

# THINK OUTSIDE THE WALLS

## LGBTQ YOUTH



### **LGBTQ youth are over-represented in the juvenile justice system.**

- National research shows that 5 to 7% of the youth population is LGBTQ, while 12% of youth found delinquent by a judge are LGBTQ.<sup>1</sup>
- Among girls in the juvenile justice system, 40% are LGBTQ.<sup>2</sup>

### **Out-of-home care is often unsafe for these youth.**

- LGBTQ youth report high rates of abuse in residential care.<sup>3</sup>
- When LGBTQ defend themselves from abuse, it can lead to their arrest and movement deeper into the system.
- LGBTQ youth are at risk of being placed in isolation for their own "protection."<sup>4</sup>

### **Homelessness can lead to arrest and incarceration.**

- Approximately 20% of the homeless youth population is LGBTQ.<sup>5</sup> This spring, a youth was returned to CJTS because of homelessness.

### **Family rejection puts LGBTQ youth at risk of incarceration.**

- LGBTQ youth forced to live on their own may trade sex or engage in illegal activities to gain relative safety and shelter.
- Support to preserve families can prevent youth at risk of penetrating deep into the juvenile justice system from entering it at all.

### **Individualized care can prevent incarceration**

- LGBTQ youth would benefit from an intensive collaboration between families and all professionals involved in the youth's care. DCF has wisely proposed this strategy for girls who would otherwise be confined.<sup>6</sup> Like all youth in the system, they need comprehensive, individualized services.

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<sup>1</sup> OJJDP. LGBT Youths In The Juvenile Justice System. <http://www.ojjdp.gov/mpg/litreviews/LGBTQYouthsintheJuvenileJusticeSystem.pdf>

<sup>2</sup> Annie E. Casey Foundation. Lesbian, Gay and Transgender Youth in the Juvenile Justice System. September 28, 2015.

<sup>3</sup> Katayoon Majd, Jody Marksamer, Carolyn Reyes. Hidden Injustice: Lesbian, Gay, Bisexual and Transgender Youth in Juvenile Courts. National Juvenile Defender Center. Fall, 2009

<sup>4</sup> Annie E. Casey Foundation. Lesbian, Gay and Transgender Youth in the Juvenile Justice System. September 28, 2015.

<sup>5</sup> Safe Schools Coalition. <http://www.safeschoolscoalition.org/LGBTQhomelessFactSheetbyNAEH.pdf>

<sup>6</sup> DCF draft plan, page 9.

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## GIRLS<sup>7</sup>



### Our juvenile justice system is designed for boys.

- Over the past five years, an average of 16% of youth placed in DCF custody for delinquency were girls.<sup>8</sup>
- Just as a very small high school won't offer a wide variety of courses and activities, the system's offerings for girls are limited because of the small population.

### Girls have distinct mental health needs.

- There are few substance abuse treatment programs for girls in CT.
- In 2015, 82% of girls admitted to Pueblo (CJTS for girls, now closed) had PTSD and *all* carried more than one mental health diagnosis.<sup>9</sup>
- Girls report higher rates of trauma, which is exacerbated by Incarceration.<sup>10</sup>

### Girls do not want to feel powerless.

- Being involved in placement decisions would prevent running away – often a precursor to putting a girl in a locked facility.
- They say residential placements are overly regimented: not letting them take snacks out of the fridge; or do each other's hair; etc.

### Trafficking is under-reported.

- Girls often don't report being trafficked by a relative or boyfriend.
- Trafficked children should not be incarcerated to keep them "safe."

### Individualized care prevents incarceration.

DCF proposed collaboration between family and all professionals involved in a case when a girl is at risk of incarceration. The team would devise a comprehensive plan of care to avoid locking up the girl.<sup>11</sup> We strongly support this innovation.

<sup>7</sup> Information is based largely on conversations with system-involved girls, their probation officers and the program staff who serve them.

<sup>8</sup> State of CT Judicial Branch, Case Management Information System

<sup>9</sup> 2016 CJTS Advisory Board Report to the Commissioner of the Department of Children and Families

<sup>10</sup> Physicians for Human Rights. Unique Needs of Girls in the Juvenile Justice System [www.women.ca.gov/portals/70/media/pdf/issues/women\\_girls\\_cjs/girls.pdf](http://www.women.ca.gov/portals/70/media/pdf/issues/women_girls_cjs/girls.pdf)

<sup>11</sup> DCF Plan, page 9

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