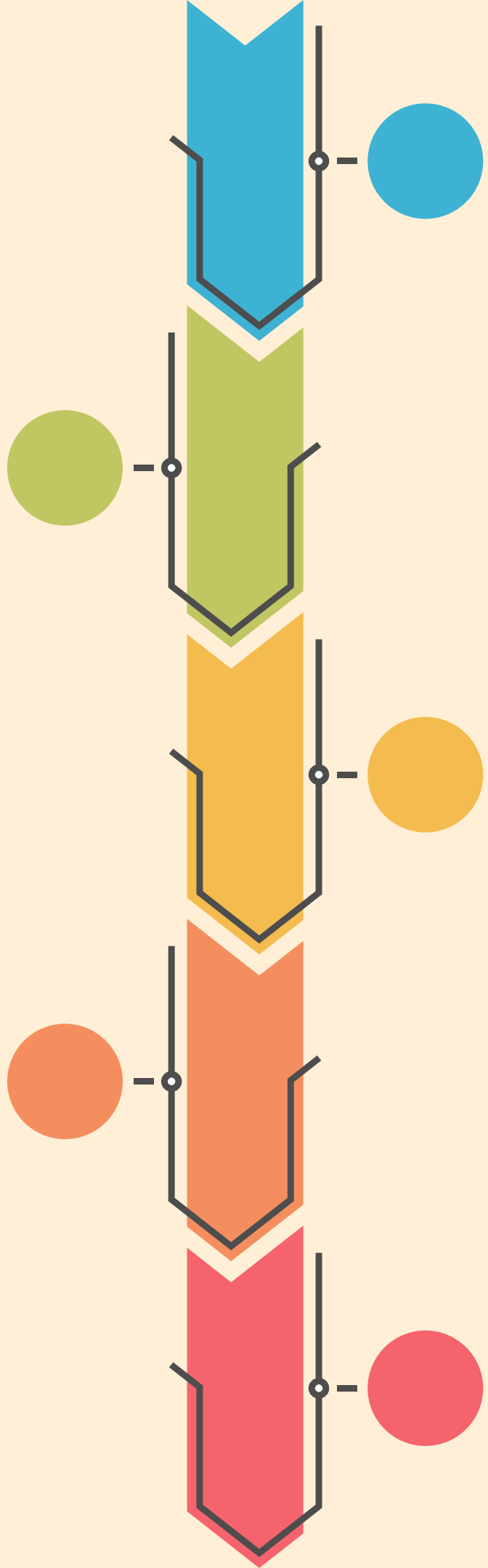


# **LGBTQ+ INVOLVEMENT IN THE CRIMINAL JUSTICE SYSTEM**

An overrepresented, under-reported issue

# PRESENTATION OUTLINE

- INTRODUCTION
- DATA & DISPARITIES
- PATHWAYS TO JUSTICE INVOLVEMENT
- TREATMENT WITHIN JUSTICE FACILITIES
- CHALLENGES OF LGBTQ+ REENTRY
- CHANGE IS HAPPENING; HERE'S HOW
- RECOMMENDATIONS FOR THE FUTURE



# INTRODUCTION

## **An image of inequality...**

LGBTQ+ individuals, especially LGBTQ+ individuals of color, are overrepresented in every stage of the criminal justice system, from juvenile to adult. Despite growing awareness for the LGBTQ+ community, anti-lgbtq+ bills continue to emerge, and the glaring issue of justice involvement inequality continues to go overlooked and underreported on. LGBTQ individuals are then treated unequally at each stage of justice involvement, and often face a lack of support upon return. It is important to bring visibility to this often invisible issue.





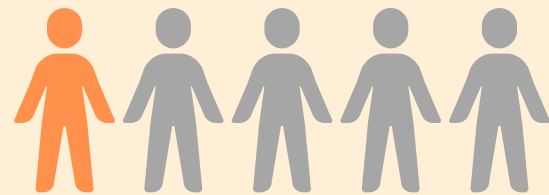
# **DATA & DISPARITIES**

# LGBTQ+ YOUTH: DISPARITIES AT THE JUVENILE STAGE



9.5% of the total youth population is LGBTQ+

20% of youth in juvenile justice facilities are LGBTQ+



That's 1 in 5 youth in juvenile facilities...

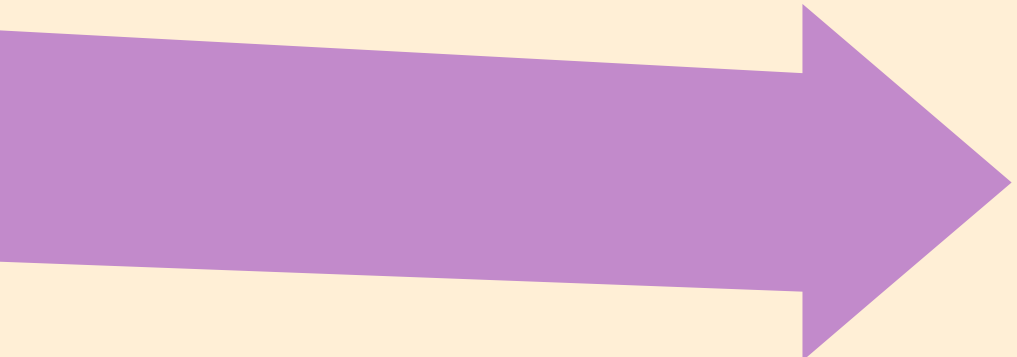
85% of LGBTQ+ youth within justice facilities are youth of color

LGBTQ+ girls are at a higher risk...

39.4% of youth within female juvenile facilities are LGBTQ+



# LGBTQ+ ADULTS: DISPARITIES CONTINUE




LGBTQ+ adults are **2-3x** more likely to be arrested & incarcerated than heterosexual adults.




**1 in 20** men in prison identify as LGBTQ+


**1 in 3** women in prison identify as LGBTQ+



**47%** of black transgender individuals report histories of incarceration



**1 in 4** women in county jails identify as LGBTQ+



Due to limited data, total counts of LGBTQ+ individuals within facilities are hard to pinpoint & often go unreported





# CONTRIBUTING FACTORS

# WHAT ARE THE CONTRIBUTING FACTORS TO LGBTQ JUSTICE INVOLVEMENT?



Biases & stigma surrounding LGBTQ+ individuals contribute to being seen as deviant



30% of all LGBTQ+ individuals report experiencing homelessness.



Laws & Bills that have historically criminalized LGBTQ+ "lifestyles" & current anti-lgbtq bills (474 current)



22% of all LGBTQ+ individuals reported living in poverty. 31% of black LGBTQ+ individuals reported living in poverty



LGBTQ+ youth being disproportionately impacted and sanctioned by "zero-tolerance" policies



LGBTQ+ individuals experience higher rates of unemployment.



LGBTQ+ youth are 2-3x more likely to be detained for running away

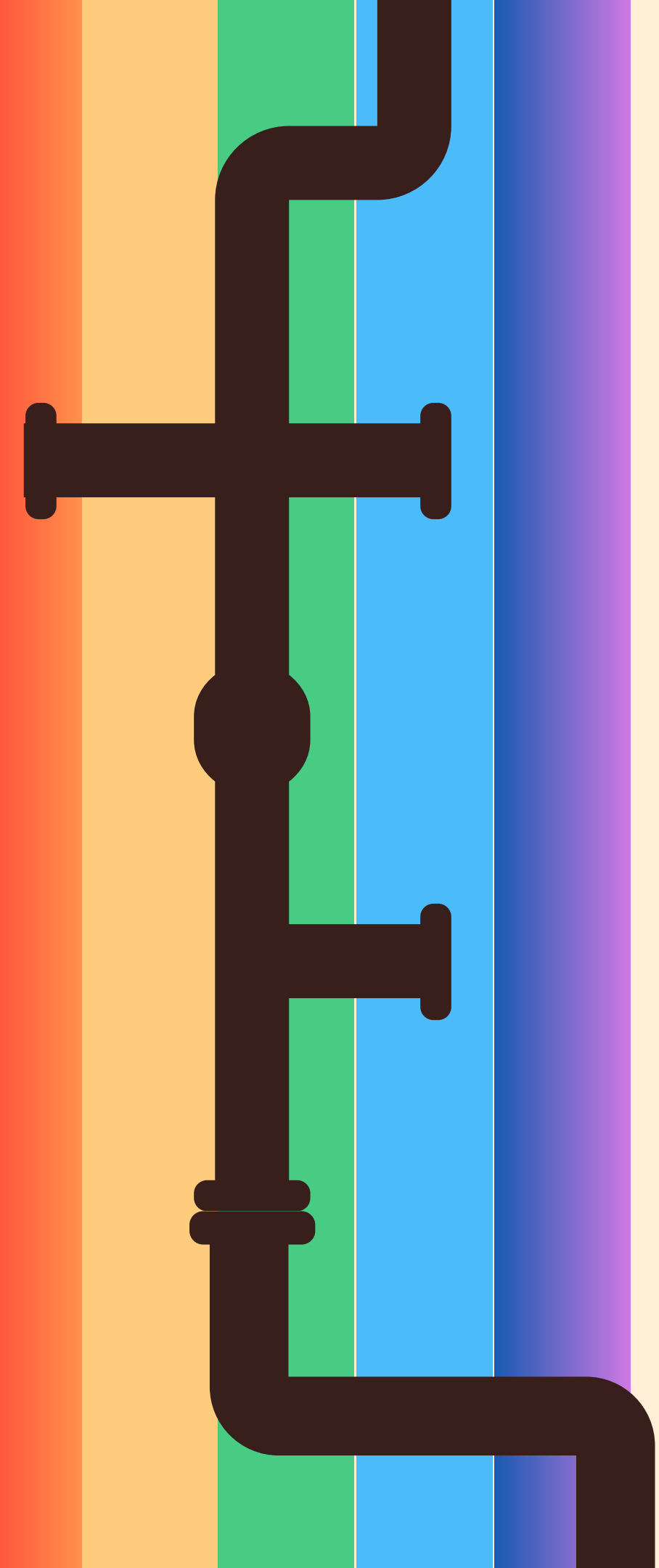


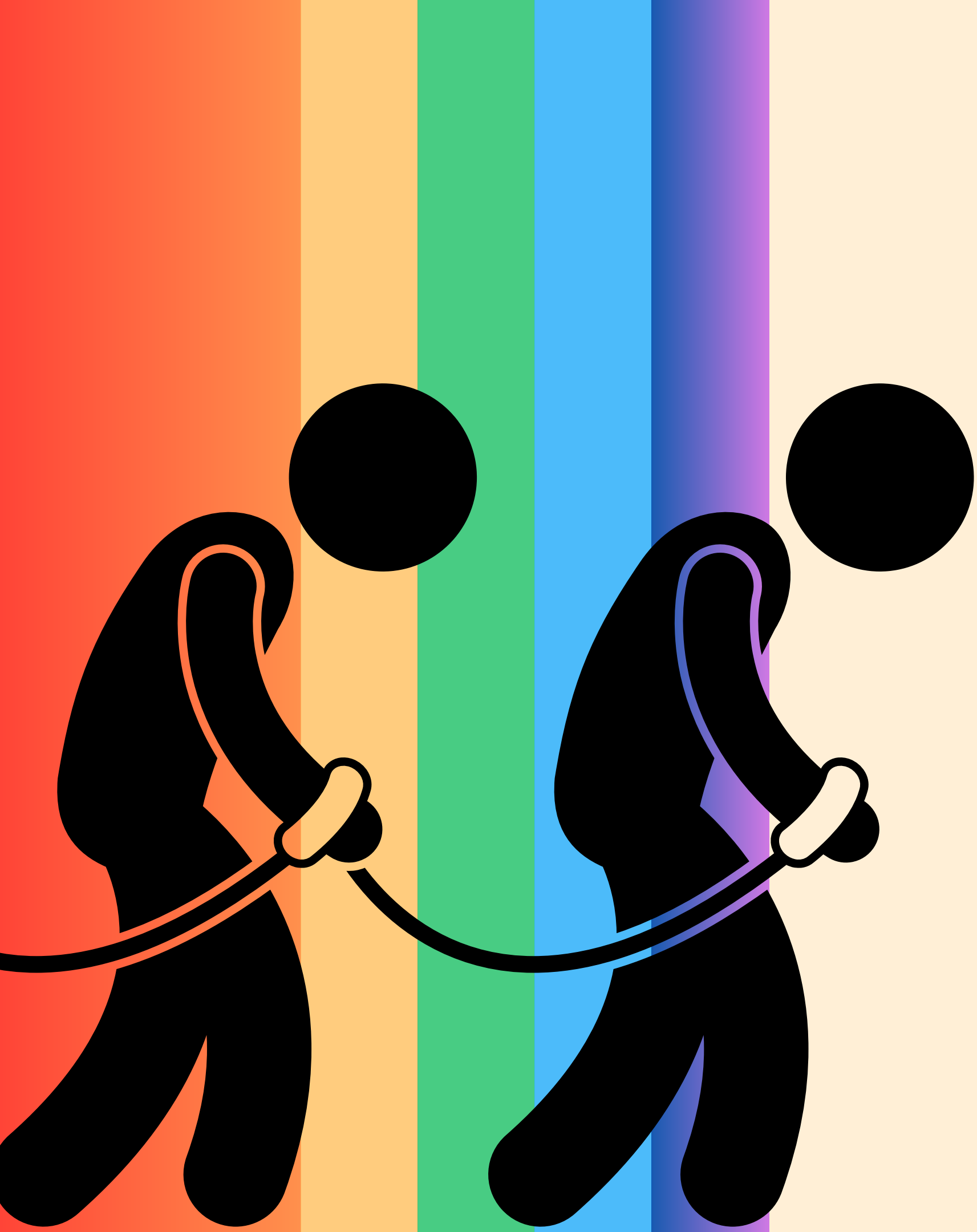
LGBTQ+ individuals are more likely to be victimized, yet less likely to report.



# SCHOOL TO PRISON PIPELINES: A GATEWAY TO JUSTICE INVOLVEMENT

- LGBTQ+ Students are 3x more likely to experience harsh disciplinary treatment by school administrators.
- LGBTQ+ youth report feeling distrust in school officials due to unsafe and unsupportive environments.
- Factors such as bullying, dress codes, over-policing, zero tolerance policies, overuse of suspension and expulsion and lack of access to resources are some of the ways LGBTQ+ students are pushed into the School to Prison Pipeline to eventual Justice Involvement.





**TREATMENT  
WITHIN  
FACILITIES**

# TREATMENT OF LGBTQ+ INDIVIDUALS WITHIN FACILITIES

- In a survey of over 1,000 incarcerated LGBTQ+ individuals, 85% of respondents reported being held in solitary confinement either for protection or due to "placement issues"
- LGBTQ+ individuals are 10x more likely to be sexually victimized by another incarcerated person, and are 2.6x more likely to be victimized by staff
- LGBTQ+ individuals face an extreme lack of adequate healthcare within facilities and are often refused hormones.
- Supportive services are often not in place for LGBTQ+ individuals within justice facilities due to lack of policies surrounding protections for this population.



# **CHALLENGES DURING REENTRY**

# CHALLENGES OF LGBTQ+ REENTRY

- LGBTQ+ Individuals often do not feel welcomed by reentry programs due to gendered screening forms, housing requirements, or due to lack of LGBTQ-specific care.
- Gender-affirming and HIV-related health care is often not within the scope of reentry organizations services
- Temporary housing programs are often not LGBTQ+ inclusive, or force LGBTQ+ members into housing that does not fit their gender
- Transgender individuals face risks of being unsafe within halfway or recovery homes, with 70% of transgender individuals reporting mistreatment in halfway homes
- LGBTQ+ specific support groups are a rarity amongst reentry programs, so finding a sense of community is often difficult



**CHANGE IS  
HAPPENING:  
HERE'S HOW**

# HERE'S HOW CHANGE IS HAPPENING...



There continue to be a growing number of organizations built to address these disparities, and advocacy surrounding policy implementation and LGBTQ+ best practices for justice facilities.



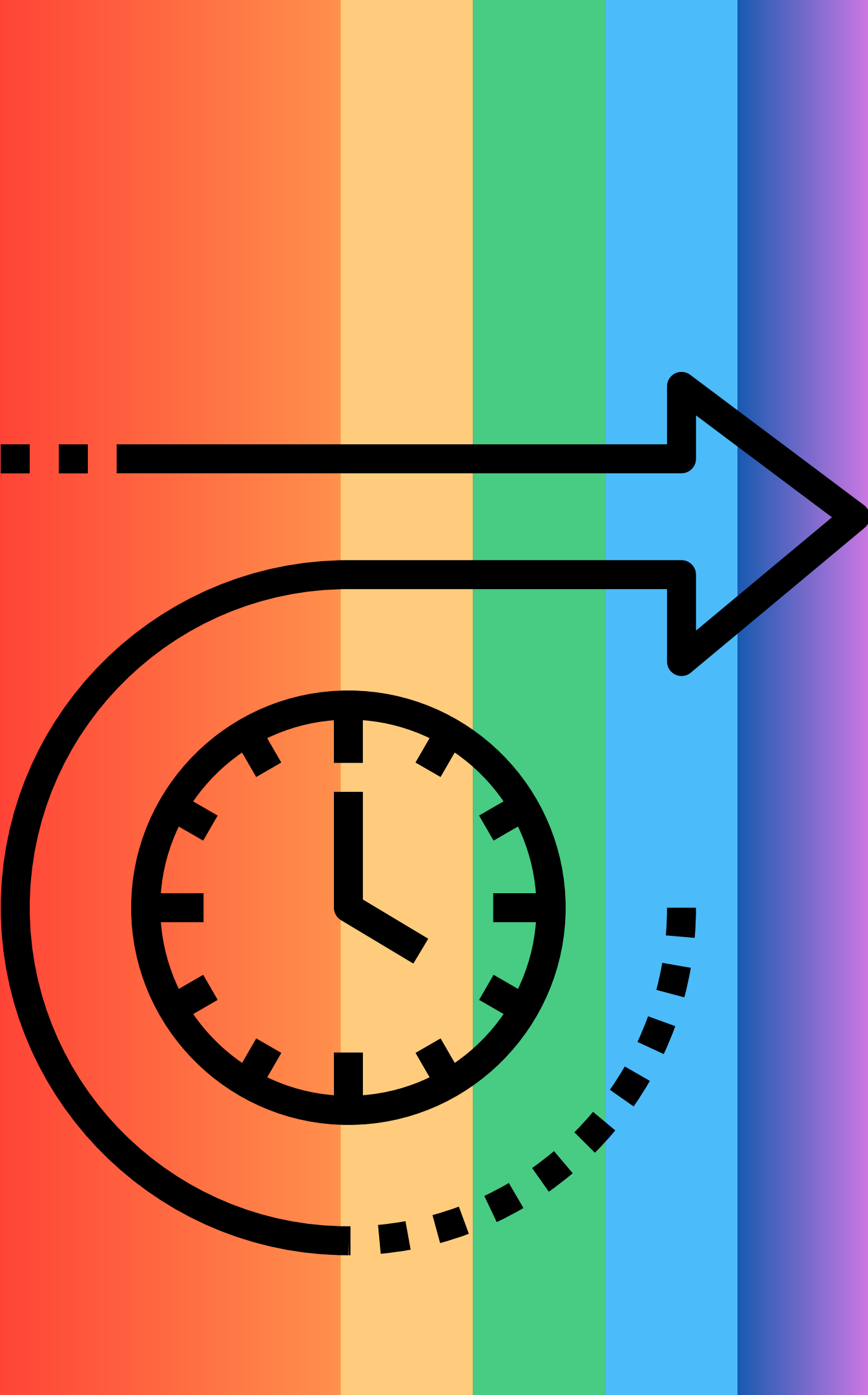
LGBTQ+ specific reentry and advocacy programs such as Black & Pink, Break Out!, and Transformative Justice Law Project are providing support and studies to promote the importance of LGBTQ+ awareness in the justice system.



Most prisons throughout the US, including NC prisons, now require LGBTQ+ inclusive PREA trainings to be able to enter the facilities\*



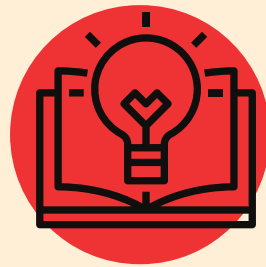
In our own organization, LINC has now conducted LGBTQ+ affirmative practices training for staff, offers staff opportunities for "ally" certificates, continues to update screeners to be inclusive, and have housed & supported many reentering LGBTQ+ individuals



# **RECOMMENDATIONS FOR REFORM**



# RECOMMENDATIONS FOR REFORM



Continue education of yourself & others to combat anti-lgbtq biases



Improve PREA implementation and oversight, as well as update trainings to be fully inclusive.



Implement mandatory reporting policies for facilities on incarcerated LGBTQ+ individuals and treatment



Create transitional, shelter, and emergency housing specifically for LGBTQ+ youth and adults.



Provide inclusive medical services inside all facilities for both HIV-related and gender-affirming care



Limit use of solitary confinement, and ban solitary confinement for all vulnerable populations.



Repeal past and reject future laws that criminalize gender-affirming care, lgbtq youth involvement in school activities, etc.



Provide inclusive mental health services for all LGBTQ+ individuals who are justice involved.

# THANK YOU!



EYES ON  
THE LAW



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