



# Poverty at the End of the Rainbow

The National LGBTQ Anti-Poverty  
Action Network



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Poverty at the End of the Rainbow is a group of fact sheets written in an attempt to equip advocates, lawmakers, community members and allies alike with a greater understanding of the unique challenges facing LGBTQ+ people living in poverty. These challenges are specifically heightened during the pandemic but go far deeper than the current circumstances. Please read on for more information. This compilation of fact sheets are published by The National LGBTQ Anti-Poverty Action Network.

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**The National LGBTQ Anti-Poverty Action Network (the Network)** is a member-based coalition of over 100 national, state, and local organizations working in the LGBTQ+, anti-poverty, and anti-hunger movements to increase awareness about and action on LGBTQ+ poverty. The Network champions priorities across federal departments and agencies.

The **Network** is co-coordinated by Tyrone Hanley, Senior Policy Counsel, National Center for Lesbian Rights and Johanna Sanders, Director of Policy & Organizing at The Vaid Group. [lgbtqpoverty.info](http://lgbtqpoverty.info)

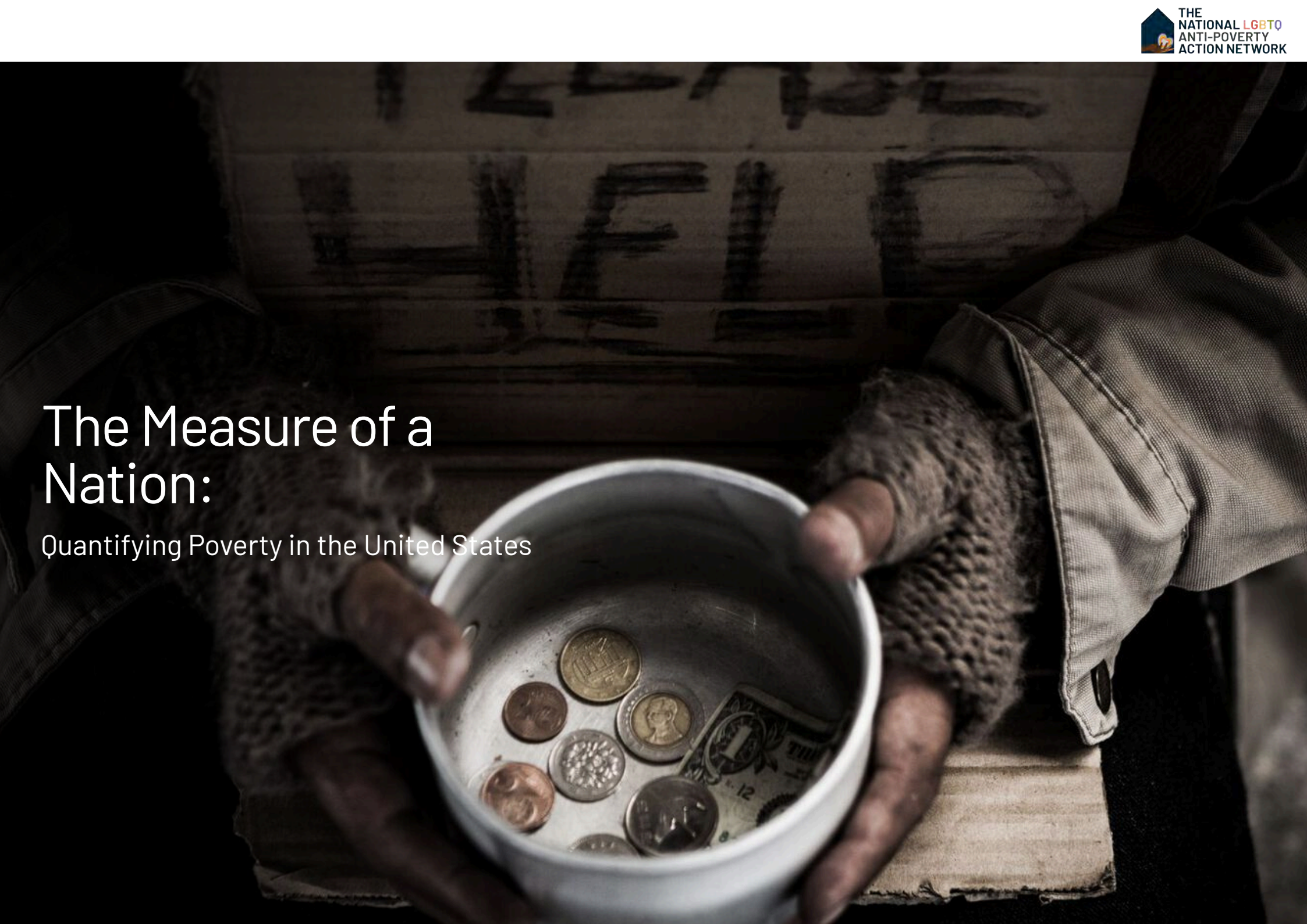
- **The National Center for Lesbian Rights (NCLR)** is a national legal organization committed to advancing the human and civil rights of the lesbian, gay, bisexual, transgender, and queer community through litigation, public policy advocacy, and public education. Since its founding,

NCLR has maintained a longstanding commitment to racial and economic justice and the LGBTQ community's most vulnerable. [nclrights.org](http://nclrights.org)

- **Justice Work at The Vaid Group** is a think tank/action lab that develops and builds community interventions using research and data analysis, community engagement, organizing, consultation, convening, network building, policy development- crafting solutions from practice. These interventions are dedicated to advancing racial, gender, economic and climate equity and are grounded in partnership with front-line organizations working in the substantive areas in which we focus.  
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# The Measure of a Nation:

Quantifying Poverty in the United States



**The U.S. Census Bureau reported that 11.7% of the general population, 38.2 million people, lived in poverty in 2019.<sup>1</sup> The current rate of LGBTQ+<sup>2</sup> people experiencing poverty is alarming: over one in five LGBTQ+ people (21.6%) live in poverty.<sup>3</sup> That is almost double the national average. Rates in the transgender community are even higher at 29%.<sup>4</sup>**

Poverty within LGBTQ+ communities is due in part to systemic discrimination along the lines of race, sexual orientation, and gender identity and expression. From families who kick LGBTQ+ youth out of their homes to LGBTQ+ people who experience discrimination in the workplace, in their schools, and in their communities, LGBTQ+ people face barriers to achieving economic security each day.

Although LGBTQ+ communities face such high rates of poverty, stereotypes depicting LGBTQ+ people as wealthy minimizes the visibility of the harmful realities. Depictions of affluent urban lifestyles, rich LGBTQ+ people with disposable incomes and few

care-taking responsibilities hide the realities for the vast majority of LGBTQ+ people. The emphasis<sup>5</sup> on economic advantages within LGBTQ+ communities erases the disproportionate numbers of LGBTQ+ people living in poverty.

In recent years, federal agencies have only increased the discrimination that LGBTQ+ people face when accessing critical services like healthcare and housing. In June 2020, the Department of Health and Human Services eliminated protections for transgender people for gender discrimination in health care.<sup>6</sup> Religious and faith-based healthcare providers can now exclude LGBTQ+ individuals from services and

legally refuse to treat transgender people. This decision limits the already limited medical resources available to LGBTQ+ people. The Department of Housing and Urban Development recently proposed to remove protections for the transgender community when accessing federally-funded single-gender homeless shelters<sup>7</sup> – leaving homeless transgender people vulnerable to discrimination when they need help most.

Due to the interaction of factors like racism, sexism, ableism, and disparities due to geographic location, certain groups within the LGBTQ+ community are more vulnerable to experiencing poverty, especially those who are transgender, bisexual, women, BIPOC, living with a disability, or living in rural areas. For example, 19.5% of cis-bisexual men, 29.4% of cis-bisexual women<sup>8</sup>, 30.8% of Black LGBTQ+ people, and 35.4% of LGBTQ+ women live in poverty.<sup>9</sup> Compounding factors like systemic racism and over-policing, poverty, and rejection from family members, leave LGBTQ+ people over-

represented<sup>10</sup> in homeless shelters, foster care, homeless youth populations, and institutional settings like prisons<sup>11</sup> and jails.<sup>12</sup>

Among families, 24% of children being raised by same-sex couples living in poverty.<sup>13</sup> In a study of 339 Black mothers with low incomes, the 21.3% who identified as lesbian/bisexual were four times more likely than those who identified as heterosexual to have lost their children to child welfare proceedings.<sup>14</sup> These data reflect the impact of systemic racism, family rejection, and decades of state-sanctioned discrimination and economic disempowerment.

Despite the growing evidence that large numbers of LGBTQ+ people live in poverty and experience living with low-incomes, mainstream LGBTQ+, and anti-poverty programs, organizations and funders have not yet prioritized poverty, economic opportunity, or the intersections of race, gender, age, ability, and economic status.

## Citations for "The Measure of a Nation: Quantifying Poverty in the United States"

<sup>1</sup> See US Census Bureau, "The Supplemental Poverty Measure: 2019," 15 September 2020.

<https://www.census.gov/library/publications/2020/demo/p60-272.html>.

<sup>2</sup> For purposes of this document, we use LGBTQ+ to reference Lesbian, Gay, Bisexual, Transgender, Queer, Nonbinary, Asexual and all other people that identify on the spectrum of gender and sexuality; we refer to people of color as people of a non-white experience and specifically to Black, Latinx, Asian, etc. persons when delineating by race. Any other uses throughout the document reflect an acronym or identity used in the cited source.

<sup>3</sup> See Badgett, M.V. Lee, et al. UCLA School of Law Williams Institute, "LGBT Poverty In The United States: A Study of Differences Between Sexual Orientation and Gender Identity Groups," October 2019. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/National-LGBT-Poverty-Oct-2019.pdf>. Please note this study specifies LGBT people. We note LGBTQ+ for consistency.

<sup>4</sup> See James, S. E., Herman, J. L., Rankin, S., Keisling, M., Mottet, L., & Anafi, M. "The Report of the 2015 U.S.

Transgender Survey," 2016. <https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>.

<sup>5</sup> See McDermott, Nathan. "The Myth of Gay Affluence," The Atlantic, Atlantic Media Company, 21 March 2014. <https://www.theatlantic.com/business/archive/2014/03/the-myth-of-gay-affluence/284570/>.

<sup>6</sup> Sanger-Katz, Margot and Weiland, Noah. "Trump Administration Erases Transgender Civil Rights Protections in Health Care," New York Times, 12 June 2020. <https://www.nytimes.com/2020/06/12/us/politics/trump-transgender-rights.html>.

<sup>7</sup> See U.S. Department of Housing and Urban Development, "Making Admission or Placement Determinations Based on Sex in Facilities Under Community Planning and Development Housing Programs," Federal Register 85 (143) 2020: 44811–44818, <https://www.federalregister.gov/documents/2020/07/24/2020-14718/making-admission-or-placement-determinations-based-on-sex-in-facilities-under-community-planning-and>.

<sup>8</sup> See Badgett, *supra* note 3.

<sup>9</sup> See *id.* at 8.

<sup>10</sup> See Wilson, B.D.M., Cooper, K., Kastanis, A., & Nezhad, S. 2014. "Sexual and Gender Minority Youth in Foster care: Assessing Disproportionality and

Disparities in Los Angeles." Los Angeles: The Williams Institute, UCLA School of Law.

<sup>11</sup> See Meyer, I. H., Flores, A. R., Stemple, L., Romero, A. P., Wilson, B. D. M., & Herman, J. L. 2017.

"Incarceration Rates and Traits of Sexual Minorities in the United States: National Inmate Survey, 2011–2012," American Journal of Public Health, 107(2), 267–273.

<https://doi.org/10.2105/ajph.2016.303576>

<sup>12</sup> See Wilson, B. D. M., Choi, S. K., Harper, G. W., Lightfoot, M., Russell, S., & Meyer, I.H. 2020.

"Homelessness Among LGBT Adults in the U.S," Los Angeles, CA: Williams Institute.

<sup>13</sup> See Gates, Gary J., "Demographics of Married and Unmarried Same-Sex Couples: Analyses of the 2013 American Community Survey," UCLA School of Law Williams Institute, March 2015. <https://escholarship.org/uc/item/3td6n3q0>.

<sup>14</sup> See Harp, Kathi L.H. and Oser, Carrie B. "Factors Associated With Two Types of Child Custody Loss Among a Sample of African American Mothers: A Novel Approach," 9 June 2016.

# When Over- Representation Is Worse:

Rates for LGBTQ+ People Experiencing  
Poverty are Higher than their Cisgender,  
Heterosexual Counterparts



**An estimated 4.5%, approximately 1.5 million Americans, identify as LGBTQ+. According to The Williams Institute at UCLA, LGBTQ+<sup>15</sup> people have a poverty rate of 21.6%, which is higher than the poverty rate for cisgender straight people (15.7%).<sup>16</sup> Different rates of poverty are found within LGBTQ+ communities based on gender, gender identity and race. Transgender people specifically have a poverty rate of 29.4%, as do bisexual cisgender women. Bisexual cisgender men have rates of 19.5% while lesbian women have a rate of 17.9%. and gay men have a rate of 12.1%.<sup>17</sup>**

Due to historic and current systems of discrimination, like racial bias in hiring, discriminatory housing practices and the racial wealth gap, people of color face high rates of poverty in our nation –this is true in both straight and LGBTQ+ communities. There are strong racial disparities in poverty rates within LGBTQ+ communities, and between LGBTQ+ and straight communities. For example:

- 30.8% of Black LGBTQ+ people live in poverty (versus 25.3% of cisgender, straight counterparts)
- 37.3% of Latinx LGBTQ+ people live in poverty (versus 38% of their cisgender, straight counterparts)
- 32.4% of Native American/Alaska Native LGBTQ+ (versus 26.9% of their cisgender,

- straight counterparts)
- 22.9% of Asian LGBTQ+ people live in poverty (versus 14.6% of their cisgender, straight counterparts)
- 28.9% Native Hawaiian/Pacific Islander LGBTQ+ people live in poverty (versus 25.4% of their cisgender, straight counterparts)
- Only 15.4% of White LGBTQ+ people live in poverty (versus 9.1% of their cisgender, straight counterparts).<sup>18</sup>

LGBTQ+ people in rural areas have a poverty rate of 26.1% in comparison to their cisgender, straight rural counterparts who have a poverty rate of 15.9%.<sup>19</sup> LGBTQ+ people in rural areas (26.1%) have the highest poverty rates, compared to LGBTQ+ people in urban areas (21.0%) and cisgender, straight

people in either rural (15.9%) or urban (15.5%) areas.<sup>20</sup>

**Citations for "When Over-Representation  
is Worse: Rates for LGBTQ+ People  
Experiencing Poverty Are Higher Than  
Their Cisgender, Heterosexual  
Counterparts"**

<sup>15</sup> See Newport, Frank. "In U.S., Estimate of LGBT  
Population Rises to 4.5%," Gallup, 22 May 2018.  
[https://www.news.gallup.com/poll/234863/estimate-  
lgbt-population-rises.aspx](https://www.news.gallup.com/poll/234863/estimate-lgbt-population-rises.aspx).

<sup>16</sup> See Badgett, *supra* note 3, at 2.

<sup>17</sup> See *id.*

<sup>18</sup> See *id.* at 13.

<sup>19</sup> See *id.* at 9.

<sup>20</sup> See *id.* at 9.



# The Disproportionate Impact of a Pandemic:

New World, Same Barriers

## **The COVID-19 pandemic exacerbates pre-existing racial and economic inequalities among all communities, and exposes disparities and barriers that were already impacting LGBTQ+ people living in poverty.**

Data continue to show that people of color are bearing a disproportionate share of infections with even higher rates of death amongst Black Americans.<sup>21</sup> In April, 2020 the CDC published a study, which examined nearly 1,500 hospitalized coronavirus patients across 14 states.<sup>22</sup> The agency had race data for just 580 of those patients, but the limited information showed a similar disparity: even though Black Americans accounted for 18 percent of the population, they made up 33 percent of people hospitalized.<sup>23</sup> In August 2020, the CDC continued its analysis of county level data from millions of reported infections and concluded that their “findings illustrate the disproportionate incidence of COVID-19 among communities of color.”<sup>24</sup>

Impoverished communities, who are underserved by health care institutions and lack health care coverage, have long struggled to access care and support.<sup>25</sup> This reality directly impacts the large number of LGBTQ+ people who lack health insurance.<sup>26</sup> Being able to afford testing and medical care during a global health crisis is essential and often unattainable for so many who were struggling before the pandemic and who are struggling even more now.

According to the Human Rights Campaign, LGBTQ+ people are more likely to be employed in sectors impacted by the COVID-19 pandemic.<sup>27</sup> The top five sectors in which LGBTQ+ people work are food services, hospitals, K-12 education, colleges and universities, and retail.<sup>28</sup> Over five million LGBTQ+ people work in these industries, which are on the frontlines of the pandemic, operating as essential places of business.<sup>29</sup> The large number of LGBTQ+ people working in these industries creates a higher and disproportionate risk of contracting the virus. For the many LGBTQ+

workers in food services, retail and the other industries that have been devastated by the pandemic, their financial insecurity and future is bleaker than at any other point in recent history. Black and Latinx LGBTQ+ communities have been particularly hard-hit by unemployment,<sup>30</sup> devastating health consequences, and loss from COVID-19 exposure.<sup>31</sup>

Our nation’s history of racism, growing economic inequality, and pervasive state violence against Black and immigrant bodies has only become more problematic during this deadly pandemic. New incidences of state violence and racial discrimination have provoked a national reckoning, centuries in the making. LGBTQ+ activists, specifically LGBTQ+ activists of color, have long been at the forefront of these fights for racial justice and social change, and have joined the calls for an end to police brutality, systemic racism and state violence perpetuated against Black people. Black Lives Matter, was founded with a queer consciousness, and centrally engages queer bodies, and

promotes a queer inclusive vision.

This consciousness and moment creates an opportunity for change and for the LGBTQ movement to face the challenge of high rates of poverty within LGBTQ+ communities of color. In the midst of an economic recession, people are asking themselves questions like 'If you had no idea what or who you might be, what talents you might have or lack, what sort of nation would you devise?'<sup>32</sup> This is an opportunity to transform our social structures- to build collaborative, community-based solutions that reduce harm and restore justice, to mend the nation's political polarization, and to care for our fellow neighbors.

## Citations for "The Disproportionate Impact of the Pandemic: New World, Same Barriers"

<sup>21</sup> See Artiga, Samantha, Corallo, Bradley and Pham, Olivia, "Racial Disparities in COVID-19: Key Findings from Available Data and Analysis," Kaiser Family Foundation, August 17, 2020, <https://www.kff.org/report-section/racial-disparities-in-covid-19-key-findings-from-available-data-and-analysis-issue-brief/>; See also Thebault, Reis, Ba Tran, Andrew and Williams, Vanessa, "The Coronavirus is Infecting and Killing Black Americans at an Alarming High Rate," The Washington Post, 7 April 2020. <https://www.washingtonpost.com/nation/2020/04/07/coronavirus-is-infecting-killing-black-americans-an-alarming-high-rate-post-analysis-shows/?arc404=true>.

<sup>22</sup> See *id.*

<sup>23</sup> See *id.*

<sup>24</sup> See Moore, Jamyn T., RicalDMI, Jessica, Rose, Charles E, Fuld, Jennifer, Praise, Monica, Kang, Gloria J., Dirscoll, Anne K., Norris, Tina, Wilson, Nana, Rainishc, Gabriel, Valverde, Eduardo, Bereskovsky, Vladislav, Brune, Christine A.,

Oussayef, Nadia L., Rose, Dale A., Adams, Laura E., Awel, Dindoos, Villanueva, Julie, Meaney-Delman, Dana, and Honein, Margaret A., "Disparities in Incidence of COVID-19 Among Underrepresented Racial/Ethnic Groups in Counties Identified as Hotspots During June 5-18, 2020 – 22 states, February – June 2020," US Department of Health and Human Services/Centers for Disease Control and Prevention, 21 August 2020. <https://www.cdc.gov/mmwr/volumes/69/wr/mm6933e1.htm>.

<sup>25</sup> See Mirza, Shabab Ahmed and Rooney, Caitlin, "Discrimination Prevents LGBTQ People From Accessing Health Care," Center for American Progress, 18 January 2018. <https://www.americanprogress.org/issues/lgbtq-rights/news/2018/01/18/445130/discrimination-prevents-lgbtq-people-accessing-health-care/>.

<sup>26</sup> See *id.*

<sup>27</sup> See Human Rights Campaign, "The Lives & Livelihoods of Many in the LGBTQ Community are at Risk Amidst COVID-19 Crisis," March 2020. [https://assets2.hrc.org/files/assets/resources/COVID19-IssueBrief-032020-FINAL.pdf?\\_ga=2.3211](https://assets2.hrc.org/files/assets/resources/COVID19-IssueBrief-032020-FINAL.pdf?_ga=2.3211)

<sup>28</sup> See *id.*

<sup>29</sup> See *id.*

<sup>30</sup> See Gould, Elise, et al. "Latinx Workers- Particularly Women-Face Devastating Job Losses in the COVID-19 Recession," Economic Policy Institute, 20 August 2020. <https://www.epi.org/publication/latinx-workers-covid/>.

<sup>31</sup> See Gould, Elise, and Valerie Wilson. "Black Workers Face Two of the Most Lethal Preexisting Conditions for Coronavirus-Racism and Economic Inequality," Economic Policy Institute, 1 June 2020. <https://www.epi.org/publication/black-workers-covid/>.

<sup>32</sup> See Carlson, Jen. "What Do You Want NYC To Look Like? We Asked New Yorkers," 20 July 2020. [https://gothamist.com/arts-entertainment/the-future-of-new-york-city?mc\\_cid=088b328fed&mc\\_eid=acc610fda7](https://gothamist.com/arts-entertainment/the-future-of-new-york-city?mc_cid=088b328fed&mc_eid=acc610fda7).

# Room for One More?

LGBTQ+ Families and Poverty



**Available data indicate that significant numbers of LGBTQ+ people start families or have children. But these numbers are lower than those for non-LGBTQ+ adults, and factors such as discrimination, legal barriers to adoption and foster care, lack of access to reproductive health, and lack of opportunity to parent have inhibited many queer people from parenting.**

Data for young people show a growing desire to parent. The Pew Research Center reported in 2013 that 35% of LGBTQ+ adults are parents, compared with 74% of non-LGBTQ+ adults.<sup>33</sup> Data from the Family Equality Council's *2018 LGBTQ Family Building Survey* note that 28% of LGBTQ+ identified people over 54 already have children compared to 68% of non-LGBTQ+ identified people. The same survey reported that among millennials aged 18-35, 55% of non-LGBTQ+ individuals and 48% of LGBTQ+ individuals reported that they are planning to have children.<sup>34</sup>

In addition, data show that large numbers of LGBTQ+ people are present inside child welfare, homelessness, foster care and other state regulatory systems that pervade the

lives of people with low incomes and people who are poor. For example, 29.2% of LGB youth in the child welfare system have become parents within three years.<sup>35</sup> In a study of 339 Black mothers with low incomes, the 21.3% who identified as lesbian/bisexual were four times more likely than those who identified as heterosexual to have lost their children to the state in child welfare proceedings.<sup>36</sup> Unfortunately, facing poverty and employment barriers can increase the risk of child welfare involvement. The mothers who had lost their children to the state were three times more likely than the mothers who were still raising their children to identify as lesbian/bisexual.

People of color, particularly women of color, are more likely to start families and

experience poverty. For same-sex couples, the Black childrearing rate is 2.5 times that of white people (41% to 16%) and the childbearing rate for Latinxs is 1.9 times that of white people (30% to 16%). The poverty rate for these families far exceeds that of white same-sex couple families.<sup>37</sup>

Lesbian mothers and same-sex couples with children are disproportionately people of color. Black lesbians are three times more likely to be mothers than white lesbians.<sup>38</sup>

When LGBTQ+ people start families, they are more likely to experience housing insecurity, poverty and system involvement. Data show that 32% of homeless/housing insecure young adult mothers, and 8% of fathers, identify as LGBTQ+.<sup>39</sup>

These high rates of poverty have impacts on two generations: the LGBTQ+ parents and their children. Data reveal that 24% of children being raised by same-sex couples live in poverty, compared to just 16% of children overall.<sup>40</sup>



## Citations for "Room for One More? LGBTQ+ Families and Poverty"

<sup>33</sup> See Pew Research Center. "A Survey of LGBT Americans: Chapter 4 – Marriage and Parenting," 2013. <https://www.pewsocialtrends.org/2013/06/13/chapter-4-marriage-and-parenting>.

<sup>34</sup> See Family Equality Council, "LGBTQ Family Building Survey," January 2019. [https://www.familyequality.org/wp-content/uploads/2019/02/LGBTQ-Family-Building-Study\\_Jan2019-1.pdf](https://www.familyequality.org/wp-content/uploads/2019/02/LGBTQ-Family-Building-Study_Jan2019-1.pdf).

<sup>35</sup> See Alan J. Dettlaff & Micki Washburn, "Outcomes of Sexual Minority Youth in Child Welfare," 2018. [https://www.cssp.org/reform/child-welfare/get-real/resources/body/Sexual-Minority-Youth-in-Child-Welfare\\_providers\\_final.pdf](https://www.cssp.org/reform/child-welfare/get-real/resources/body/Sexual-Minority-Youth-in-Child-Welfare_providers_final.pdf).

<sup>36</sup> See Harp *supra* note 14.

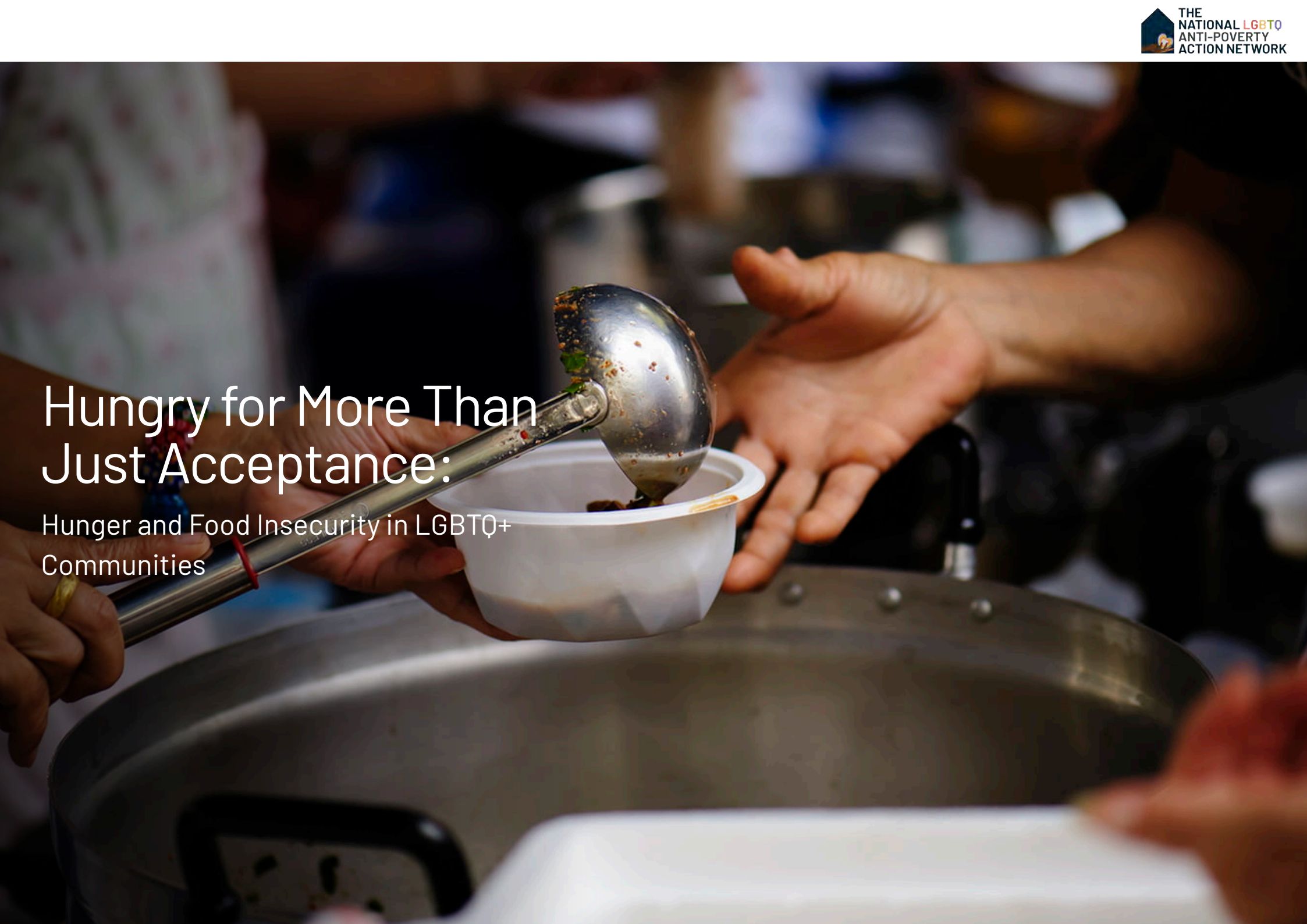
<sup>37</sup> See Angeliki Kastanis & Bianca Wilson, "Race/Ethnicity, Gender and Socioeconomic Wellbeing of Individuals in Same-Sex Couples 2," Los Angeles: The Williams Institute, 2014; see also "New Patterns of Poverty in the Lesbian, Gay, and Bisexual Community," Los Angeles: The Williams Institute, 2013.

<sup>38</sup> See Karin L. Brewster, Kathryn Harker Tillman, and

Hanna Jokinen-Gordon, "Demographic Characteristics of Lesbian Parents in the United States," 33 Population Research Policy Review 503-526, 2014.

<sup>39</sup> See Sarah C. Narendorf, Sheara Williams Jennings & Diane Santa Maria, "Parenting and Homeless: Profiles of Young Adult Mothers and Fathers in Unstable Housing Situations," 97 Families in Society 200-210, 2016.

<sup>40</sup> See Gary J. Gates "Demographics of Married and Unmarried Same-Sex Couples: Analysis of the 2013 American Community Survey 7," Los Angeles: The Williams Institute, 2015.



# Hungry for More Than Just Acceptance:

Hunger and Food Insecurity in LGBTQ+  
Communities

**Food insecurity and hunger, while related, are not interchangeable. The U.S. Department of Agriculture (USDA) sets forth a distinction between food insecurity and hunger: “Food insecurity is a household-level economic and social condition of limited or uncertain access to adequate food. Hunger is an individual-level physiological condition that may result from food insecurity.”<sup>42</sup>**

LGBTQ+ adults are more likely to experience food insecurity. In 2017, 27% of LGBTQ+ adults experienced food insecurity (compared with 11% of non-LGBTQ+ adults).<sup>43</sup> Further, LGBTQ+ adults are 1.6 times more likely than non-LGBTQ+ adults to not have enough money to afford food for them/their families.<sup>44</sup> Exacerbating the issue, food insecurity is not evenly distributed within the LGBTQ+ community:

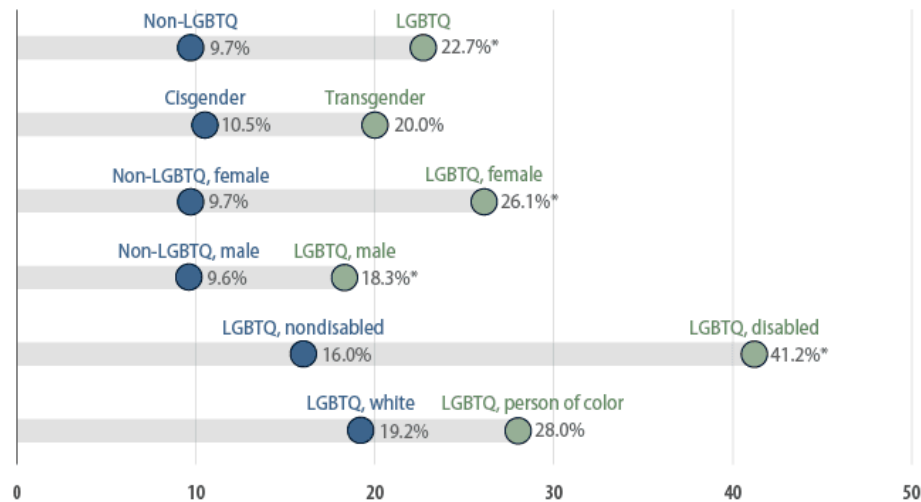
- 37% of Black LGBTQ+ adults experience food insecurity
- 32% of Latinx LGBTQ+ adults experience food insecurity
- 29% of Native American LGBTQ+ adults experience food insecurity
- 31% of LGBTQ+ women experience food insecurity.<sup>45</sup>

To combat food insecurity in the United States, the US Department of Agriculture’s Food and Nutrition Service (USDA-FNS) oversees the Supplemental Food Assistance Program (SNAP) to help children and people with low-incomes access food.<sup>46</sup>

Notably, SNAP provides an average of \$1.40 per person, per day and most families who receive these benefits run out of the funds before the end of the month.<sup>47</sup> Limited data on LGBTQ recipients of SNAP exist because the USDA-FNS does not collect data on sexual orientation and gender identity. However, based on recent research from the Center for American Progress, 22.7% of LGBTQ respondents reported that they or their family received SNAP as compared to 9.7% of the non-LGBTQ respondents, a stark disparity.<sup>48</sup> LGBTQ people, specifically LGBTQ people with disabilities, LGBTQ women and respondents who identified as transgender, receive SNAP at much higher rates than the non-LGBTQ population as outlined in the figure on the following page:

Food Insecurity and SNAP participation, by survey and sexual orientation/couple type (Gallup Daily Tracking, NSFG, and ACS).

**FIGURE 1**  
**LGBTQ people, especially those with disabilities, are more likely to receive SNAP**  
Percent of respondents reporting that they or their family received SNAP, by demographic



\* indicates a statistically significant difference at the  $p < .05$  level.  
Note: Individual respondents to the survey answered on behalf of themselves and their family. In this report, "family" refers to the respondent's partner and/or the respondent's child. Demographic breakdowns refer to the respondent only. LGBTQ female respondents include respondents who self-identified as LGBTQ and self-identified as female, including transgender women. LGBTQ male respondents include respondents who self-identified as LGBTQ and self-identified as male, including transgender men. Person of color respondents include respondents who self-identified as Hispanic or as non-Hispanic and black, multiracial, or other. White respondents include respondents who self-identified as white and non-Hispanic.  
Source: See Methodology in Caitlin Rooney, Charlie Whittington, and Laura E. Durso, "Protecting Basic Living Standards for LGBTQ People (Washington: Center for American Progress, 2018), available at <https://www.americanprogress.org/?p=454592>.



Source: "Protecting Basic Living Standards for LGBTQ People" Center for American Progress. <https://www.americanprogress.org/issues/lgbtq-rights/reports/2018/08/13/454592/protecting-basic-living-standards-lgbtq-people/>.

Benefits like SNAP are essential for people struggling with economic insecurity and specifically food insecurity. It is critically important the USDA-FNS as well as other federal agencies administering benefits begin collected data on LGBTQ people so that the government and advocates can work to address the needs of LGBTQ people with more information and care. Additionally, because of the disproportionate need and use for benefits like SNAP among LGBTQ people, cuts to these programs disproportionately impact LGBTQ people. As the nation turns toward a new administration and faces an economic recession, it is essential that such benefits are expanded and not cut. These benefits are a lifeline, even more so with so many children out of school as a result of the pandemic, without the stability of school-provided meals.

## Citations for "Hungry for More Than Just Acceptance: Hunger and Food Insecurity in LGBTQ+ Communities"

<sup>42</sup> See The United States Department of Agriculture Economic Research Service, “*Food Security in the U.S.*”) 4 September 2019. <https://www.ers.usda.gov/topics/food-nutrition-assistance/food-security-in-the-us/definitions-of-food-security.aspx>.

<sup>43</sup> See Brown, Taylor N.T., Romero, Adam P., and Gates, Gary J., “*Food Insecurity and SNAP Participation in the LGBT Community.*” The Williams Institute, July 2016. <https://williamsinstitute.law.ucla.edu/research/lgbt-food-insecurity-2016/>.

<sup>44</sup> See Thomas, Will. “*Pride Highlights Work Left to Be Done for LGBT Food Access.*” Hunger Free America, 6 June 2017. <https://www.hungerfreeamerica.org/blog/pride-highlights-work-left-be-done-lgbt-food-access>.

<sup>45</sup> See Brown, *supra* note 43.

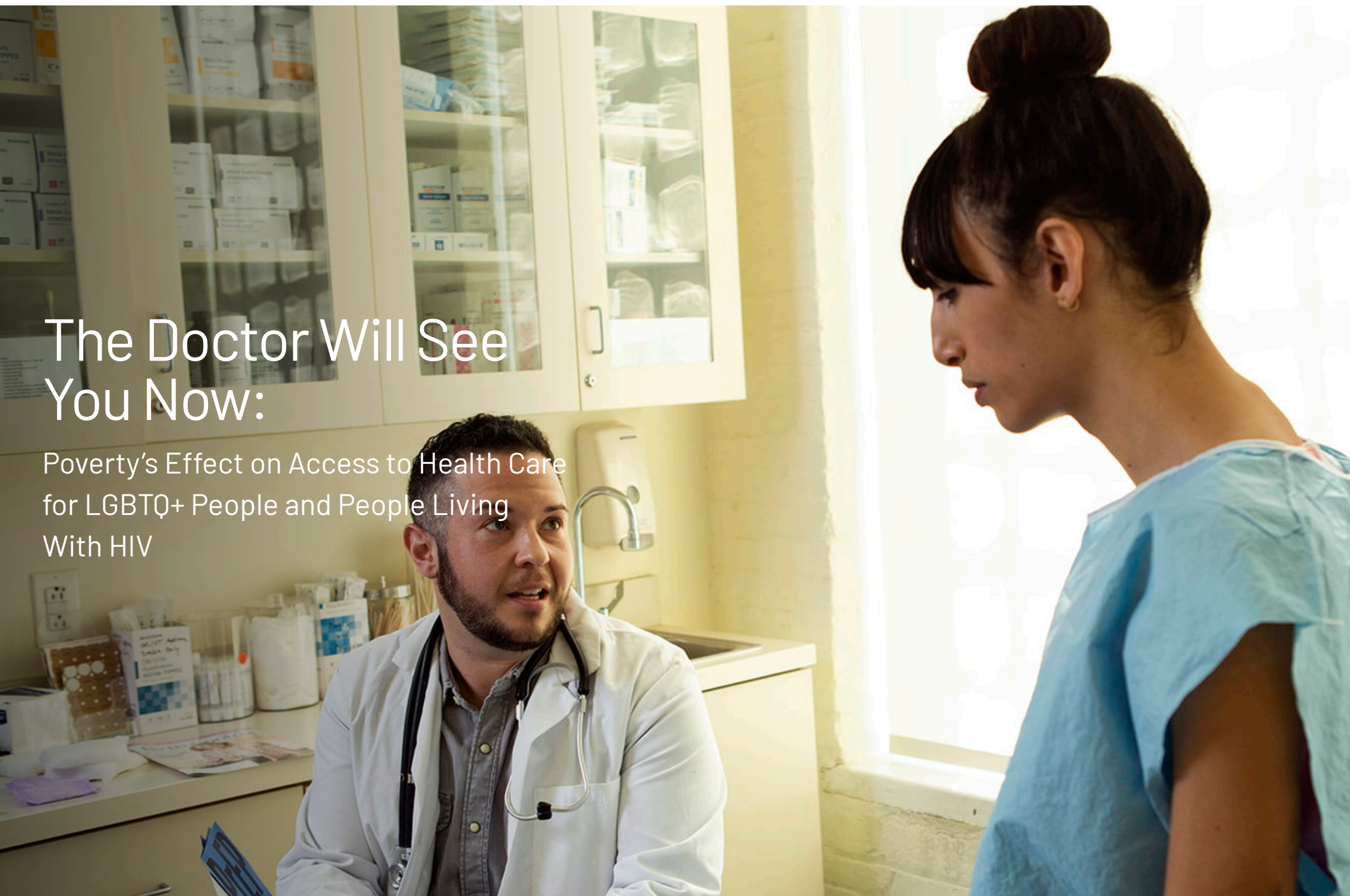
<sup>46</sup> See The United States Department of Agriculture Food and Nutrition Service. <https://www.fns.usda.gov/>.

<sup>47</sup> See Center on Budget and Policy Priorities, “*A Quick Guide to SNAP Eligibility and Benefits.*” For more information about LGBTQ people and chosen families, see Center on Budget and Policy Priorities, “*Chart Book: SNAP Helps Struggling Families Put Food on the Table,*” available at <https://www.cbpp.org/research/food-assistance/chart-book-snap-helps-struggling-families-put-food-on-the-table>.

<sup>48</sup> See Rooney, Caitlin, et. al. “*Protecting Basic Living Standards for LGBTQ People,*” Center for American Progress, 13 August 2018. <https://www.americanprogress.org/issues/lgbtq-rights/reports/2018/08/13/454592/protecting-basic-living-standards-lgbtq-people/>.

# The Doctor Will See You Now:

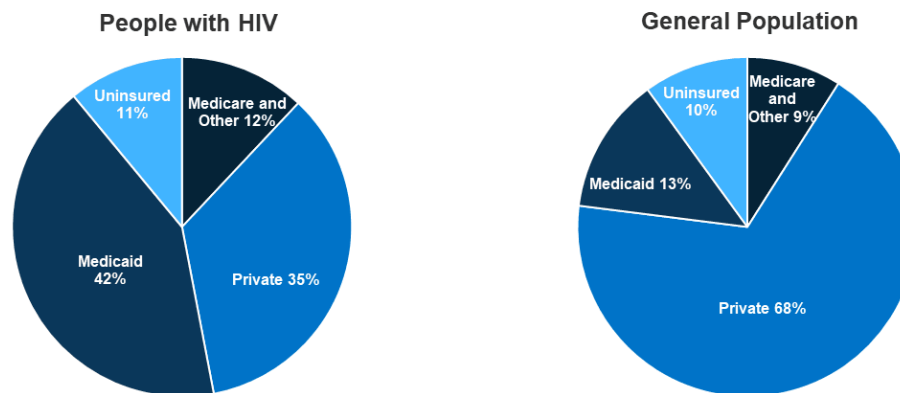
Poverty's Effect on Access to Health Care  
for LGBTQ+ People and People Living  
With HIV



**Medicaid is a critical source of health insurance for LGBTQ+ people and people living with HIV. For people living with HIV, Medicaid is the primary source of insurance coverage, covering about 42% of the adult population; overall, only 13% of the overall adult population relies on Medicaid.<sup>49</sup>**

The number of people living with HIV who rely on Medicaid is also growing as people with HIV live longer lives and as new infections continue to occur.<sup>50</sup> In 2013, there were 282,100 people living with HIV who relied on Medicaid compared to 212,900 people in 2007 (a 33% increase). The Affordable Care Act (ACA) also expanded the program in many states and increased coverage for

Insurance Coverage Among People with HIV and the General Population, 2017.



Data on people with HIV: Analysis of data from the CDC's Medical Monitoring Project (MMP), 2017 Cycle.; Data on general population: KFF analysis of the 2017 American Community Survey. Data from both sources are limited to all adults (18+). The hierarchy used to establish insurance coverage sources in both cases was: Private coverage; Medicaid; and Medicare with other public coverage; and uninsured.



Source: Kaiser Family Foundation. Medicaid and HIV. Kaiser Family Foundation Analysis of American Community Survey, Kaiser Family Foundation, 1 Oct. 2019, [www.kff.org/hiv/aids/fact-sheet/medicaid-and-hiv](http://www.kff.org/hiv/aids/fact-sheet/medicaid-and-hiv).

people living with HIV. Spending on HIV through Medicaid accounts for 30% of all federal spending on HIV care and is the second-largest source of public financing for HIV care in the U.S.<sup>51</sup>

People living with HIV who rely on Medicaid are more likely to be male, Black, and qualify based on a disability, compared to other Medicaid beneficiaries overall.<sup>52</sup>

According to the Williams Institute, approximately 1,171,000

LGBTQ+ adults ages 18-64 years old rely on Medicaid as their primary source of health insurance.<sup>53</sup> “While the majority of LGBTQ+ adults with Medicaid are employed, an estimated 542,000 were at risk of losing coverage due to work or community service requirements that states may impose under guidance released on January 11, 2018, by the US Department of Health and Human Services.”<sup>54</sup>

Work or service requirements for Medicaid coverage create barriers for unemployed, and therefore economically vulnerable, LGBTQ+ adults. Such work requirements also do not recognize the other ways people contribute to their economies and communities beyond traditional employment. In Michigan, a group of individuals with low-incomes sued the Trump administration for

approval of a waiver imposing such work requirements. The National Health Law Program amongst other plaintiff representatives challenged the waiver stating Congress requires waivers to further the objective of Medicaid, not further restrict its coverage.<sup>55</sup>

Due to discrimination, transgender people are much more likely to live in poverty and less likely to have health insurance or access to care than the general population. According to the Williams Institute, over 150,000 transgender adults are enrolled in Medicaid in the U.S.,<sup>56</sup> “Fewer than half (69,000) of transgender Medicaid beneficiaries have affirmative access to coverage for gender-affirming care under express policies in state law.”<sup>57</sup>

In a survey of people who are transgender, 33% of respondents did not see a health provider in the previous year due to cost.<sup>58</sup> And while LGB individuals have similar rates of insurance coverage and uninsurance amongst themselves, on some measures, bisexual individuals have more limited access to care while lesbian and gay individuals have rates comparable to heterosexual adults.<sup>59</sup> For example, bisexual adults were less likely than other to have a usual place to go for medical care and more likely to forego medical care due to cost.<sup>60</sup>

Medical debt prevents LGBTQ+ people from seeking necessary medical care. A 2013 survey conducted by the Center for American Progress found that, for LGBTQ+ people whose incomes were less than 400% of the

federal poverty level, almost 4 in 10 had medical debt and more than 4 in 10 reported postponing medical care due to its cost.<sup>61</sup>



## Citations for "The Doctor Will See You Now: Poverty's Effect on Access to Health Care for LGBTQ+ People and People Living With HIV"

- <sup>49</sup> See Kaiser Family Foundation. "Medicaid and HIV." Kaiser Family Foundation Analysis of American Community Survey, Kaiser Family Foundation, 1 October 2019. <https://www.kff.org/hiv aids/fact-sheet/medicaid-and-hiv/#footnote-432737-1>.
- <sup>50</sup> See Kaiser Family Foundation. State Health Facts. Medicaid Enrollment and Spending on HIV/AIDS. (FY07-FY11). <http://kff.org/hiv aids/state-indicator/enrollment-spending-on-hiv/>; Kates, J. and Dawson, L. Kaiser Family Foundation. "Insurance Coverage Changes for People with HIV Under the ACA." 2017. <https://www.kff.org/health-reform/issue-brief/insurance-coverage-changes-for-people-with-hiv-under-the-aca/>.
- <sup>51</sup> See Kaiser Family Foundation. "U.S.

*Federal Funding for HIV/AIDS: Trends Over Time.*" March 2019. <https://www.kff.org/hiv aids/fact-sheet/u-s-federal-funding-for-hiv aids-trends-over-time/>.

<sup>52</sup> See Kaiser Family Foundation, *supra* note 49.

<sup>53</sup> See Kerith J. Conron and Shoshana K. Goldberg, "Over Half a Million LGBT Adults Face Uncertainty about Health Insurance Coverage Due to HHS Guidance on Medicaid Requirements," January 2018. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Medicaid.pdf>.

<sup>54</sup> See *id.*

<sup>55</sup> See DiAntonio, Andrew. "Low-Income Michiganders Sue HHS over Approval of State's Medicaid Waiver Project" National Health Law Program, 22 November 2019. <https://healthlaw.org/news/low-income-michiganders-sue-hhs-over-approval-of-states-medicaid-waiver-project/>.

<sup>56</sup> See Christy Mallory, William Tentindo, "Medicaid Coverage for Gender-Affirming Care," 1 October 2019. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Medicaid-Gender-Care-Oct-2019.pdf>.

<sup>57</sup> See *id.*

<sup>58</sup> See National Center for Transgender Equality and National Gay and Lesbian Task Force. 2011. *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey.*

<sup>59</sup> See Jennifer Kates, Usha Ranji, Adara Beamesderfer, Alina Salganicoff, Lindsey Dawson, "Health and Access to Care and Coverage for Lesbian, Gay, Bisexual, and Transgender (LGBT) Individuals in the U.S.," 3 May 2018. <https://www.kff.org/disparities-policy/issue-brief/health-and-access-to-care-and-coverage-for-lesbian-gay-bisexual-and-transgender-individuals-in-the-u-s/view/print/>.

<sup>60</sup> See James *supra* note 4 at 98.

<sup>61</sup> See Center for American Progress.

"LGBT Communities and the Affordable Care Act: Findings from a National Survey," 2013. <https://www.kff.org/disparities-policy/issue-brief/health-and-access-to-care-and-coverage-for-lesbian-gay-bisexual-and-transgender-individuals-in-the-u-s/view/print/>.

# Home Isn't Always Where the Heart Is:

Housing and Homelessness in LGBTQ+  
Communities

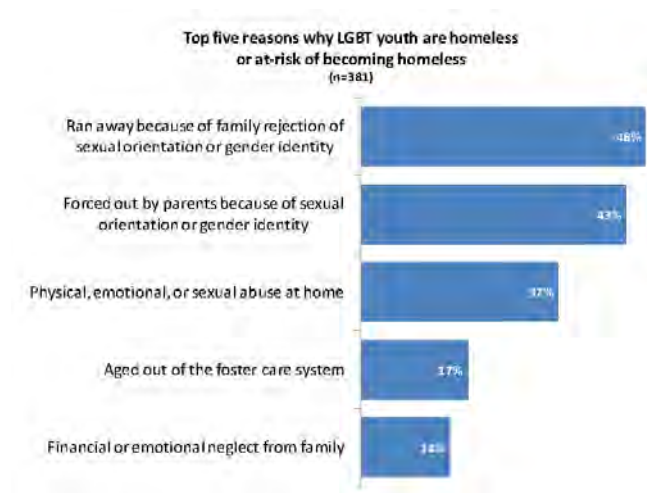


**LGBTQ+ people experience homelessness at a much higher rate than their heterosexual counterparts: an estimated 43% of clients served by homeless drop-in centers identified as LGBTQ+ according to providers, 30% of clients reached via street outreach identified as LGBTQ+,<sup>62</sup> and 30% of clients using housing programs identified as LGBTQ+.<sup>63</sup>**

For LGBTQ+ youth, these numbers do not get any better: 40% of homeless youth identify as LGBTQ+. Only 10% of the general youth population is LGBTQ+.<sup>64</sup> For many LGBTQ+ people, their experience with homelessness is attributable to family rejection, mental health issues related to the rejection they face for identifying as LGBTQ+, and family abuse.<sup>65</sup> While experiencing homelessness, LGBTQ+ youth are approximately 7.4 times more likely to experience acts of sexual violence than heterosexual, cisgender homeless youth.<sup>66</sup>

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Top five reasons why LGBT youth are homeless or at-risk of becoming homeless (n=381).



Source: Durso, L.E., & Gates, G.J. 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*. Page 4. <https://escholarship.org/uc/item/80x75033>

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Homeless shelters make up a portion of the safety net for those experiencing homelessness. However, shelters and service providers often lack the knowledge and experience necessary to serve LGBTQ+ populations.<sup>67</sup> Additionally, shelters lack services that are specifically vital for the wellness of LGBTQ+ people. A study by the Center for American Progress (CAP) found that LGBTQ+ youth, especially transgender youth, were more likely to prefer services that address stress, family issues, safety, and self-defense.<sup>68</sup>

In 2012, the U.S. Department of Housing and Urban Development (HUD) issued the Equal Access Rule to require HUD-funded housing providers to provide “equal access to HUD programs without regard to a person’s actual or perceived sexual orientation, gender identity, or marital status.”<sup>69</sup> In 2016, HUD updated the Equal Access Rule to ensure HUD-assisted shelters provide access in accordance with the applicant’s self-identified gender identity. On July 24, 2020, HUD proposed a rule to roll back the Equal

Access Rule.<sup>70</sup> If this rule is finalized before the end of the Trump administration, this roll back would permit single-sex shelters to discriminate against transgender and gender non-conforming people.

LGBTQ+ people experiencing homelessness are in dire need of resources. The lack of open, affirming, integrated and supportive “wrap around” resources increases the likelihood that homeless youth will be forced into survival behavior threatening their health and safety.<sup>71</sup>

For LGBTQ+ seniors, homelessness or the risk of being homeless does not disappear in their “golden years”:

1. 48% of LGB couples experience adverse treatment when seeking senior housing. For transgender individuals the rates are even higher.
2. Half the LGBTQ+ population lives in states with no laws prohibiting housing discrimination based on sexual orientation, gender identity, or gender

expression.

3. 34% of LGBTQ+ older adults fear having to go back into the “closet” when seeking senior housing.<sup>72</sup>

## Citations for "Home Isn't Always Where the Heart Is: Housing and Homelessness in LGBTQ+ Communities"

<sup>62</sup> See National Coalition for the Homeless, "LGBT Homelessness." <https://nationalhomeless.org/issues/lgbt/>.

<sup>63</sup> Romero, A.P., Goldberg, S.K., & Vasquez, L.A. 2020. "LGBT People and Housing Affordability, Discrimination, and Homelessness" The Williams Institute.

<sup>64</sup> See National Coalition for the Homeless, "LGBTQ Homelessness." June 2017. Page 1. <https://nationalhomeless.org/wp-content/uploads/2017/06/LGBTQ-Homelessness.pdf>.

<sup>65</sup> See Durso, L.E., & Gates, G.J. "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," Page 4. . 2012. <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Durso-Gates-LGBT-Homeless-Youth-Survey-July-2012.pdf>.

<sup>66</sup> See The Williams Institute, "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,*" Page 10. 2012.

<http://williamsinstitute.law.ucla.edu/wp-content/uploads/Durso-Gates-LGBT-Homeless-Youth-Survey-July-2012.pdf>.

<sup>67</sup> See Cray, Andrew; Miller, Katie; Durso, Laura E. "Seeking Shelter – The Experiences and Unmet Needs of LGBT Homeless Youth," Center for American Progress. September 2013. Pages 22-23.

<https://www.americanprogress.org/wp-content/uploads/2013/09/LGBTHomelessYouth.pdf>.<https://www.americanprogress.org/wp-content/uploads/2013/09/LGBTHomelessYouth.pdf>.

<sup>68</sup> Making Admission or Placement Determinations Based on Sex in Facilities Under Community Planning and Development Housing Programs, 85 Fed. Reg. 44811, 44812 (proposed July 24, 2020) (to be codified at 24 C.F.R. §§ 5, 576).

<sup>69</sup> Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity, 77 Fed. Reg. 5662, 5662 (Feb. 3, 2012) (codified at 24 C.F.R. § 5.105(a)(2)).

<sup>70</sup> See Cray, *supra* note 67, at 22-24.

<sup>71</sup> See HUD Exchange. "LGBT Homelessness." <https://www.hudexchange.info/homelessness->

[assistance/resources-for-lgbt-homelessness/#resources-for-homeless-lgbt-individuals-in-crisis](https://www.hudexchange.info/homelessness-assistance/resources-for-lgbt-homelessness/#resources-for-homeless-lgbt-individuals-in-crisis).

<sup>72</sup> See Services and Advocacy for LGBT Elders (SAGE), *The Facts on LGBT Aging*. Page 2.

<https://www.sageusa.org/wp-content/uploads/2018/05/sageusa-the-facts-on-lgbt-aging.pdf>.

# It Takes a Village:

Public Assistance Use in LGBTQ+  
Communities

WE  
Accept



Supplemental  
Nutrition  
Assistance  
Program

CAUTION STAND BACK

**According to a Center for American Progress (CAP) survey, LGBTQ+ people and their families are more likely to participate in a range of public benefit programs than non-LGBTQ+ families. This survey covered a variety of public assistance programs, and presented statistics about LGBTQ+ families that use such programs.**

CAP concluded that LGBTQ+ people face unique economic security barriers, and therefore face higher rates of food insecurity and poverty. The higher likelihood of LGBTQ+ families using public assistance than non-LGBTQ+ families demonstrates a need for economic security initiatives to support LGBTQ+ families and stable jobs that pay a living wage.<sup>73</sup>

### **Unemployment**

Members of LGBTQ+ communities face higher rates of unemployment than their cisgender straight counterparts.<sup>74</sup> According to the U.S. Transgender Survey, people who identify as transgender are three times more likely to face unemployment (15%) than the national unemployment rate (5%).<sup>75</sup> This is largely a result of pervasive discrimination, specifically high rates of employment discrimination.<sup>76</sup>

Unemployment Insurance is available to provide workers with a cash payment when they have lost their job and are seeking new employment. This is a form of critical support during times of economic instability. For example, expanded Unemployment Insurance benefits provided vital weekly income for individuals who lost their job during the first few months of the coronavirus pandemic. Unfortunately the comprehensive statistics that are collected on the receipt of unemployment benefits, as well as other government benefits like SNAP, Medicaid, and public housing assistance, are

reported by the federal agencies that administer the benefits and they do not currently collect any data on sexual orientation or gender identity.<sup>77</sup> As a result, there are almost no data sets about LGBTQ+ recipients of Unemployment Insurance. However, according to a 2017 Center for American Progress survey, 6.3% of LGBTQ respondents reported that they or a family member received Unemployment Insurance.<sup>78</sup> This is higher than the non-LGBTQ respondents who reported 4.2%. Following the trend of higher unemployment among people who identify as transgender, 14.3% of transgender respondents reported that they or a family member received Unemployment Insurance in comparison to 4.3% of their cisgender counterparts.

Having access to unemployment benefits is crucial for members of LGBTQ communities, given the disproportionately high rates of employment discrimination and unemployment the community can face. Unemployment Insurance benefits can provide essential financial stability.

## Temporary Assistance for Needy Families (TANF)

TANF cash assistance benefits can help families with children who are struggling to make ends meet by providing them with monthly direct financial assistance payments. Families can use these monthly TANF benefits to meet their basic needs and to purchase necessary items for their families like diapers, period supplies, cleaning products, utility bills, and children's medicine. According to research from the Williams Institute, men in same-sex relationships are more than twice as likely to be receiving cash assistance benefits than men in different-sex couples.<sup>79</sup> Women who are in same-sex couples are even likelier to receive cash assistance compared to women in different-sex couples.<sup>80</sup> There is no statistically significant data on LGBTQ+ people who receive TANF cash assistance.

## The Need for Data

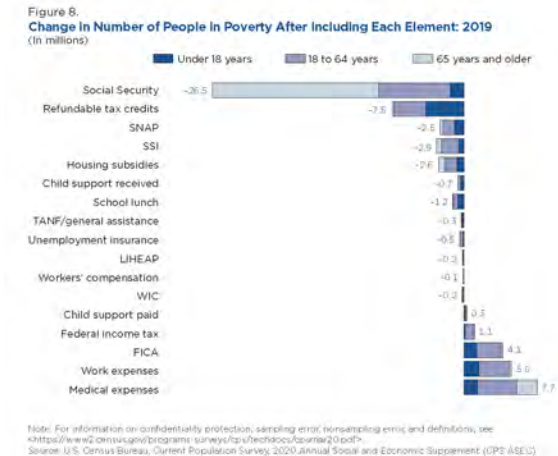
The federal government collects massive amounts of data on the usage of government programs and resources. However, almost

none of these data sets include LGBTQ+ identifiers. This means that data on LGBTQ+ people living in poverty are extremely limited.

As demonstrated in the figure below, many people across the country who live in poverty are accessing different government programs and resources. We also know there are high rates of poverty within LGBTQ+ communities, almost double the rates in the general population. Although we do not know specifically how many LGBTQ+ people are using public benefits such as Supplemental Security Income (SSI), we know that usage of these benefits programs must be high. However, without data on which programs are supporting LGBTQ+ individuals and families, advocates cannot clearly identify ways to support them. The lack of data around sexual orientation and gender identity erase the specific challenges that LGBTQ+ people face when attempting to access government resources and economic aid. It is critical that government data collection include demographic

questions about sexual orientation and gender identity and that more research is done on LGBTQ+ people living in poverty.

Change in number of people in poverty after including each element, 2018 (in millions).



Source: United States Census Bureau. "The Supplemental Poverty Measure," 2019. <https://www.census.gov/content/dam/Census/library/publications/2020/demo/p60-272.pdf>.



## Citations for "It Takes a Village: Public Assistance Use in LGBTQ+ Communities"

<sup>73</sup> See Rooney et. al. *supra* note 48

<sup>74</sup> See Center for American Progress and Movement Advancement Project “*Paying an Unfair Price: The Financial Penalty for Being LGBT in America*” 2014. <http://www.lgbtmap.org/file/paying-an-unfair-price-full-report.pdf>.

<sup>75</sup> See National Center for Transgender Equality, “*The Report of the 2015 U.S. Transgender Survey*” 2015. <http://www.ustranssurvey.org/>.

<sup>76</sup> See NPR, Robert Wood Johnson Foundation, and Harvard T.H. Chan School of Public Health, “*Discrimination in America: Experiences and Views of LGBTQ Americans*” 2017. <https://www.npr.org/documents/2017/nov/npr-discrimination-lgbtq-final.pdf>.

<sup>77</sup> See Kellan Baker and Laura E. Durso, “*Filling in the Map: The Need for LGBT Data Collection*,” Center for American Progress, 16 September 2015. <https://www.americanprogress.org/issues/lgbt/news/2015/09/16/121128/filling-in-the-map-the-need-for-lgbt-data-collection/>.

<sup>78</sup> See Rooney et. al. *supra* note 48

<sup>79</sup> See The Williams Institute, “*New Patterns of*

*Poverty in the Lesbian, Gay, and Bisexual Community*” 2013.

<https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGB-Poverty-Update-Jun-2013.pdf>.

<sup>80</sup> See *id.*

# Coming Out of the Court House:

The Disconnect Between "Access" to  
Justice for LGBTQ+ People and Actually  
Finding It



**LGBTQ+ people in poverty often need the assistance of civil legal services. This is especially true given the high rates of violence, harassment, and discrimination (both in the workplace and in other areas of life) that LGBTQ+ communities face.<sup>81</sup>**

People who identify as transgender and gender non-binary often face even more extreme rates of violence and discrimination, leaving them needing legal services at even higher rates. In addition, the violence towards the LGBTQ+ community is overwhelmingly towards people of color, meaning that access to legal services is especially critical for LGBTQ+ people of color.<sup>82</sup> LGBTQ+ people who are low-income also have a variety of needs related to family law, in part due to the legal uncertainty and complexities following the nationwide legalization of same-sex marriage and needing legal protection from intimate partner violence.

Legal Services NYC distributed an *LGBTQ+ Low-Income Civil Legal Needs Assessment* to assess the legal challenges that the LGBTQ+ low-income community in New York City face. The assessment found that LGBTQ+ people with low-incomes have significant legal needs in every major area of civil legal practice.<sup>83</sup>

### **Criminalizing “Others”: Over-Policing of LGBTQ+ Communities**

LGBTQ+ communities, particularly LGBTQ+ youth of color, are disproportionately over-policed. This over-policing is inextricably linked to heightened discrimination and bias that LGBTQ+ communities face as well as the lived realities that people living in poverty face day to day. Neighborhoods

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LGBTQ+ communities, particularly LGBTQ+ youth of color, are disproportionately over-policed.  
**OF YOUTH IN JUVENILE JUSTICE FACILITIES**



Source: Movement Advancement Project and Center for American Progress. August 2016. *Unjust: How the Broken Criminal Justice System Fails LGBT People of Color*, <https://www.lgbtmap.org/file/lgbt-criminal-justice-poc.pdf> citing data from Angela Irvine, “*Dispelling Myths: Understanding the Incarceration of Lesbian, Gay, Bisexual, and Gender Nonconforming Youth*,” Unpublished (Oakland, CA: National Council on Crim and

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nationwide continue to be segregated based on race and class and police routinely over-police working-class communities of color instead of white, upper-class neighborhoods.<sup>84</sup>

In a national survey of currently incarcerated individuals, nearly a fifth of respondents reported housing instability prior to their incarceration, while 29% lived with family or a friend.<sup>85</sup> Only 52% were living in a home of their own.<sup>86</sup> Over a third of respondents reported being unemployed prior to their incarceration, nearly 7 times the national unemployment rate in 2014.<sup>87</sup> To make ends meet, 39% of respondents reported trading sex for survival, while over half sold drugs.<sup>88</sup> A staggering 74% of those surveyed were held in jail pre-trial because they could not afford the bail assessed by their judge.<sup>89</sup> More than half of those incarcerated pre-trial were held for a year or even longer.<sup>90</sup>

LGBTQ+ people are three times more likely to experience criminalization than the general population, and they are likelier to

face worse outcomes while incarcerated.<sup>91</sup> In jails nationwide, 3.3% of men identified as gay or bisexual, and 26.4% of women identified as lesbian or bisexual.<sup>92</sup> This number climbs to 5.5% for men and to 33.3% for women in prisons.<sup>93</sup> LGBTQ+ people are disproportionately sexually assaulted by other people who are incarcerated. While 4% of heterosexual men report experience sexual assault, the number jumps to 34% for bisexual men and to 39% for gay men.<sup>94</sup> Similarly, of women who are incarcerated, 13% of heterosexual women, 18% of bisexual women, and 13% of lesbian women experience sexual assault.<sup>95</sup> Incarcerated transgender people are nearly ten times more likely to experience sexual assault, with about 40% reporting a sexual assault.<sup>96</sup>

The impact of violence, both in government facilities like prison and in general in the lives of LGBTQ+ people, is profound. 50% of LGBTQ+ New Yorkers with low-incomes reported some form of violence with 27% reporting experiences of domestic violence, 25% reporting sexual assault, and 20%

reporting abuse or neglect by a parent or guardian.<sup>97</sup> This violence impacts the lives of many LGBTQ+ individuals each day. It affects their safety at home, their safety at work, and their safety on the streets.

For the disproportionate amount of LGBTQ+ people who spend any time incarcerated, once released, finding a job can be an insurmountable task. Only 12.5 percent of employers reported a willingness to consider formerly incarcerated applicants.<sup>98</sup> Although that percentage is on the rise, with over half of Americans feeling comfortable buying goods and services from a business where the customer-facing employee has spent 5 or more years in prison<sup>99</sup>, still 60-75% of formerly incarcerated people remain unemployed after their release from prison.<sup>100</sup> LGBTQ+ people, people of color, and people who were formerly incarcerated all face discrimination, certainly in employment. The overlapping of these identities can make it extremely difficult to financially support oneself and one's family, further enabling the cycle of poverty to

persist.

## Citations for "Coming Out of the Court House: The Disconnect Between 'Access' to Justice for LGBTQ+ People and Actually Finding it"

<sup>81</sup> See Legal Services NYC, "Poverty is an LGBT Issue: An Assessment of the Legal Needs of Low-Income LGBT People," 2016.

[https://www.legalservicesnyc.org/news-and-events/press-room/966-poverty-is-an-lgbt-issue-new-report-identifies-low-income-lgbt-legal-needs-](https://www.legalservicesnyc.org/news-and-events/press-room/966-poverty-is-an-lgbt-issue-new-report-identifies-low-income-lgbt-legal-needs)

<sup>82</sup> See *id.*

<sup>83</sup> See *id.*

<sup>84</sup> See Movement Advancement Project and Center for American Progress. "Unjust: How the Broken Criminal Justice System Fails LGBT People of Color," August 2016. <https://www.lgbtmap.org/file/lgbt-criminal-justice-poc.pdf>.

<sup>85</sup> See Black & Pink, "Coming Out of Concrete Closets" 2015. <https://www.blackandpink.org/coming-out-of-concrete-closets>.

<sup>86</sup> See *id.*

<sup>87</sup> See *id.*

<sup>88</sup> See *id.*

<sup>89</sup> See *id.*

<sup>90</sup> See *id.*

<sup>91</sup> See The Williams Institute, "Incarceration Rates and Traits of Sexual Minorities in the United States: National Inmate Survey, 2011-2012" 2017.

[https://williamsinstitute.law.ucla.edu/wpcontent/uploads/Meyer\\_Final\\_Proofs.LGB\\_In\\_.pdf](https://williamsinstitute.law.ucla.edu/wpcontent/uploads/Meyer_Final_Proofs.LGB_In_.pdf).

<sup>92</sup> See *id.*

<sup>93</sup> See *id.*

<sup>94</sup> See Beck, A., & Johnson, C. "Sexual Victimization Reported By Former State Prisoners," Bureau of Justice Statistics, 2012. <http://bjs.ojp.usdoj.gov/content/pub/pdf/svrfsp08.pdf>. See also "Sexual Victimization in Prisons and Jails Reported By Inmates," [http://www.bjs.gov/content/pub/pdf/svpjri1112\\_st.pdf](http://www.bjs.gov/content/pub/pdf/svpjri1112_st.pdf).

<sup>95</sup> See *id.*

<sup>96</sup> See *id.*

<sup>97</sup> See Legal Services NYC, *supra* note 11.

<sup>98</sup> See Holzer, Harry & Raphael, Steven & Stoll, Michael. "Will Employers Hire Ex-Offenders? Employer Checks, Background Checks, and Their Determinants." Berkeley Program on Housing and Urban Policy, Berkeley Program on Housing and Urban Policy, Working Paper Series, 2001.

[https://www.researchgate.net/publication/46438260\\_Will\\_Employers\\_Hire\\_Ex-Offenders\\_Employer\\_Checks\\_Background\\_Checks](https://www.researchgate.net/publication/46438260_Will_Employers_Hire_Ex-Offenders_Employer_Checks_Background_Checks)

<sup>99</sup> See SHRM. Workers with Criminal Records: "Consumer and Employee Perspectives." 16 August 2019. <https://www.shrm.org/hr-today/trends-and-forecasting/research-and-surveys/Pages/Workers-with-Criminal-Records-Consumer-and-Employee-Perspectives.aspx>.

<sup>100</sup> See J. Petersilia, "When Prisoners Come Home: Parole and Prisoner Reentry," Chicago, Ill: University of Chicago Press, 2003; J. Travis, "But They All Come Back: Facing the Challenges of Prisoner Reentry," Washington, D.C.: Urban Institute Press, 2005. [https://www.nelp.org/publication/reentry-and-employment-for-the-formerly-incarcerated-and-the-role-of-american-trades-unions/#\\_edn2](https://www.nelp.org/publication/reentry-and-employment-for-the-formerly-incarcerated-and-the-role-of-american-trades-unions/#_edn2).

# No Vacancy:

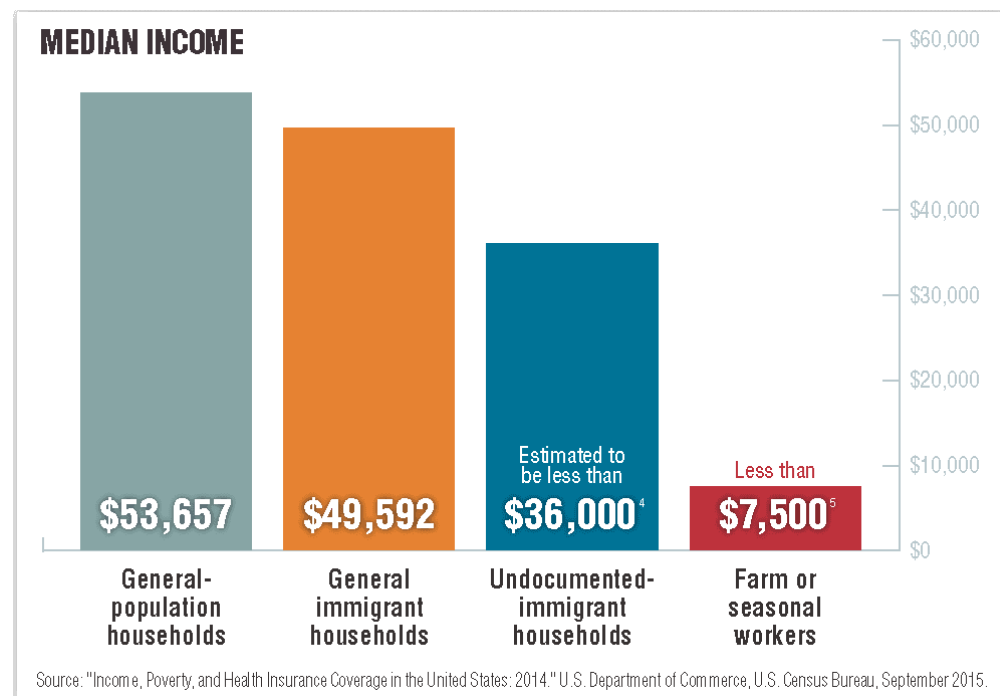
Closing the Door to LGBTQ+ Immigrants



## As the federal government reduces and complicates the already few paths to legal immigration, many immigrants find themselves at the mercy of their employers and with limited economic opportunities.

Having documentation and a work permit substantially increases an immigrant's ability to earn a living and provide for their families.<sup>101</sup> In the United States, immigrant-owned small businesses employ 4.7 million people and generate \$776 billion in income.<sup>102</sup> However, employers and family members of immigrants, even those who have documentation, are able to use their immigration status as a coercive means of economic control.<sup>103</sup> Immigrants who lack documentation fear deportation and generally hold more unstable jobs that pay less than the minimum wage.<sup>104</sup> They are more likely to work in jobs without benefits and hazardous working conditions.<sup>105</sup> Seasonal workers, often used for farming, are crucial to the stability of the U.S. food market and yet experience poverty and hunger at extreme levels, as outlined by the below chart.<sup>106</sup>

LGBTQ+ immigrants face unique challenges, often fleeing for their lives from countries where it is a crime to hold their identities.<sup>107</sup> One in four substantiated incidents of sexual abuse in immigration detention involved a transgender individual over a four-year period, according to U.S. Government Accountability Office.<sup>108</sup> In 2018, thirty



Source: Bread for the World. *Hunger and Poverty Among Immigrants*. Aug. 2016, [www.bread.org/sites/default/files/downloads/immigrants-fact-sheet-2016.pdf](http://www.bread.org/sites/default/files/downloads/immigrants-fact-sheet-2016.pdf).

nine of the three hundred transgender people detained by ICE in fiscal year 2017 were placed in solitary confinement<sup>109</sup> and in 2017 the inspector general cited concerns of the "potential misuse" of segregation in immigration detention centers.<sup>110</sup> It is vital that there be comprehensive immigration reform to better the lives and economic



realities of so many. Clear paths to legalization and citizenship increases investments in education and training programs, fosters entrepreneurship, encourages labor mobility which improves the efficiency of the labor market, and raises income levels.<sup>111</sup>

## Citations for "No Vacancy: Closing the Door to LGBTQ+ Immigrants"

<sup>101</sup> See Bread for the World. "Hunger and Poverty Among Immigrants." August 2016. <https://www.bread.org/sites/default/files/downloads/immigrants-fact-sheet-2016.pdf>.

<sup>102</sup> See Wainer, Andrew. "A Tale of Two Cities (and a Town): Immigrants in the Rust Belt," October 2013. <https://www.bread.org/sites/default/files/downloads/briefing-paper-23.pdf>.

<sup>103</sup> See Lynch, Robert, and Patrick Oakford. "The Economic Effects of Granting Legal Status and Citizenship to Undocumented Immigrants," Center for American Progress, 20 March 2013. <https://www.americanprogress.org/issues/immigration/reports/2013/03/20/57351/the-economic-effects-of-granting-legal-status-and-citizenship-to-undocumented-immigrants/>.

<sup>104</sup> See Bread for the World, *supra* note 101.

<sup>105</sup> See *id.*

<sup>106</sup> See *id.*

<sup>107</sup> See "Our Work," Immigration Equality, <https://www.immigrationequality.org/our-work/#legal-services>; see also "LGBTQ Immigrants," National Immigrant Justice Center, <https://www.immigrantjustice.org/stop-abuse-detained-lgbt-immigrants>.

<sup>108</sup> See U.S. Government Accountability Office. "Immigration Detention: Additional Actions Could Strengthen DHS Efforts to Address Sexual Abuse," U.S. Government Accountability Office (U.S. GAO), 6 December 2013. <https://www.gao.gov/products/GAO-14-38>.

<sup>109</sup> See Moore, Robert. "Gay, Transgender Detainees Allege Abuse at ICE Facility in

*New Mexico*," The Washington Post, 25 March 2019.

[https://www.washingtonpost.com/immigration/gay-transgender-detainees-allege-abuse-at-ice-facility-in-new-mexico/2019/03/25/e33ad6b6-4f10-11e9-a3f7-78b7525a8d5f\\_story.html](https://www.washingtonpost.com/immigration/gay-transgender-detainees-allege-abuse-at-ice-facility-in-new-mexico/2019/03/25/e33ad6b6-4f10-11e9-a3f7-78b7525a8d5f_story.html).

<sup>110</sup> See Kelly, John. "Concerns About ICE Detainee Treatment and Care at Detention Facilities," Office of Inspector General, Department of Homeland Security, 11 December 2017. <https://www.oig.dhs.gov/sites/default/files/assets/2017-12/OIG-18-32-Dec17.pdf>.

<sup>111</sup> See Lynch, Robert, and Patrick Oakford, *supra* note 103.

Thank you for reading

# LGBTQ Anti-Poverty Issue Brief