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**Understanding Lesbian, Gay, Bisexual,
Transgender, Intersex Inmates,
Residents, and Detainees**

Training Webinar

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Language and Terminology

Language and Terminology

Terminology

SOGIE: Sexual orientation, gender identity, and/or gender expression.

Sexual orientation is about who you are emotionally, sexually, or romantically attracted to, whether you are lesbian, gay, bisexual, straight, asexual, or another identity.

Which is different from ...

Gender identity refers to how a person understands their own gender (man, woman, both, neither, or another identity).

Gender expression is about how a person expresses their gender identity through their manner of dress, speech, behavior, and/or other physical expressions (masculine, feminine, androgynous, or another expression).

Language and Terminology

Sexual Orientation

Lesbian: A woman who is emotionally, romantically, and sexually attracted to other women.

Gay: A man who is emotionally, romantically, and sexually attracted to other men.

Bisexual: A man or woman who is emotionally, romantically, and sexually attracted to both men and women.

Straight: A person who is emotionally, romantically and sexually attracted to another person who is of a different sex and/or gender.

Asexual: A person who is not sexually attracted to any sex and/or gender.

Pansexual: A person who is attracted to other people regardless of their gender identity, sex assigned at birth or gender expressions.

Language and Terminology

Gender Expression

Gender conforming describes a person's appearance or manner that conforms to traditional societal gender expectations (e.g., a person who was designated female at birth, identifies as a girl/woman, and dresses in a way that society determines a girl/woman should dress).

Gender nonconforming (GNC) describes a person's appearance or manner that does not conform to traditional societal gender expectations (e.g., someone who identifies as a girl/woman but wears clothing typically assigned to boys/men).

Language and Terminology

Gender Identity

Transgender is an **adjective** (always remember to refer to “**transgender people**” and *not* “**transgenders**”) that describes a person’s gender identity when that identity is different from the person’s assigned sex at birth.

Note: “Gender Identity Disorder” was replaced with “Gender Dysphoria” in the Diagnostic and Statistical Manual (DSM-5).

Cisgender is an adjective that describes a person’s gender identity when that gender identity is the same as their sex assigned at birth.

Which are different from ...

Intersex is an adjective that means a person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.

Language and Terminology

Another note on intersex

DSD

New term(s): Disorders of Sex Development and
Differences of Sex Development

Controversial:

Some advocates do not like the term “disorder”

Note: Approximately 1 in every 1,500 to 2,000 people
are born intersex.

Language and Terminology

Intersex

Type	Chromosomes	Sex Assigned at Birth	Gender Identity
Androgen Insensitivity Syndrome (AIS)	46 XY	Complete: Female Partial: Male or Female	Complete: Woman Partial: Woman or Man
Congenital Adrenal Hyperplasia (CAH)	46 XX (not intersex for those born with 46 XY)	Female or Male	Woman
Klinefelter Syndrome	47 XXY (and more)	Male	Man

Language and Terminology

Transgender and Gender Nonconformity

Birth Certificate	Gender Identity	Gender Expression	Transgender?	Gender Nonconforming?
1) Male	Man	Masculine	No	No
2) Male	Man	Feminine	No	Yes
3) Male	Woman	Feminine	Yes, woman (transwoman)	No

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Language and Terminology Review

Language and Terminology Review

Question 1

A person whose appearance or manner does **not** conform to traditional societal gender expectations (e.g., someone who identifies as a girl/woman but wears clothing typically assigned to boys/men) is considered to be:

A) Gay

B) Gender nonconforming

C) Transgender

D) Both (b) and (c)

Language and Terminology Review

Question 1

A person whose appearance or manner does **not** conform to traditional societal gender expectations (e.g., someone who identifies as a girl/woman but wears clothing typically assigned to boys/men) is considered to be:

Answer

B) Gender nonconforming.

Language and Terminology Review

Question 2

Gender expression is a good indicator of someone's sexual orientation?

A) True

B) False

Language and Terminology Review

Question 2

Gender expression is a good indicator of someone's sexual orientation?

Answer

B) False. Someone's gender expression (how they dress, behave, etc.) is not an indicator of their sexual orientation.

Language and Terminology Review

Question 3

You should always refer to individuals whose current gender identity is not the same as their assigned sex at birth as “transgender”.

A) True

B) False

Language and Terminology Review

Question 3

You should always refer to individuals whose current gender identity is not the same as their sex at birth as “transgender”.

Answer 3

B) False. Never assume how someone would like to be referenced. Many transgender individuals only refer to themselves as the gender they have transitioned to. It is best to ask everyone how they identify.

Language and Terminology Review

Question 4

A transgender woman is someone who is:

A) A man pretending to be a woman.

B) A man dressed in women's clothing ("cross-dresser").

C) A woman dressed in men's clothing.

D) A woman whose sex assigned at birth is male.

Language and Terminology Review

Question 4

A transgender woman is someone who is:

Answer 4

D) A transgender woman is a woman whose sex assigned at birth was male. Conversely, a transgender man is a man whose sex assigned at birth was female.

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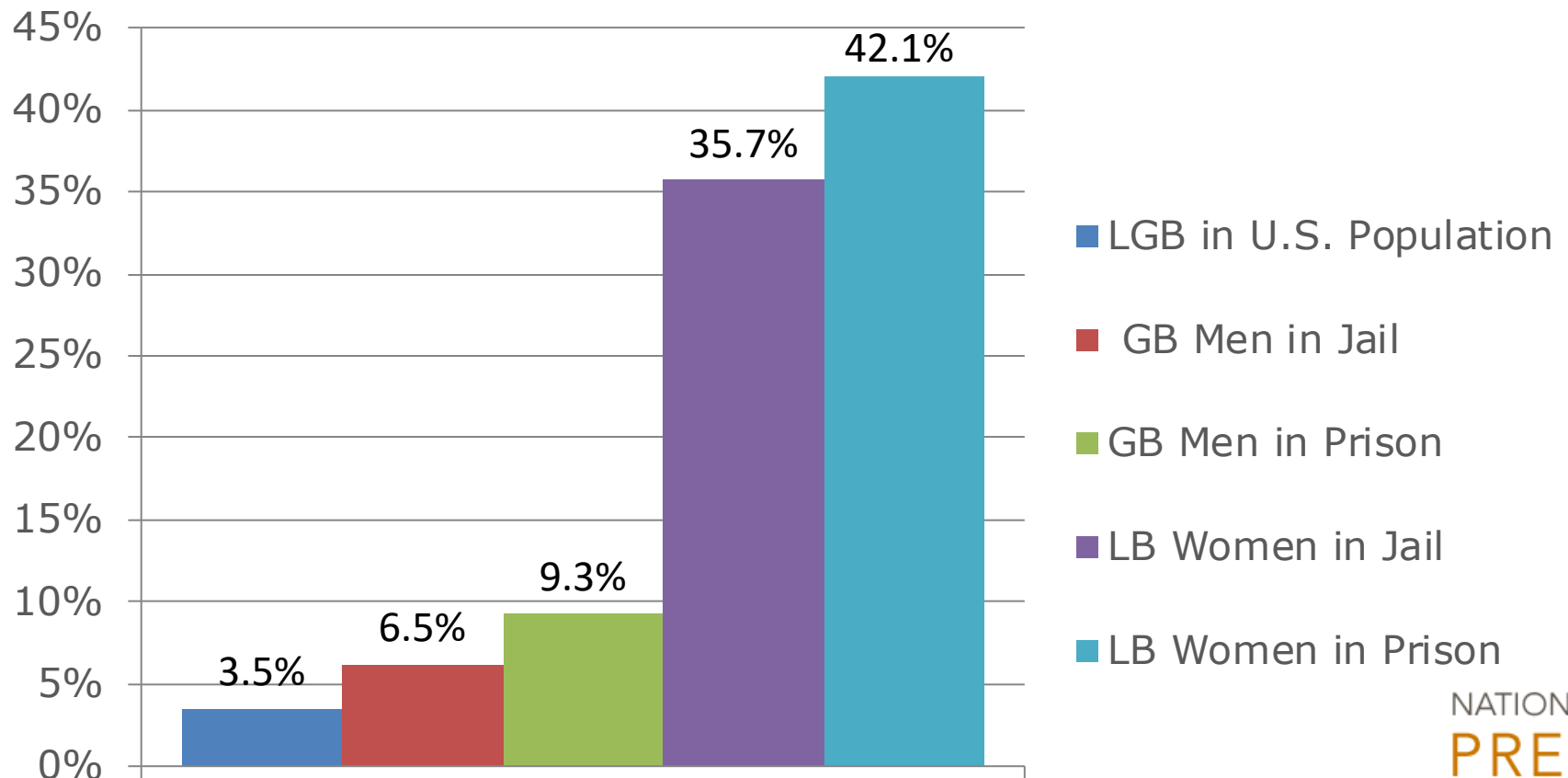
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Population Data

Population Data

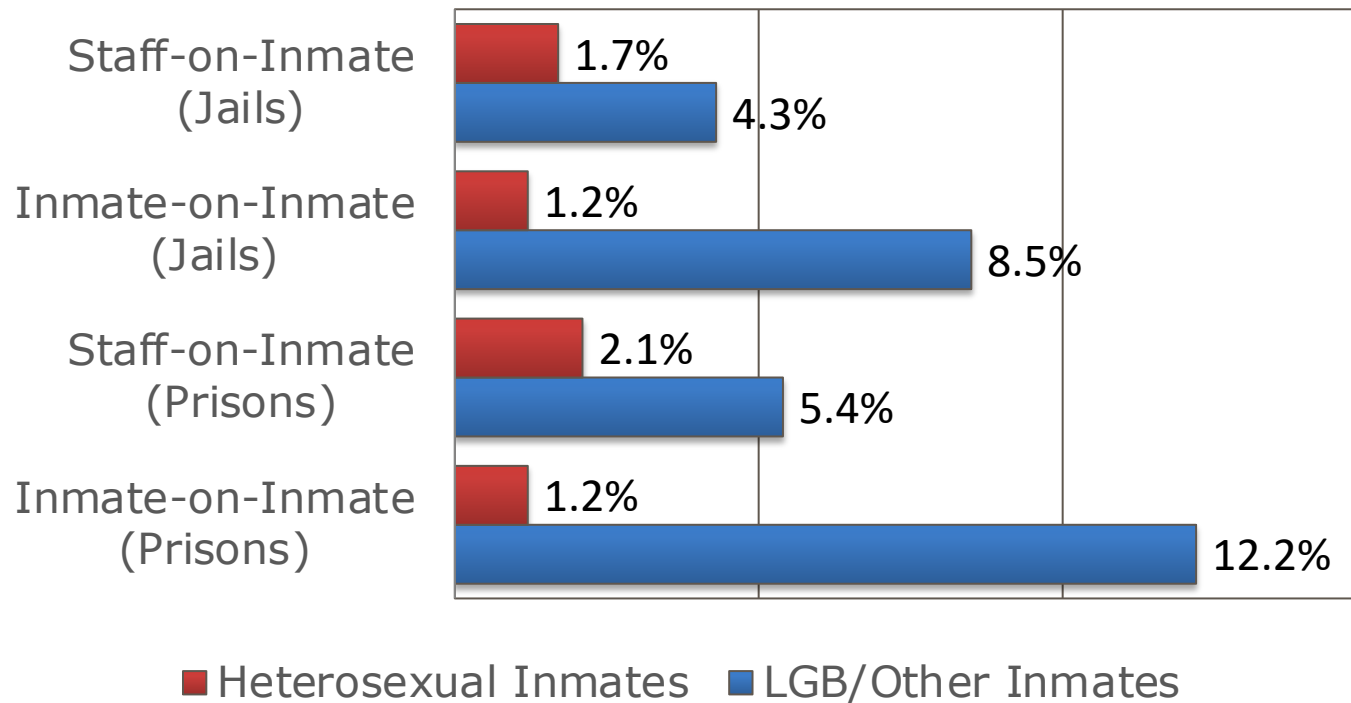
Percentages of Prison and Jail Inmates in the U.S. who Identify as Lesbian, Gay, or Bisexual



Williams Institute, 2017

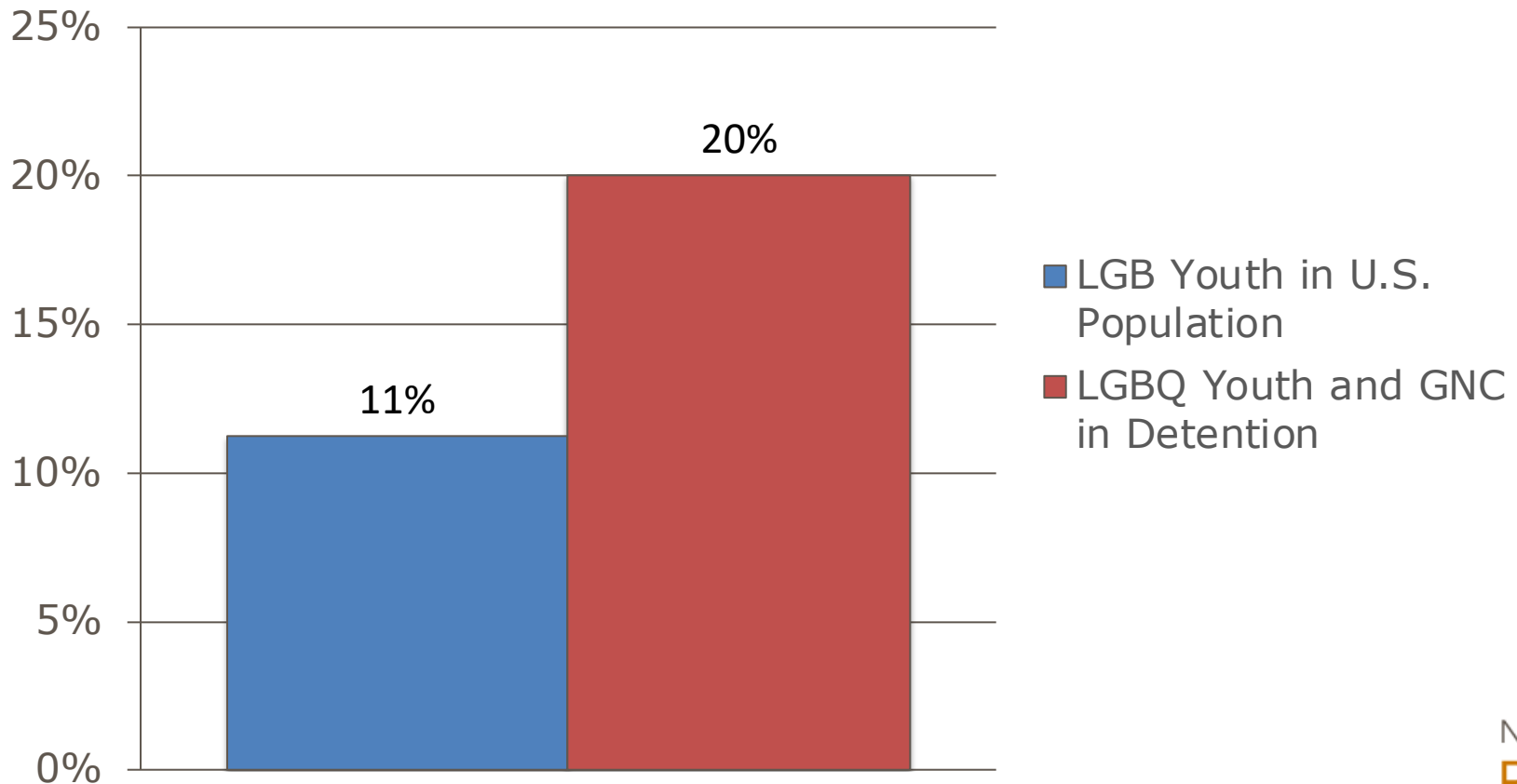
Population Data

Rates of Sexual Victimization Among Heterosexual and LGB Inmates



Population Data

Lesbian, Gay, Bisexual, Questioning and Gender Nonconforming (LGBQ/GNC) Youth in Detention



Kann, L., et al. (2016).

Irvine, A, and Aisha Canfield. (2017).

Population Data

Sexual Orientation and Gender Conformity, Girls

	Heterosexual	LBQ
Gender Conforming	60.1%	22.9%
Gender Nonconforming	7.8%	9.2%

Irvine and Canfield, 2017

Population Data

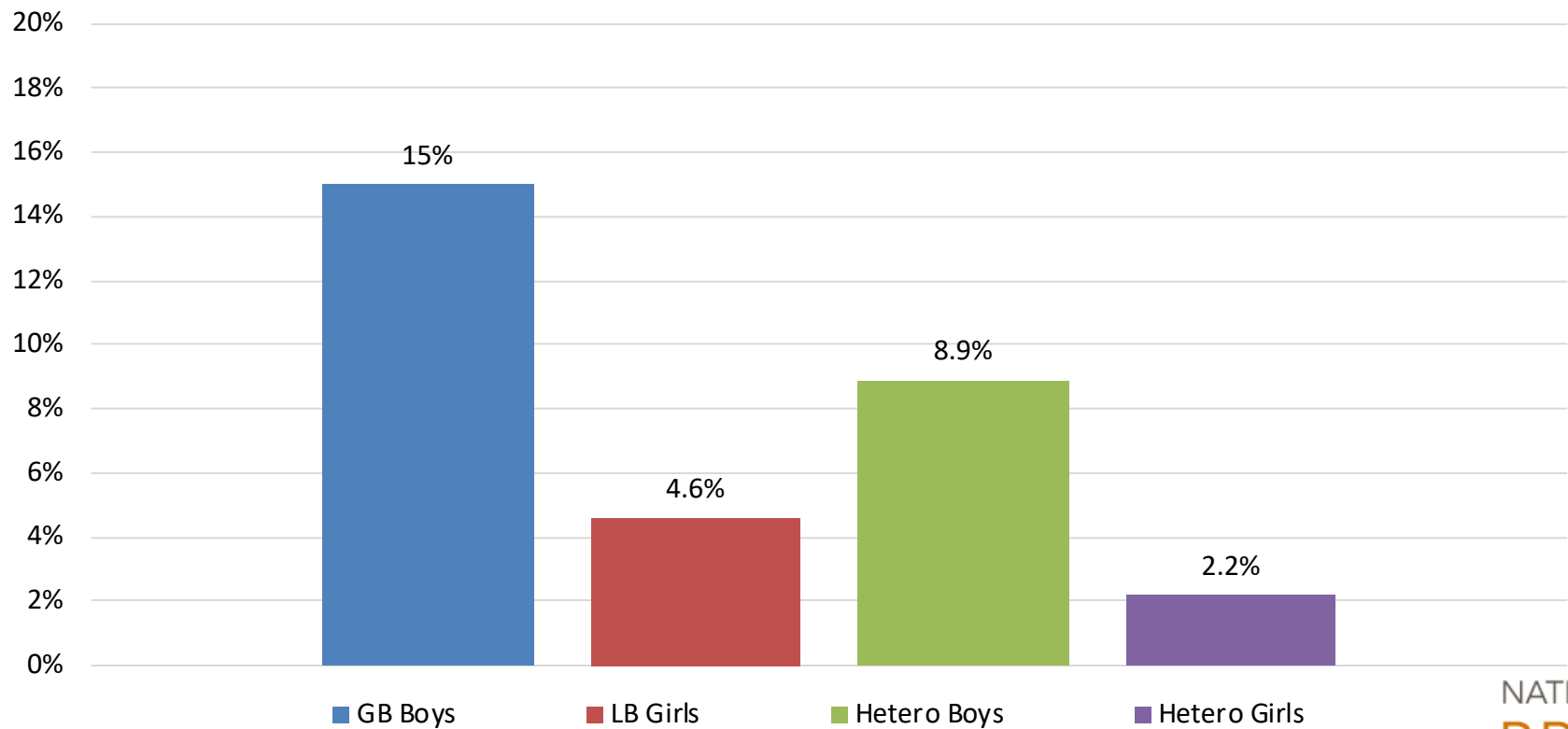
Sexual Orientation and Gender Conformity, Boys

	Heterosexual	GBQ
Gender Conforming	86.4%	3.5%
Gender Nonconforming	7.3%	2.8%

Irvine and Canfield, 2017

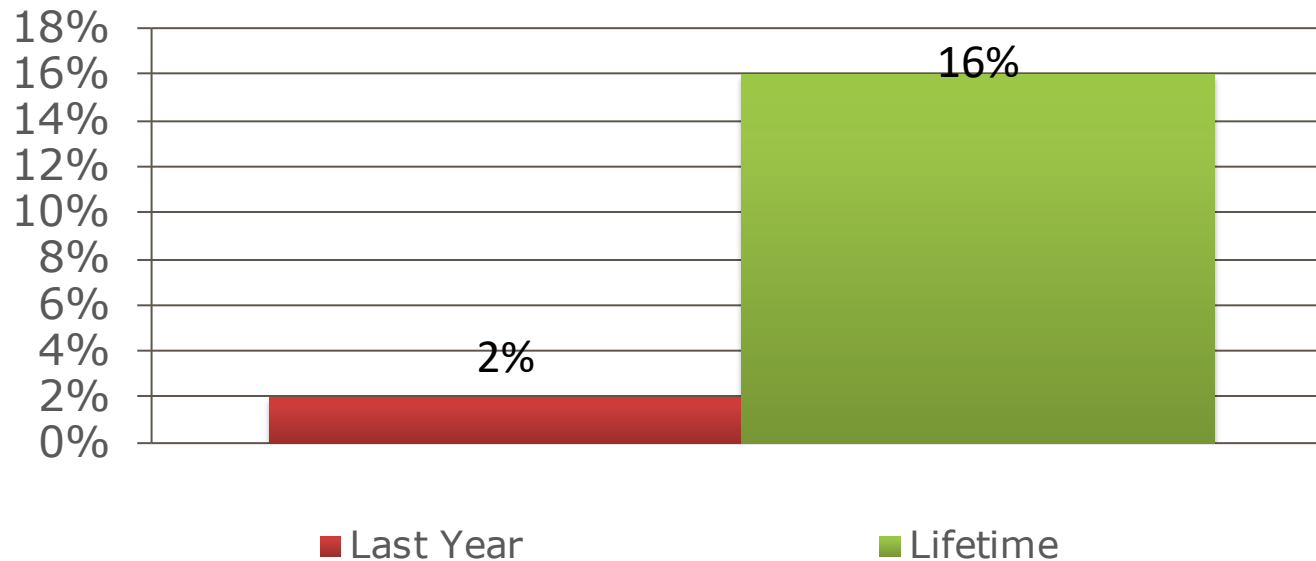
Population Data

Rates of Sexual Abuse on Youth by Staff



Population Data

Reported Rates of Incarceration for Transgender Individuals



Williams Institute, 2016
National Transgender Discrimination Survey, 2016
National Transgender Discrimination Survey, 2011

Sexual Victimization of Adult Transgender Inmates – Prisons and Jails

Bureau of Justice Statistics 2011-12 Survey of Inmates

Prisons - 39.9% of transgender inmates sexually victimized (33.2% inmate-on-inmate, 15.2% staff sexual misconduct)

Jails – 26.8% of transgender inmates sexually victimized (15.8% inmate-on-inmate, 18.3% staff sexual misconduct)

74.3% of incidents were nonconsensual sexual acts by an inmate on another inmate and 85.1% of these incidents involved nonconsensual sexual acts on an inmate by a staff member.

72.2% of incidents were force or threat of force by an inmate on another inmate and 51.1% were force or threat of force by a staff member.

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Population Data Review

Population Data Review

Question 1

Heterosexual inmates and residents are at highest risk for being sexually abused in facilities.

A) True

B) False

Population Data Review

Question 1

Heterosexual inmates and residents are at highest risk for being sexually abused in facilities.

Answer 1

B). False. LGBT inmates and residents are at highest risk for sexual abuse. Refer to BJS 2013 statistics slide.

Population Data Review

Question 2

Incarcerated lesbian, gay, and bisexual youth reported being sexually abused by other youth _____ than heterosexual youth.

A) 3 x more often

B) 7 x more often

C) 10 x more often

Population Data Review

Question 2

Incarcerated lesbian, gay, and bisexual youth reported being sexually abused by other youth _____ than heterosexual youth.

Answer 2

B) Seven times more often—youth with a sexual orientation other than heterosexual reported significantly higher rates of sexual victimization by other youth (10.3%) compared with heterosexual youth (1.5%).

The 2017 Williams Institute report determined that gay and bisexual boys were almost **11 times** more likely to be victimized by other youth.

Population Data Review

Question 3

What percentage of girls in detention identify as lesbian, gay, bisexual and/or gender nonconforming?

A) 13%

B) 23%

C) 40%

Population Data Review

Question 3

What percentage of girls in detention identify as lesbian, gay, bisexual and/or gender nonconforming?

Answer 3

C) 40% of girls in detention facilities identify as lesbian, gay, bisexual, and/or gender nonconforming.

Population Data Review

Question 4

Approximately what percentage of the adult transgender population will experience incarceration in their lifetime?

A) Less than 1%

B) 16%

C) 25%

Population Data Review

Question 4

Approximately what percentage of the adult transgender population will experience incarceration in their lifetime?

Answer 4

B) 16% of transgender individuals will experience incarceration in their lifetime.

Population Data Review

Question 5

Heterosexual girls are at highest risk for sexual victimization by staff in detention facilities.

A) True

B) False

Population Data Review

Question 5

Heterosexual girls are at highest risk for sexual victimization by staff in detention facilities.

Answer 5

B) False. Gay and bisexual boys experience the highest rates of sexual victimization by facility staff.

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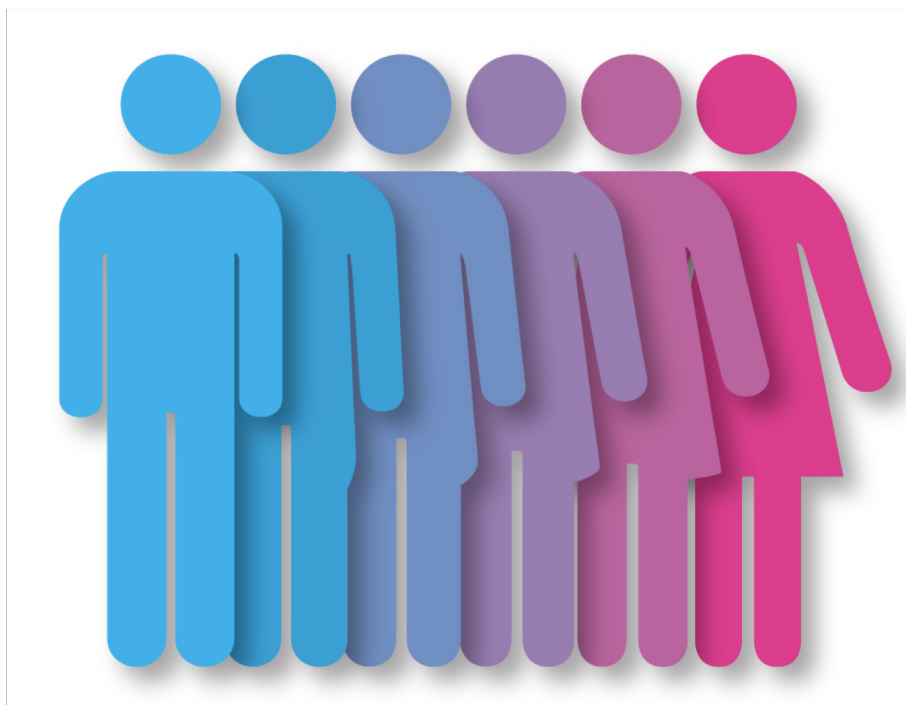
Effective Communication

Effective Communication

A Note on Perceptions

“Perceived” Status

Typically, “perceived” refers to how outsiders perceive another person’s sexual orientation, gender identity, or gender expression (SOGIE) and not how one perceives oneself.



Effective Communication

Communicating With LGBTI Inmates and Residents

People may see themselves in a way that is different than the way you see them.

Keep in mind that many people do not use labels to define themselves, but you must be aware of behaviors and appearances that place them at risk of discrimination, sexual harassment, and sexual victimization.

Remember that some transgender people will refer to their gender as the one they transitioned to and not use the term “transgender” (e.g., someone assigned “male” at birth who transitioned to being a female or a girl will say she is a “girl” and not a “transgender girl”).

Effective Communication

Communicating With LGBTI Inmates and Residents

- Self-management: Be mindful of your own beliefs, cultural norms, and gaps in knowledge surrounding SOGIE; pay attention to body language and facial expressions.
- Do not ask sexual abuse questions immediately before or after asking questions about SOGIE.*
- Do not make assumptions based on stereotypes; ask all inmates and residents the same questions, and let them know that you ask *everyone* the same questions.

*See Sexual Minority Assessment Research Team. (2009). *Best practices for asking questions about sexual orientation on surveys*. Retrieved from The Williams Institute website, <http://williamsinstitute.law.ucla.edu/wp-content/uploads/SMART-FINAL-Nov-2009.pdf>

Effective Communication

Communicating With LGBTI Inmates and Residents

- Use the language people use to refer to themselves, including names and pronouns. Additionally, do not refer to transgender inmates' legal names as their "real" names.
- Do not refer to transgender people's transitions as resulting in looking like a "real" man or "real" woman.
- Do not assume someone is not transgender because he or she has not had gender affirming surgery or made other physical changes to their appearance.

*See resource from Equity project at the end of the webinar for additional best practices. Sexual

Effective Communication

Communicating With LGBTI Inmates and Residents

- Remember “silent” communication: Ensure that your physical space is welcoming by including posters, signs, books, and materials that are affirming of LGBTI people.
- Avoid exclusively using “he, him, her, she,” pronouns until you have more information about the inmate/resident:
 - » “What is your name and what pronoun(s) do you use?”
 - » Use the pronoun a person prefers

Effective Communication

Communicating With *ALL* Inmates and Residents

Examples of inclusive screening questions

- What is your gender?
- What was your assigned sex at birth?
- What is your gender expression?
- What is your sexual orientation?
- Who are you attracted to?

- For staff conducting the interview: Does the person's gender expression match the cultural and societal expectations for that gender in their general community?

Note: It is very important to weave SOGIE-related questions into other demographic questions, such as age and race/ethnicity, to make everyone as comfortable as possible.

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Effective Communication Review

Effective Communication Review

Question 1

It is important that you ask inmates and residents who you perceive to be LGBTI how they identify.

A) True

B) False

Effective Communication Review

Question 1

It is important that you ask inmates and residents who you perceive to be LGBTI how they identify.

Answer 1

Both A) and B). It is important that you ask *everyone* about their identities, including those you perceive to be LGBTI.

Effective Communication Review

Question 2

When should SOGIE questions be asked?

- A) Right before questions about sexual abuse**
- B) Right after questions about sexual abuse**
- C) Throughout screening as part of a conversation**
- D) In their own section**

Effective Communication Review

Question 2

When should SOGIE questions be asked?

Answer 2

C) Throughout the screening process. Avoid placing SOGIE questions near sexual abuse questions or in their own section.

Effective Communication Review

Question 3

It is important that you do *not* make the SOGIE questions too conversational to avoid being intrusive.

A) True

B) False

Effective Communication Review

Question 3

It is important that you do *not* make the SOGIE questions too conversational to avoid being intrusive.

Answer 3

B) False. It is important that the SOGIE questions be as conversational as possible in order to signal safety and acceptance to the inmate, resident or detainee that is responding.

Effective Communication Review

Question 4

When asking about sexual orientation, which one of these questions is *most likely* to create an inclusive environment and therefore allow the inmate, resident, or detainee to disclose important information to you?

A) "Um, are you...gay?"

B) "So, are you lesbian, gay, bisexual, transgender or intersex?"

C) "What is your sexual orientation?"

D) "What's up with your outfit?"

Effective Communication Review

Question 4

When asking about sexual orientation, which one of these questions is *most likely* to create an inclusive environment and therefore allow the inmate, resident or detainee to disclose important information to you?

Answer 4

C) "What is your sexual orientation?"

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Best Practices

Best Practices

Best Practices

- Anti-Discrimination Policy
- Training and Education
- Collect SOGIE Data
- Adopt PREA Standards and other best practices

Free Training and Technical Assistance



DID YOU KNOW THE PREA RESOURCE CENTER OFFERS

FREE Training and Technical Assistance

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- **Specialized Expertise:** LGBTI, Investigations, Risk Screening
- **Onsite or Regional Training**
- **Presentations**
- **Audit Preparation Assistance**

Visit www.prearesourcecenter.org for more information

Resources

Additional Resources

Additional terminology

<http://itspronouncedmetrosexual.com/2013/01/a-comprehensive-list-of-lgbtq-term-definitions/>

For survivors of sexual assault in facilities

<https://justdetention.org/wp-content/uploads/2015/11/HopeforHealingweb.pdf>

Best Practices for LGBT youth in the juvenile justice system

http://www.nclrights.org/wp-content/uploads/2015/09/AECF_LGBTinJJS_FINAL2.pdf

LGBT Non-discrimination policies throughout the country

<http://www.equityproject.org/type/policy/>

Communicating with and supporting transgender individuals

https://transequality.org/sites/default/files/docs/resources/Ally-Guide-July-2016_0.pdf

Youth incarceration statistics

<http://www.lgbtmap.org/file/lgbtq-incarcerated-youth.pdf>

Resources

Additional Resources

Reports of works cited in presentation

https://williamsinstitute.law.ucla.edu/wp-content/uploads/Meyer_Final_Proofs.LGB_In.pdf

For survivors of sexual assault in facilities

<https://justdetention.org/wp-content/uploads/2015/11/HopeforHealingweb.pdf>

Best Practices for LGBT youth in the juvenile justice system

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Questions and Answers

Questions and Answers

PREA requires our departments to collect data on sexual orientation, gender identity and gender expression.

We have a lot of girls that are “gay for the stay”, how do we account for them in our SOGIE data?

Questions and Answers

There is a transgender woman who comes into my facility frequently. She has requested to be housed with the males. Will this create compliance issues for my facility if we house her with the males?

Questions and Answers

If a transgender individual comes into the facility, is it appropriate to have an officer of one gender search half of the individual and an officer of the opposite gender search the other half?

Questions and Answers

PREA requires we collect SOGIE data. I know that these questions are going to offend some of the individuals coming into my facility, particularly the males.

What can we do if they don't want to answer the questions?

Questions and Answers

My facility is working to be in compliance, but we can't house transgender women with the female population without either the transgender women causing fights or the other female inmates complaining. What are our options?

Thank You for Listening!

Visit the **National PREA Resource Center** at
www.prearesourcecenter.org

or

Direct questions to info@prearesourcecenter.org.

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