



WORKING WITH LGBTQ YOUTH IN COURT SYSTEMS

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TODAY'S OBJECTIVES

Participants will be able to:

- Distinguish differences between LGBTQIA identities/communities
- Identify societal challenges of LGBTQ youth
- Identify legal challenges of LGBTQ youth
- Utilize culturally humble engagement strategies when working with LGBTQ youth

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Figure 1. School hallway ([Keyword Suggestions, 2016](#))

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The Gender Unicorn

Graphic by:
TSER
Trans Student Educational Resources

To learn more, go to:
www.transstudent.org/gender

Design by Landyn Pan and Anna Moore

Gender Identity

- Female / Woman / Girl
- Male / Man / Boy
- Other Gender(s)

Gender Expression

- Feminine
- Masculine
- Other

Sex Assigned at Birth

- Female
- Male
- Other/Intersex

Physically Attracted to

- Women
- Men
- Other Gender(s)

Emotionally Attracted to

- Women
- Men
- Other Gender(s)

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DEFINITIONS WORTH NOTING

LGBTQIAPP+ – Lesbian, Gay, Bisexual, Trans, Queer, Questioning, Intersex, Asexual, Pansexual, Polysexual

Transgender/Trans - Encompassing term of many gender identities of those who do not identify or exclusively identify with their sex assigned at birth.

Genderqueer – Encompassing term of many gender identities of those who do not identify or exclusively identify with their sex assigned at birth.

Non-binary - Preferred umbrella term for all genders other than female/male or woman/man, used as an adjective.

SOGIE - Sexual Orientation, Gender Identity, (Gender) Expression

(Trans Student Educational Resources, 2018)

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SOCIETAL CHALLENGES

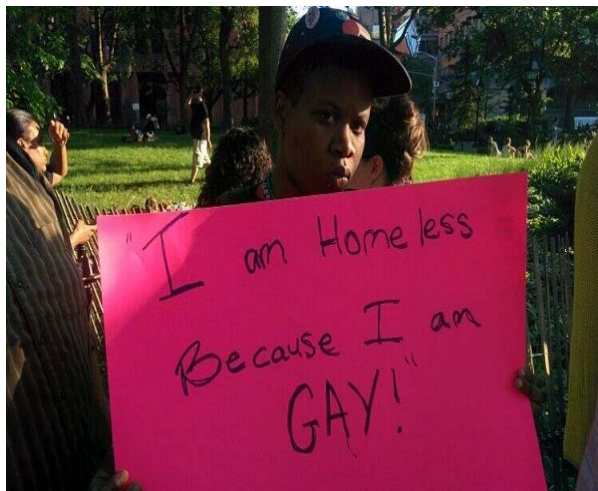
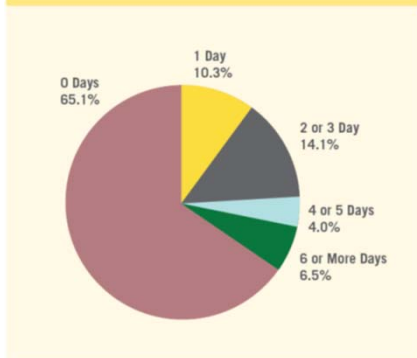


Figure 3. Homeless Gay Youth (GLAAD, 2014)

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SCHOOL CLIMATE

Frequency that LGBTQ Students Missed Days of School in the Past Month Because of Feeling Unsafe



Findings from 2017 National School Climate Survey:

Felt unsafe at school due to:

- Sexual orientation – 59.5%
- Gender expression – 44.6%
- Gender – 35%

Experiences of harassment and assault:

- 70.1% experienced verbal harassment
- 28.9% experienced physical harassment due to sexual orientation; 24.4% due to gender expression; 22.28% due to gender
- 12.4% experienced physical assault due to sexual orientation; 11.2% due to gender expression; 10% based on gender
- 48.7% experienced cyberbullying
- 57.3% experienced sexual harassment

(Kosciw, Greytak, Zongrone, Clark, & Truong 2018)

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SCHOOL POLICIES AND PRACTICES

62.2% reported personally experiencing said policies

- 31.3% reported receiving disciplinary action for public displays of affection
- 22.6% were prohibited from wearing clothing to school that was deemed “inappropriate” due to their legal sex
- 18.2% were prohibited from discussing LGBTQ topics in assignments (17.6% in school extracurricular activities)
- 3.5% reported being disciplined for solely identifying as LGBT.
- 42.11% of trans and GNC students were prevented from using their chosen name or pronoun
- 46.5% of trans and GNC students were required to use the bathroom (or locker room – 43.6%) of legal sex.

(Kosciw, Greytak, Zongrone, Clark, & Truong 2018)

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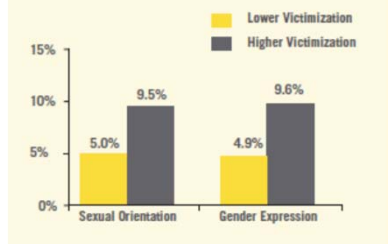
EFFECTS OF VICTIMIZATION AND DISCRIMINATION AT SCHOOL

42.2% of LGBTQ students reported plans to drop out or uncertainty that they would finish due to harassment faced at school.

Those with higher rates of victimization due to sexual orientation or gender identity:

- More likely to have missed school in past month (63.3%; 61.6%)
- Lower GPAs (3.0; 2.9)
- Nearly twice as likely to report that future plans did not include post-secondary education (9.5%; 9.6%)
- More likely to have been disciplined at school (54.1%; 52.1%)

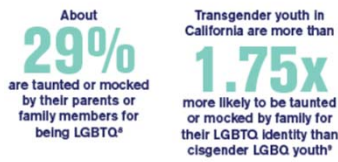
Educational Aspirations and Severity of Victimization
(Percentage of LGBTQ Students Not Planning to Pursue Post-Secondary Education)



(Kosciw, Greytak, Zongrone, Clark, & Truong 2018)

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FAMILY LIFE AND HOMELESSNESS



(Human Rights Campaign Foundation, 2019)

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- More likely to removed (35%; 17%) from home or placed in group home (23%;6%) for neglect and abuse (Irvine, Wilber, & Canfield, 2017)
- Twice as likely to have history of homelessness or running away (Irvine, Wilber, & Canfield, 2017)
- Represent up to 40% of homeless youth (Hyatt, 2011).
 - 25-40% cite conflicts with family members around their gender expression or sexual orientation as the reason for leaving home
 - LGBTQ homeless youth are 3-7x more likely to engage in survival sex than non-LGBTQ youth (Polaris Project, 2016).
 - Higher rates of victimization while homeless, including physical assault, sexual assault, and hate crimes.

ADDITIONAL CONCERNS

- More likely to have experienced child abuse, including sexual (32%) and physical abuse (58%), than non-LGBTQ peers (16%; 47%) (Hyatt, 2011).
- Two times more likely to experience intimate partner violence (Rabinovitz, Desai, Schneir, & Clark, 2010).
 - Young men who have sex with men (YMSM) are 5x more likely to have been forced to have sex with their partner.
 - 7.4x more likely to experience sexual violence (Polaris Project, 2016).
 - YMSM more likely to report being forced into prostitution than other young men (22% vs. 6%) (Rabinovitz, Desai, Schneir, & Clark, 2010).
- Greater likelihood of substance use and abuse (Hyatt, 2011).
- 2-7x more likely to attempt suicide (Development Services Group, Inc., 2014)



84% of LGBTQ youth in California rated their average stress level as a 5 or higher on a ten-point scale¹⁷



45% indicated feelings of worthlessness, hopelessness, letting people down and/or not being a good person within the past week¹⁸



More than **78%** of LGBTQ students in California felt depressed or down in the past week²⁰



93% of LGBTQ students in California report they have trouble getting to sleep at night²¹

(Human Rights Campaign Foundation, 2019)

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ACCESSING SERVICES

- More likely to not receive services obtaining short-term (20%) and long-term (16%) housing than non-LBTQ youth (9%; 9%) (Cray, Miller, & Durso, 2013).
- May have previous experiences of discrimination by service providers.
- Sexual minorities (LGB) are twice as likely to have been (or be) uninsured (Charlton et al., 2018).
- May not seek community services due to lack of awareness of services or due to limited or nonexistent services (Polaris Project, 2016)
 - Sex segregated services create barriers to shelter for youth that identify as trans*/GNC

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LEGAL CHALLENGES



Figure 4. Transgender Youth (Harper, 2016)

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REPRESENTATION IN CA LEGAL SYSTEM

LGBTQ youth are overrepresented in CA's legal system:

- Boys – 12.1%
- Girls – 51.1%

Region	% of Youth Disclosing LGBQ Sexual Orientation or Gender Nonconforming or Transgender Gender Identity/Expression
North	30%
Sacramento	20%
Bay	15%
Central	20%
South	20%

(Irvine, Wilber, & Canfield, 2017)

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LEGAL CHALLENGES

- More likely to be arrested, charged, and incarcerated than non-LGBTQ peers (Irvine, Wilber, & Canfield, 2017)
 - Overrepresented in the legal system for prostitution-related offenses (Polaris Project, 2016).
 - Increased risk of being label as sex offender (Cray, Miller, & Durso, 2013).
 - One study reported that LGBT youth are often detained for nonviolent offenses that may be related to homelessness or out-of-home placement (Development Services Group, Inc, 2014).
 - Depending on risk-screening instruments used, LGBT youth may be identified as “high risk” solely for having sexual experiences with the same sex.
 - Youth of color are overrepresented within LGBT youth in the court system. (Wilber 2015)
 - Higher rates of sexual assault while in detention/correctional settings (12.5%; 1.3%)
- More likely to experience harassment by police due to gender identity or sexual orientation (Cray, Miller, & Durso, 2013).
 - One study found 86% of trans* respondents reported being harassed, sexual assaulted, attacked, or mistreated in some other way by police (James et al, 2016).
 - May be placed in isolation their “safety” from other inmates (Development Services Group, Inc, 2014)

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CHALLENGES FOR LGBTQIA PARENTS



Figure 5. Couple at Pride Parade (Paumier, 2015)

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EMPLOYMENT AND FINANCIAL CHALLENGES

27% of LGBTQ people experience food insecurity (The Williams Institute, 2019).

25% of LGBTQ people make less than \$24K/yr which is below the national poverty threshold (The Williams Institute, 2019).

Sexual minorities (LGB) are **2x more likely** to have been (or be) unemployed (Charlton et al., 2018).

The U.S. Transgender Survey (2015) found:

- Poverty – more than two times higher than national average (29%;12%)
- Unemployment – three times higher than national average (15%;5%)
- Work place treatment – 30% reported being fired, denied a promotion, or experiencing some other form of mistreatment related to gender expression or identity.
- Housing – 30% had experienced homelessness in their life time; 23% had experienced discriminatory housing practices in the past year due to their gender identity or expression.

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VICTIMIZATION AND MENTAL HEALTH CHALLENGES

<p>20% of lesbian women 48% of bisexual women reported concerns for safety and/or endorsed at least one symptom of PTSD.</p>	<p>40% of gay men 47% of bisexual men have experienced a form of sexual violence other than rape in their lifetime</p>
<p>44% of lesbian women 61% of bisexual women will experience rape, intimate partner violence, and/or stalking by a partner (Walters, Chen, & Breiding, 2013).</p>	<p>26% gay men 37% bisexual men</p>

LGBTQ individuals are **2x more likely** to have a mental health disorder in their lifetime and **2.5x more likely** to experience depression, anxiety, and substance misuse as compared to heterosexual individuals (American Psychiatric Association, 2017).

One study comparing LGBTQ access to employment and health insurance reported that all sexual minority subgroups had significantly worse scores on health-related quality of life measurement across the five dimensions or mobility, self-care, usual activities, pain/discomfort and anxiety/depression (Charlton et al., 2018).

The U.S. Transgender Survey (2015) found:

- 47% experienced sexual assault during their lifetime
- 54% experienced some form of intimate partner violence
- 10% reported physical violence from family due to trans identity
- 40% reported at least one suicide attempt in their lifetime compared to national average of 4.6%.

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ENGAGEMENT STRATEGIES



Figure 5. Transgender Youth (Harper, 2016)

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Do:

- Use the youth's pronoun and name of choice.
- Ensure all legal providers and services providers are respectful to youth both in and out of your courtroom.
- Ensure services provided to youth are culturally humble and LGBTQ specific if desired.
- Remember that transition may be a family process.
- Ensure access to medical evaluations for transition, if desired.
- Assess for safety at school and in home/placement.
- Use LGBT-affirming images, symbols, and signs.
- Remember regional and cultural differences in language. Use the terms the youth uses.
- Remember **ALL** intersectional identities the youth holds.

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DON'T

- "Out" the youth.
- Use problematic language like:
 - "Preferred pronouns"
 - "Sexual preference"
 - "Sex change", "sex reassignment surgery", "gender reassignment surgery"
 - "Transgendered" or "Transgenders"
 - "Intersexed"
- Use heteronormative language (e.g. "Do you have a boyfriend?").
- Isolate a youth for their safety.
- Assume their LGBTQ identity is most salient.
- Stop learning!

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Questions?

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