

LGBTQI PEOPLE & MASS INCARCERATION

The criminalization of people of color is something JLUSA, and other criminal justice reform organizations, are all too familiar with. The history of our organization, our mission, and our campaigns all consider the intersection of race in the fight to end mass incarceration. But an important, and ever-growing, vulnerable population are LGBTQI people. We know that people of color, specifically Black people, are incarcerated at greater rates due to the consequences of racist policies, racial discrimination, and other factors. Discrimination in the criminal justice system, in education, in healthcare, in housing, discrimination in nearly every American institution have been catalysts for the largest incarceration population in the world and the largest incarceration population of Black people in the world. LGBTQI people face similar discrimination in this country, which has led to a growing number of people incarcerated who identify as LGBTQI.

LGBTQI PEOPLE ARE INCARCERATED AT HIGH RATES

- In 2011-2012 7.9% of people in prisons identified as lesbian, gay, or bisexual, as did 7.1% of individuals in jails; this is two times the incarceration rate of their heterosexual counterparts and double the percentage of the adult LGBTQI population in America.ⁱ
 - 16% of transgender and gender non-conforming respondents to the National Transgender Discrimination Survey indicated they had spent time in jail or prison, with higher rates for transgender women (21%) and lower rates for transgender men (10%). Comparatively, about 5% of all American adults will spend time in jail or prison during their lifetimes.ⁱ
 - 73% of all LGBTQI people and people living with HIV surveyed have had face to-face contact with police during the past five years. 5% of these respondents also report having spent time in jail or prison, a rate that is markedly higher than the nearly 3% of the U.S. adult population who are under some form of correctional supervision (jail, prison, probation, or parole) at any point in time.ⁱⁱ
 - The intersection of race and sexual orientation increases the rate in which LGBTQI people of color are over-policed. The combination of racism, homophobia, and transphobia increases the likelihood of LGBTQI people of color to come in contact with law enforcement.ⁱ
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DISCRIMINATION LEADS TO HIGHER INCARCERATION RATES

- 1 in 5 transgender people experienced homelessness at least once in their lives because of discrimination and family rejection.ⁱ

- 39% of LGBT youth experiencing homelessness in San Diego indicated they'd been kicked out of their homes or child welfare placement because of their sexual orientation.ⁱⁱⁱ
 - Among 18- to 24-year-old survey respondents who had security personnel in their middle or high schools, 9% reported being verbally assaulted by school security or police, 14% reported that school security were hostile toward them, 23% said they had heard school security or police use anti-LGBTQI language.ⁱⁱⁱ
 - 67% of transgender respondents, compared to 56% of cisgender respondents, reported spending time in detention during middle or high school.ⁱⁱⁱ
 - Only 21% of those surveyed had ID that matches their current identity, meaning that four-fifths are in danger of disclosure of transgender status every time they apply for a job or housing, or interact with the police.ⁱⁱ
 - Transgender and gender non-conforming people have twice the rate of unemployment compared to the national average, and 90% report having experienced harassment or discrimination on the job or taking actions to hide their identity in order to avoid it.ⁱⁱ
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ⁱ <http://www.lgbtmap.org/file/lgbt-criminal-justice.pdf>

ⁱⁱ https://web.law.columbia.edu/sites/default/files/microsites/gender_sexuality/files/roadmap_for_change_full_report.pdf

ⁱⁱⁱ https://www.lambdalegal.org/sites/default/files/publications/downloads/ps_executive-summary.pdf