

ADDRESSING THE INTERSECTIONS OF JUVENILE JUSTICE INVOLVEMENT AND YOUTH HOMELESSNESS: SERVING LGBTQ YOUTH

Lesbian, gay, bisexual, transgender, questioning, and gender non-conforming (LGBTQ/GNC) youth experience increased levels of homelessness when compared to other peers and are also disproportionately more likely to be involved with the juvenile justice system. An estimated 20-40% of youth experiencing homeless are LGBTQ/GNC, as compared to 7-10% of the general youth population.¹

Studies vary regarding the number of LGBTQ/GNC youth in the juvenile justice system. According to one survey by the National Council on Crime and Delinquency, 20% of the youth in seven juvenile justice facilities identified as LGBTQ/GNC, roughly two to three times higher than the average youth population.² LGBTQ/GNC youth are twice as likely to be arrested and detained for status offenses and other nonviolent offenses.³ In addition to these experiences, LGBTQ/GNC youth are more likely to experience bullying at school⁴ and rejection or victimization by parents or caregivers, which often results in youths' running away from home.⁵

Because LGBTQ youth are more likely to experience victimization by family members or peers, studies have analyzed the amount of LGBTQ youth suffering from mental health disorders or dealing with drug abuse. LGQ female students indicated that they were more likely to have consumed alcohol or have smoked marijuana in the last 30 days than their heterosexual peers.⁶ LGBTQ homeless youth are more also more vulnerable to depression, loneliness and psychosomatic illness than youth not suffering from mental disorders. Additionally, statewide studies in Minnesota found that between 10 and 20 percent of homeless youth self-identify as chemically dependent.⁷ In the United States, at any one time there are approximately 260,000 youth in the foster care system. Of these youth, between 5 and 10 percent identify as LGBTQ.⁸

For more information on LGBTQ/GNC youth and the intersections of juvenile justice and homelessness, please see: [Addressing the Intersections of Juvenile Justice Involvement and Youth Homelessness: Principles for Change](#).

Communities can work together to ensure that young people do not experience homelessness as a result of juvenile justice involvement or become system involved because they are experiencing homelessness.

RE-ENTRY PROGRAMMING

As noted in "[Addressing the Intersections of Juvenile Justice Involvement and Youth Homelessness: Principles for Change](#)," adequate transition planning and re-entry services are essential for preventing homelessness among youth who are exiting the juvenile justice system. Planning should begin as early as possible and outline what services a young person will need to reenter the community safely and successfully. The plan should also outline where they will live, including backups to ensure that the young person is safe not just on the first night they leave a facility, but on night 100 and 1,000 as well.

Unfortunately, existing reentry programming does not always meet the needs of LGBTQ/GNC youth though.⁹

Substance abuse treatment programming, for example, is often based on a faith narrative that may not be effective for youth who have traumatic experiences with faith communities. This may be particularly true for young people who were subject to conversion therapy, or thrown out of their homes based on their families' religious beliefs. Professionals should identify and refer to substance abuse providers who are not affiliated with religious institutions, or who have programs that are culturally competent and appropriate for LGBTQ/GNC youth.

Mentoring programs, substance abuse treatment, and other services may also prohibit matching young people and adults of a different gender (fearing romantic relationships forming). This can be exclusionary for youth who are not gender binary (e.g., do not identify solely as male or female), and also means that someone who is attracted to people of the same sex may have a same sex sponsor. Programming should allow youth to choose if they want a sponsor, mentor, or other resource adult of a particular gender.

Reenrollment in school may pose unique challenges as well. Young people should be re-enrolled in their original school whenever safely possible. For young people who experienced anti-LGBTQ/GNC discrimination, bullying, or harassment special efforts may be needed to make that school safe. If that is not possible, youth should have the option to attend a different school or alternative program.

Re-entry and transition planning/services should connect all young people to health care that is specific to their needs. Professionals should identify and refer youth who are LGBTQ to health providers who are culturally competent and can meet their specific health needs (e.g., HIV-related care for a young person living with HIV).

Resources & Examples:

- The Equity Project has produced many resources that assist local jurisdictions in ensuring fair treatment of LGBTQ youth in the juvenile justice system. These are available on their website, www.equityprojects.org. The Coalition for Juvenile Justice also has resources on this issue available at <http://bit.ly/2kyJSnq%20> as well as a bibliography, developed in partnership with several collaborating organizations, at juvjustice.org/lgbtqjresources.

- **Just Us**, a program of the Oasis Center in Nashville, TN, serves LGBTQ youth through outreach, individual and group support, and education directly for youth. Just Us provides advocacy and training to and for schools, families, courts and other programs/agencies. Just Us is also currently working on reducing the number of homeless LGBTQ youth state-wide and increasing family preservation by addressing public school truancy policies and procedures, and juvenile justice unruly filings, which can be triggered by family rejection based on sexual orientation or gender identity. Learn more about their work at <http://justusoasis.org/>.

- **The eQuality Project**, an initiative of the Center for Children & Youth Justice in Washington State, "is the first statewide effort to help LGBTQ youth in foster care and the juvenile justice system find safety and support for the unique issues they face." More information about their work is available at ccyj.org/initiatives/equality/.

LGBTQ/GNC young people may face additional barriers to finding and keeping employment. Vocational programming should help all youth navigate the practical aspects of getting and keeping a job, in addition to training them on necessary skills. This should include educating LGBTQ young people on any state rights protecting them from discrimination. For transgender youth, help should also be provided in obtaining identification that matches their gender, and guidance on navigating an interview process if a legal ID has a different name than what is listed on their resume.

RACE, AGE, IMMIGRATION STATUS, AND MORE

LGBTQ youth may also be experiencing a range of other issues. As explained in “[At the Intersections](#)” youth experiencing homelessness live at the intersections of various marginalized identities, which may include their race, gender identity and expression, age, sexual orientation, immigration status, ability, and more.¹⁰

Meanwhile, the systems meant to serve LGBTQ youth - including juvenile justice, homelessness, child welfare, health care, immigration, and education - often don't take into account their specific circumstances, which can result in their needs not being met.

Juvenile justice agencies, runaway and homeless youth service providers, schools, and community-based programs can take the following steps to help address the unique needs of LGBTQ youth who may be system involved and/or experiencing homelessness:

- Provide and require meaningful gender and cultural responsiveness staff training that increases knowledge and skills, with a particular focus on LGBTQ youth, youth of color, youth with disabilities, and the reasons they are more at risk for homelessness and justice involvement.
- Enact, expand, or update comprehensive anti-harassment and non-discrimination policies. Ensure that both youth and staff are aware of and follow these policies. Staff must be expected to lead by example and model affirming behavior to the youth in their programs.
- Ensure that any external partners or services that youth are referred to, including mental and physical health professionals, provide gender and culturally responsive services and can meet the specific needs of the youth being referred (e.g., a health provider with expertise on the medical needs of a transgender young person).
- Expand recruitment and retention of diverse employees who have lived experiences that reflect those of the young people they will serve.
- Collaborate with LGBTQ/GNC youth in designing/developing programming, and encourage them to provide peer support and educational opportunities for other youth. Ensure that LGBTQ/GNC youth, their families, and their communities are offered opportunities to partner in the identification and development of community-based resources that can prevent juvenile justice involvement and reduce homelessness.
- Ensure that State Advisory Groups, their Disproportionate Minority Contact (DMC) committees, and other juvenile justice committees working to address DMC, consider and address issues related to homelessness.

- Ensure that no young person will be subjected to or referred to programs that attempt to alter their sexual orientation or gender identity (i.e., “conversion” therapy).
- Youth who have experienced family rejection, because of their sexual orientation, gender identity, or for other reasons, may only be able to return home safely if their families are offered and take advantage of LGBTQ-affirming family counseling, but this is something that should be identified and addressed early in transition planning.

COMING TOGETHER: COLLABORATING FOR MEANINGFUL CHANGE

LGBTQ/GNC youth are at greater risk of involvement with the juvenile justice system and of experiencing homelessness. Because of this, special attention must be paid to addressing their needs and pathways into, and out of, the justice system and homelessness. LGBTQ/GNC youth may be subject to disproportionate rates of removal or ejection from community-based programs aimed at preventing homelessness.

Moreover, LGBTQ youth are overrepresented among youth who are removed from their homes and placed in juvenile justice facilities. Research has documented the connection between placement in secure juvenile detention facilities and worsened life outcomes for young people, including an increased likelihood of dropping out of school, reduced employment prospects, and a greater likelihood of engaging in future criminal behavior.¹¹

For more information on LGBTQ/GNC youth and the intersections of juvenile justice and homelessness, please see: *Addressing the Intersections of Juvenile Justice Involvement and Youth Homelessness: Principles for Change*.

For more information or to read the full report “Addressing the Intersections of Juvenile Justice and Youth Homelessness: Principles for Change” visit www.juvjustice.org/homelessness.



¹ Price, C., et. Al. True Colors Fund and the National LGBTQ Task Force. *At the Intersections: A Collaborative report on LGBTQ youth homelessness*. Available at www.attheintersections.org; Burwick, Andrew, Vanessa Oddo, Laura Durso, Daniel Friend, and Gary Gates. U.S. Department of Health and Human Services, Administration for Children & Families, Office of Planning, Research, and Evaluation. *Identifying and Serving LGBTQ Youth: Case Studies of Runaway and Homeless Youth Program Grantees*.

² Barr 2016.

³ Irvine, Angela. 2010. “We’ve Had Three of Them’: Addressing the Invisibility of Lesbian, Gay, Bisexual, and Gender Nonconforming Youths in the Juvenile Justice System.” *Columbia Journal of Gender and Law* 19(3):675–701.

⁴ Mitchum, Preston, and Aisha C. Moodie–Mills. Center for American Progress. 2014. *Beyond Bullying: How Hostile School Climate Perpetuates the School-to-Prison Pipeline for LGBT Youth*.

⁵ Friedman, Mark S., Michael P. Marshal, Thomas E. Guadamuz, Chongyi Wei, Carolyn F. Wong, Elizabeth M. Saewyc, and Ron Stall. 2011. “A Meta-Analysis of Disparities in Childhood Sexual Abuse, Parental Physical Abuse, and Peer Victimization Among Sexual Minority and Sexual Nonminority Individuals.” *American Journal of Public Health* 101(8):1481–94.

⁶ U.S. Department of Education, U.S. Department of Justice Office of Justice Programs. “Indicators of School Crime and Safety: 2016.” <https://www.bjs.gov/content/pub/pdf/iscs16.pdf>

⁷ Ray, Nicholas. “*Lesbian, Gay, Bisexual and Transgender Youth: An Epidemic of Homelessness*.” National Gay and Lesbian Task Force Policy Institute and the National Coalition for the Homeless.

⁸ National Center for Lesbian Rights. “*LGBTQ Youth in The Foster Care System*.” http://www.nclrights.org/wp-content/uploads/2013/07/LGBTQ_Youth_In_Foster_Care_System.pdf

⁹ Maurey, Meghan. Senior Policy Counsel and Criminal and Economic Justice Director, National LGBTQ Task Force. (Maurey)

¹⁰ Price, C., et. Al. True Colors Fund and the National LGBTQ Task Force. *At the Intersections: A collaborative report on LGBTQ youth homelessness*. 2016. Available at www.attheintersections.org.

¹¹ Mendel, Richard. Annie E. Casey Foundation. *No Place For Kids*. 2011, www.aecf.org/m/resourcedoc/aecf-NoPlaceForKidsFullReport-2011.pdf.