

Impact Justice

How the Hypervisibility and
Invisibility of LGBTQ/GNCT
Latinxs Drive Involvement in
the Youth Justice System

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What is "real"?

- Race, gender, sexual orientation can be measured.
- How we respond is socially constructed.

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What drives justice system involvement?

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- Youth behavior is generally the same across race, gender, and sexual orientation.
- Justice system actors respond differently to youth depending on their race, gender, and sexual orientation.



SOGIE

- SO is sexual orientation
- GI is gender identity
- E is gender expression

LGBQ/GNCT Youth

- Why this acronym?
- Hypervisibility and invisibility

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Question #1

Everyone has a sexual orientation.

- a.** True
- b.** False

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Quiz Answer #1

- a.** True. Everyone has a sexual orientation.

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Quiz Question #2

Everyone has a gender identity.

- a.** True
- b.** False

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Quiz Answer #2

- a.** True. Everyone has a gender identity.

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Quiz Question #3

Children begin to become aware of their gender identity at around what age?

- a.** 2–4 years
- b.** 5–7 years
- c.** 8–10 years

Quiz Answer #3

a. 2–4 years.

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Stephanie Brill and Rachel Pepper, 2008. *The Transgender Child: A Handbook for Families and Professionals*

Quiz Question #4

Children begin to become aware of their sexual orientation at around what age?

- a.** 8 years
- b.** 10 years
- c.** 12 years

Quiz Answer #4

b. 10 years

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Caitlin Ryan, et al., 2010. *Family Acceptance in Adolescence and the Health of LGBT Young Adults*



Quiz Question #5

What percentage of youth in detention facilities nationwide are lesbian, gay, bisexual, questioning, gender nonconforming or transgender?

- a.** 15%
- b.** 20%
- c.** 25%

Quiz Answer #5

- b. 20% of youth in detention facilities nationwide are lesbian, gay, bisexual, questioning, gender nonconforming or transgender.

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Irvine, Angela, and Aisha Canfield. 2016. "The Overrepresentation of Lesbian, Gay, Bisexual, Questioning, Gender Nonconforming, and Transgender Youth Within the Child Welfare to Juvenile Justice Crossover Population." Journal on Gender, Social Policy, and the Law, 24(2): 243-261.

California Findings on Overall Overrepresentation

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- 20% of youth were LGBTQ or GNCT
- 50% of girls are LGB or GNCT
- 90% of ALL youth were of color
 - 18.6% African American/Black
 - 50.4% Latinx
 - 1.5% Native American/First Nation
 - 17.1% Mixed Race or Ethnicity

SOGIE for Latinx Boys

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	Straight	GBQ
GC	90.3%	1.5%
GNCT	7.1%	1.1%

SOGIE for Latinx Girls

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	Straight	LBQ
GC	54.9%	25.8%
GNCT	9.1%	10.2%

Relative Rate Index-Gender and Sexual Orientation



- i for every one white straight girl in the justice system,
- ii there are two straight Latinas,
- iiiiiiiiii eight LBQ white girls,
- iiiiiiiiiiiiiiiiii and fifteen LBQ Latina girls.

Quiz Question #7

What percentage of youth in foster care are LGBTQ?

- a. 19%
- b. 23%
- c. 30%

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Quiz Answer #7

a. 19% of youth in foster care identify as LGBTQ.

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Bianca Wilson, et al. 2014. *Sexual and Gender Minority Youth in Foster Care: Assessing Disproportionality and Disparities in Los Angeles*

Child Welfare Involvement in California

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- Have you ever been removed from your home because someone was hurting you?
 - Straight and GC=15%
 - LGBTQ/GNCT=34%
- Have you ever been placed in a group home or foster home because someone was hurting you?
 - Straight and GC=5%
 - LGBTQ/GNCT=21%

Quiz Question #6

Approximately ___ of homeless youth are LGBT.

- a. 10%
- b. 20%
- c. 40%

Quiz Answer #6

c. Approximately 40% of homeless youth are LGBT.

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Laura Durso & Gary Gates, 2012. *Serving Our Youth: Findings from a National Survey of Service Providers Working with Lesbian, Gay, Bisexual, and Transgender Youth who are Homeless or At Risk of Becoming Homeless*

Homelessness in California

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- Have you been detained for running away?
 - Straight and GC=14%
 - LGBTQ/GNCT=28%
- Have you ever been homeless after being kicked out or running away?
 - Straight and GC=21%
 - LGBTQ/GNCT=47%

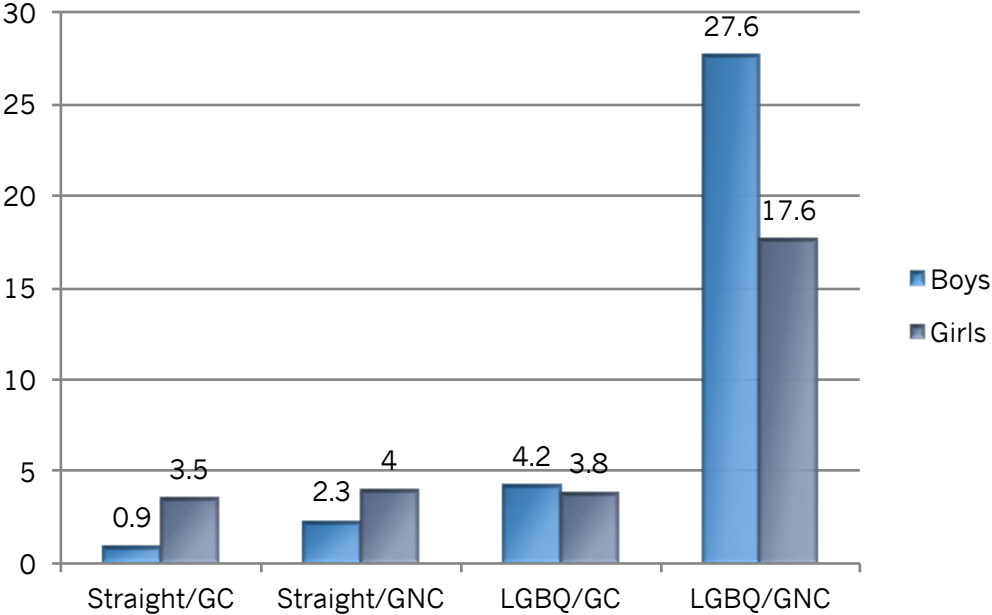
Survival Crimes*

- Difficult to define legally
- Are you currently detained for prostitution?
 - Straight and GC=1%
 - LGBQ/GNCT=7%

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Overrepresentation in Prostitution Charges

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Recommendations

Policy researchers and system leaders must

- understand how hypervisibility and invisibility can drive system involvement
- begin asking about SO and GIE
- move beyond “gender” as only involving girls
- think about how race and SOGIE intersect to drive justice involvement

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Citation:

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