

Los Angeles County Alternatives to Incarceration Work Group

Summary of Key Issues

**From the Community Engagement Sessions
for Justice-Involved Populations:**

Cisgender Women

**Lesbian, Gay, Bisexual, Queer + (LGBQ+) &
Transgender, Gender Non-Conforming, Intersex (TGI)**

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In Collaboration with:

**A New Way of Life Reentry Project
TransLatin@ Coalition
Young Women's Freedom Center**

and

Participants of the Community Engagement Sessions

October 11, 2019

Alternatives to Incarceration Work Group
Cisgender Women, LGBQ+, and TGI

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Alternatives to Incarceration Work Group

Cisgender Women, LGBTQ+, and TGI

Background

Purpose

In September 2019, the Alternatives to Incarceration (ATI) Work Group started to engage more justice-involved populations as part of its second phase of planning.

In collaboration with A New Way of Life Reentry Project, TransLatin@ Coalition, and Young Women's Freedom Center, the Vera Institute of Justice convened a series of community sessions to engage members of the following justice-involved populations:

- Cisgender Women
- Lesbian, Gay, Bisexual, Queer (LGBTQ+) &
- Transgender, Gender Non-Conforming, Intersex (TGI)

This document summarizes the key issues mentioned by members of each group and that formed the basis for the recommendations being brought to the ATI Work Group.

Terms and Acronyms

Throughout this document, the term “cisgender women” used refers to people who identify as women and were assigned female at birth (i.e. their gender identity matches the sex they were assigned at birth).

The acronym LGBTQ+ will be used to denote people who identify as lesbian, gay, bisexual, and/or queer. This acronym is meant to be inclusive beyond the listed identities.

The acronym TGI will be used to denote people who identify as transgender, gender-non-conforming, and/or intersex. This acronym is meant to be inclusive beyond the listed identities, accounting for Two-Spirit community members and all other gender expansive identities.

Process

In the first session, participants identified key issues that lead to incarceration and described their experiences with incarceration. These issues and experiences were documented and placed into a category within the ATI Intercept Roadmap.

In the second session, participants discussed and approved recommendations to address the key issues identified in the first session.

An ad hoc committee was formed with members of the three groups to identify, discuss, and approve recommendations that were common to all three populations and those unique to each group. The ad hoc committee met twice, endorsed specific recommendations, and generated new recommendations.

This ad hoc committee will meet again between October 15 and November 1, to finish crafting their recommendations, which will be presented to the ATI Work Group in November. One its core tasks over the next couple of months will be to develop a term and description for use in the recommendations and in the ATI Work Group's Final Report that reflects the spirit of the committee's work in affirming all gender identities, gender expressions and sexual orientations.

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Cisgender Women, LGBTQ+, and TGI

Key Issues

Organized by Intercepts for Each Group

INTERCEPT 0: *Holistic and Decentralized Community-Based System of Care: Prevention and Reentry*

Cisgender Women	LGBQ+	TGI
<p>There is a lack of victims’ services, trauma/rape centers, post-partum support, therapy in the community (especially certain ones). This compounds trauma and can lead to violent behavior due to untreated trauma.</p> <p>Access to detox depends on your address. It takes a lot of legwork to find detox for those in certain areas. One can work for 7 days to find access for folks, including assessments, insurance, finding a bed. In certain zip codes, there are no detox facilities.</p> <p>There is a lack of jobs, especially for system-involved women.</p> <p>Workforce development programs often exclude women with convictions (including lifetime bars).</p> <p>Trafficking charges exclude people from working in childcare services (it’s up to arresting officer and prosecutor how one will be charged).</p>	<p>Many housing programs over-sexualize and exclude LGBQ+ people.</p> <p>There is a need for LGBQ+/POC therapists so people feel safe and comfortable going to therapy.</p> <p>Many service providers don’t understand gender identity or queerness, appropriate language, or how to support LGBQ+ people. This leads to misgendering, alienation, and trauma.</p> <p>Many family and community members don’t understand gender identity or queerness, appropriate language, or how to support LGBQ+ people. This leads to alienation and trauma. Some families could use information on how to support loved ones.</p> <p>For many LGBQ+ people, incarceration is the first time they access services.</p>	<p>One reason TGI people become homeless is because of discrimination based on gender identity by housing providers.</p> <p>Some landlords discriminate and think trans women use apartments for prostitution.</p> <p>Some landlords see a visibly trans person and will just not call them back, even if the person has a good job.</p> <p>We get discriminated against and rejected by landlords even when approved for Section 8 vouchers. Many of us don’t have high school degrees or GEDs and have never been to college, making it harder to get jobs.</p> <p>It’s hard for many of us to get visas/green cards authorizing work, ID, birth certificates – which makes it hard to work in non-survival jobs.</p> <p>Often, our ID doesn’t match our gender identity/expression. So, when a potential employer sees that, they often say, “I’ll call you later” and don’t call.</p>

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Cisgender Women, LGBTQ+, and TGI

<p>There is a lack of access to childcare generally that hampers the ability of women to thrive, especially those who have been involved in the system.</p> <p>Some relatives with criminal histories are denied custody of children with incarcerated parents. This is a big challenge especially in certain zip codes.</p>		<p>There are many experiences of subtle and more explicit discrimination against TGI people in workplaces. There are many homophobic and transphobic remarks in the workplace.</p> <p>To get from homelessness/crisis/jail to any sense of stability, a lot has to happen and you're often blocked by multiple systems that don't want to support you. Sex work or selling drugs are a quicker, easier way to afford basic life necessities when in crisis.</p> <p>Many service providers, particularly those with gendered housing, are unable or unwilling to provide appropriate services for TGI people. So, TGI people are sometimes unable to access important services like inpatient substance abuse treatment.</p>
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INTERCEPT 1: *Community Response and Intervention Services*

Cisgender Women	LGBQ+	TGI
<p>For many people, incarceration is the first time they access services. When law enforcement is involved, they often pick and choose who to help and when. So, services should be offered by community.</p>		

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Cisgender Women, LGBTQ+, and TGI

INTERCEPT 2: Law Enforcement

Cisgender Women	LGBQ+	TGI
<p>Police officers often do round-up arrests towards the end of the month. Police will detain women who do sex work for a few days as a strategy to get information from women on Johns.</p> <p>Traffic stops, especially in certain communities where they seem to happen at a higher rate, can trigger serious consequences. Women are underemployed and often cannot afford to pay tickets but need transportation for basic needs.</p> <p>License/registration suspensions and traffic stops often lead to jail and potentially probation. The arrests can also impact child custody and lead to family separation.</p>	<p>Police regularly discriminate against LGBTQ+ people.</p> <p>When police misgender people, they are not open to correction. They often act physically aggressive with GNC people, especially if masculine presenting.</p>	<p>Police regularly discriminate against TGI people. When law enforcement officers misgender people, they are not open to correction.</p> <p>Interactions with law enforcement have been sources of trauma for many TGI people as has incarceration. TGI people often don't feel safe with police. TGI people often feel targeted by police even when waiting on a sidewalk (perceived as "loitering") and not believed when seeking help.</p>

INTERCEPT 3: Booking and First Court Appearance

Cisgender Women	LGBQ+	TGI
<p>Law enforcement is disproportionately male-driven and there is a lack of trust in them to offer services fairly to all.</p>	<p>To identify people upon booking, it must be optional to identify as LGBTQ+, not mandatory since many people are not out. This information should be collected in a confidential way, with an option for anonymity, and by someone who is not law enforcement because of safety/privacy concerns.</p>	<p>Incarceration is deeply traumatic for TGI people who are strip searched in front of and detained with people of different genders, making them vulnerable to violence and feeling unsafe.</p>

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	<p>Need an LGBTQ+ advocate independent of law enforcement within each lock-up similar to DV advocates given the safety risks and trauma of law enforcement interaction and incarceration on LGBTQ+ people.</p>	
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INTERCEPT 4: Jail Custody and Court Process

Cisgender Women	LGBTQ+	TGI
<p>Prosecutor overcharging practices (e.g. shoplifting charged as robbery if someone runs; grand theft auto / joyriding charges for all in car; buying drugs but being charged with possession to sell; and/or accessory charges common to women) need to be addressed.</p> <p>Access to diversion and ATIs are not equitably distributed.</p> <p>There is also a great variation in likely outcomes/dispositions between different courthouses.</p> <p>Law enforcement is disproportionately male-driven and there is a lack of trust in them to offer services fairly to all.</p>	<p>There are too many diversionary courts and programs being tested – which results in people not knowing how to access them and they’re created without consulting community about what people need to succeed.</p> <p>Community service diversion does not meaningfully help people with basic needs (e.g. housing, food security) first but instead send them to do things like clean trash in someone else’s neighborhood. Sentences don’t help with positive development either (e.g. opportunities to use artistic skills to beautify their own neighborhood through service).</p> <p>There are an overwhelming number of court mandates that set people up for failure or re-incarceration.</p>	<p>We are often sent to things like sex work classes that do not meaningfully help TGI people with what we need like housing and workforce development / connections.</p> <p>There is a lack of access to diversion for TGI people.</p> <p>There are an overwhelming number of court mandates that set people up for failure or re-incarceration. Coming out of jail, can’t get hired; have a bunch of court appointments but no transportation; potentially go back to sex work to get \$ for transportation or try to get onto Metro and get stopped; might not make it to court on time or with appropriate clothes. Hard to meet expectations of the court.</p>

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INTERCEPT 5: *Pre-Release Planning & Release*

Cisgender Women	LGBQ+	TGI
<p>For reentry work, we need a staffer to intensively walk people through all the phases – assessment, evaluation, many appointments until they get to see a doctor. People without that support often decompensate and drop out.</p>		

INFRASTRUCTURE

Cisgender Women	LGBQ+	TGI
<p>There is a lack of investment in certain communities impacted by incarceration, including scaling up existing programs doing good work.</p>	<p>If collecting data to influence diversion, it should be through a voluntary, confidential system outside of law enforcement b/c of safety concerns.</p>	<p>If collecting data to influence or increase access to diversion, it should be through a voluntary, confidential system outside of law enforcement b/c of safety concerns.</p>