

Juvenile Justice Vision 20/20 June 2017 Training Event
Be On The Lookout: A Briefing on Youth and Sexual Orientation and Gender Identity and Expression (S.O.G.I.E.)
June 9, 2017
Presenter: Dr. Mary Banghart Therrien and Rachel Wittebols

This presentation built and expanded upon the Day 1 presentation. Objectives were to increase participants' knowledge of terms, concepts, and demographics related to LGBT+ communities, improve awareness of different SOGIE in juvenile justice settings, and discuss the challenges of collecting LGTB+ information in child welfare and juvenile justice systems.

Terminology defined in addition to LGTBI (lesbian, gay, transgender, bi-sexual, and intersex), sometimes written as LGTB+, included:

- Q—Questioning or queer (“queer” being acceptable terminology in some instances and unacceptable in others).
- A—Asexual, meaning the person is not interested in or does not desire sexual activity, either within or outside of a relationship.
- P—Pansexual, meaning the person is not limited in sexual choice with regard to biological sex, gender, or gender identity.
- 2S—Two-spirited, a Native American term for a gay or lesbian person.
- GNC—Gender Non-conforming, a person that does not conform to binary gender roles.
- Gender Fluid—A person that embraces different identities along the gender continuum.
- Cisgender—A person whose gender identify matches the sex that they were assigned at birth.

Usually people are happy to tell a care provider what term to call them if asked, although some juveniles in justice settings might be reluctant to disclose sexual orientation or gender identity for safety or other reasons. The point made by presenters is that one does not have to be an LGTB+ expert to be supportive of youth. Juvenile workers should bear in mind that stressors and risk factors shared by all youth in the system might be increased with LGTB+ youth. Apart from the more universal stressors common to all adolescents, such as hormonal changes, brain development, and social media, LGTB+ youth are likely to have experienced issues with not being accepted by family, being bullied, and not being accepted by peers.

When asked to identify the most important problems in their lives, LGBT+ youth cited non-accepting families (26%), bullying (21%), and fear of being out in the open (18%) as the most significant. Non-LGTB+ youth identified classes and grades (15%), college/career (14%) and financial pressures (11%) as chief concerns. Independent studies confirm that LGBT youth are at higher risk for bullying, physical violence from family members, hostility, violence, and isolation that results in dropping out of school and poor physical and mental health. Sadly, 25%-40% of homeless youth are LGTB+, with the number one reason for their homelessness listed as rejection by family. A disproportionate percentage of LGTB+ youth are represented in the juvenile justice system versus non-LGTB+ youth.

Presenters also discussed the Cass Model's six stages of LGBT identity formation, namely:

- Identity Confusion—the person sees themselves as a member of the mainstream group and denies inner feelings
- Identity Comparison—the person begins to come out of the “fog” of confusion
- Identity Tolerance—they encounter someone or something that confirms their suspicions about their SOGIE
- Identity Acceptance—exploring subculture activities, readings, etc.
- Identity Pride—feelings of arrogance/pride in new identity, deep rage toward majority culture, adaptation of stereotypical behaviors or characteristics, and possible isolation from mainstream values and activities
- Identity Synthesis—acceptance and integration of new identity, more positive feelings about identity, typically come “out” with family and friends, and become more at peace with themselves (Note: The final stage of the Cass Model generally does not occur until well after adolescence.)

Collecting data on LGBT+ youth in the juvenile justice system is especially difficult because no centralized data collection system exists in Michigan, or at the federal level, and attempts at tracking only began recently. In addition, care providers do not always ask youth about LGBT+ status and/or are not given that information by youth, although PREA requirements are changing that dynamic because the juvenile standards require screening at intake. Reasons for youth reticence include fear of reprisal or negative consequences for disclosing, and many youth do not know for certain that they are LGTB+ until after they are involved in juvenile justice systems. Perhaps most importantly, youth do not trust the system—any system!

Available data suggests that LGTB+ youth face significant mental health and safety issues when compared to non-LGTB+ youth. In the U.S. 30% of all completed suicides are by LGTB+ individuals and LGTB+ youth are four times more likely to attempt suicide than non LGTB+ youth. Grief issues, isolation, and pregnancy rates increase significantly for LGTB+ youth.

The experiences of LGTB+ youth in the juvenile justice system were historically negative, and while PREA is changing that dynamic in facilities that adopt and comply with the standards, there are still inequities. Youth in the juvenile justice system are much more likely to be sexually victimized by peers. LGTB+ youth are more likely to be arrested, detained, and placed in the system. Pathways that lead to overrepresentation of LGTB+ youth in the system include:

- Family conflict that leads to homelessness and housing instability
- Being pushed out of school and/or school exclusion
- Heightened scrutiny by law enforcement, court personnel, and facility workers

Presenters delved further into PREA and how that represents one roadmap for change. Presenters also cited the need for further establishment of federal and national standards for law enforcement response to sexual assault of LGTB+ youth and implementation of anti-profiling measures. Also cited was the need for updates to the current JJDP Act, and systemic changes including data collection improvements. At the individual level, juvenile justice workers can take measures to let LGTB+ youth know that they can talk to them and that they are safe.