

# **WORKING WITH ARRESTED, CHARGED, INCARCERATED, AND RETURNING LGBTQ PEOPLE**

## **Internet Resources**

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*When Survivors Reenter their Communities after Jail or Prison*  
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# Introduction

Those who identify as lesbian, gay, bisexual, transgender, and/or queer (LGBTQ) often experience discrimination stemming from homophobia, biphobia or transphobia. LGBTQ individuals who are charged, incarcerated, or are returning to the community after incarceration, may face additional discrimination and, as a result, be further marginalized. Additionally, they may experience heightened risks to their physical and emotional safety than those who are not involved in the criminal justice system.

This listing includes resources that identify and discuss some of the specific issues experienced by justice-involved LGBTQ people. Unfortunately, we were not able to find many resources that specifically address the reentry needs of LGBTQ people. Instead we have included information about some of the general issues, correctional system policies, and barriers that often arise for justice-involved LGBTQ individuals. It is our hope that this information and these resources can provide a solid foundation for advocates and practitioners supporting LGBTQ people who are reentering their communities after serving time in jail or prison.

## AUDIENCE

Practitioners and advocates working with reentering and justice-involved LGBTQ people.

## A NOTE ON LANGUAGE

There are a variety of acronyms used when referring to lesbian, gay, bisexual, transgender, and/or queer (LGBTQ) people and their communities, and we acknowledge the discussions and debates concerning the inclusion and exclusion of various terms and labels. We chose the acronym LGBTQ to be as inclusive and brief as possible.

For the titles of the resources as well as the descriptions, we kept the language and acronyms of the original authors.

Additionally, some of the resources included in this listing use the term “offender” for women incarcerated or returning home from jails and prisons. It is not a term we use at the National Clearinghouse. Many incarcerated and formerly incarcerated women have objected to that term. We believe it is critical that individuals not be defined by their crime/alleged crime. Instead, we use terms such as “reentering woman,” “person returning from jail/prison,” or “formerly incarcerated woman.”

In this resource listing we changed words like “offender” or “inmate” when they did not appear in the title and when it did not affect the integrity of the document being described.

***If you know of additional online resources that should be added to this list, please contact the National Clearinghouse. We would also like to know if you find errors or changes in any of the web addresses. Thanks.***

*This resource is part of a series of internet listings about When Survivors Reenter their Communities after Jail or Prison published by the National Clearinghouse for the Defense of Battered Women. Copies of these resources are available at [www.ncdbw.org/reentry\\_resources.htm](http://www.ncdbw.org/reentry_resources.htm). Or email us at [ncdbw@ncdbw.org](mailto:ncdbw@ncdbw.org) and we will forward copies.*

# Background Information

The materials in this section are intended to give practitioners background information about some of the forms of discrimination and the types of experiences and barriers that many LGBTQ people encounter when charged, incarcerated, and/or reentering. Due to the fact that we were unable to find many resources about reentering LGBTQ people, most of the resources in this section are about LGBTQ people who are arrested, charged, and incarcerated.

You will find four subsections:

- **General Resources.** Includes overviews and general background information.
- **LGBTQ Youth-Specific Resources.** Includes resources on school-to-prison pipeline and general information about LGBTQ youth involved in the juvenile justice system.
- **Experiences of Trans Prisoners.** These resources do not encompass the experiences of all trans prisoners but are meant to highlight some of the unique experiences of some trans prisoners.
- **Prison Rape Elimination Act (PREA) Resources.** Specifically address issues of PREA and the LGBTQ community.

While some of the resources could be listed under more than one subsection, we only listed them once. Please look through all the resources to make sure you see all relevant listings.

*NOTE: The materials in each section are listed by year from the most recently published to those published longest ago. Within each year, they are listed alphabetically by title.*



## Background Information: General Resources

### **COMING OUT OF CONCRETE CLOSETS: A REPORT ON BLACK & PINK'S NATIONAL LGBTQ PRISONER SURVEY**

*by Jason Lydon with Kamaria Carrington, Hana Low, Reed Miller, and Mahsa Yazdy (2015)*

This report gathers and highlights the responses of 1,118 LGBTQ prisoners answering a 133-question survey from Black & Pink. Excerpt: "This report lifts up the voices of LGBTQ prisoners from across the United States so that they can inform, shape, and lead the movement for prisoner justice. These numbers, statistics, and stories represent the largest ever collection of information from LGBTQ prisoners....LGBTQ people, particularly people of color and poor people, experience high levels of policing and criminalization, leading to arrest and incarceration. Once inside prison, LGBTQ people are subjected to constant violence by both prison staff and other prisoners. This report seeks to offer a tool for organizers, both inside and outside of prisons, to strengthen national campaigns and grassroots efforts to alleviate the immediate suffering of prisoners and bring an end to the prison industrial complex while centering the needs of LGBTQ prisoners."

<http://www.blackandpink.org/wp-content/uploads/Coming-Out-of-Concrete-Closets.-Black-and-Pink.-October-16-2015..pdf>

### **A ROADMAP FOR CHANGE: FEDERAL POLICY RECOMMENDATIONS FOR ADDRESSING THE CRIMINALIZATION OF LGBT PEOPLE AND PEOPLE LIVING WITH HIV**

*by Columbia Law School, Center for Gender and Sexuality Law (2014)*



Excerpt: “This document outlines a range of policy solutions that would go a long way towards addressing discriminatory and abusive policing practices, improving conditions for LGBT prisoners and immigrants in detention, de-criminalizing HIV, and preventing LGBT youth from coming in contact with the system in the first place. Additionally, we identify many areas of opportunity for the federal government to support improved outcomes for LGBT people and eliminate some of the systemic drivers of incarceration through federal programs relating to housing, employment, health care, education, immigration, out of home youth, violence response and prevention, and social services.”

[https://web.law.columbia.edu/sites/default/files/microsites/gender-sexuality/files/roadmap for change full report.pdf](https://web.law.columbia.edu/sites/default/files/microsites/gender-sexuality/files/roadmap%20for%20change%20full%20report.pdf)

### **INFOGRAPHIC: WHY ARE SO MANY LGBT PEOPLE AND PEOPLE LIVING WITH HIV BEHIND BARS?**

by Aisha C. Moodie-Mills for the Center for American Progress (2014)

Excerpt: This illustrated informational piece shows “[t]he pervasive profiling, arrest, and incarceration of lesbian, gay, bisexual, and transgender, or LGBT, people and people living with HIV, or PLWH – especially those who are people of color – are not simply a response to higher rates of illicit behavior within those communities. The range of unequal laws and policies that dehumanize, victimize, and criminalize people because of their sexual orientation, gender identity, or HIV status perpetuates these high rates of contact with the criminal system.”

<http://www.americanprogress.org/issues/lgbt/news/2014/05/07/88950/infographic-why-are-so-many-lgbt-people-and-people-living-with-hiv-behind-bars/>

### **THE LESBIAN, GAY, BISEXUAL, TRANSGENDER, OR INTERSEX INMATE POPULATION: “A 21<sup>ST</sup> CENTURY DILEMMA!”**

by Adam E. Hopkins and Margaret A. Dickenson from the Washoe County Sheriff’s Office, Reno, NV (2014)

Excerpt: “One of the latest and most diverse of the social issues facing corrections and law enforcement is that posed by the gay, lesbian, bisexual, transgender, or intersex (LGBTI) [prisoner]. Proper management of this population requires administrators to evaluate how their staff deal with them at all levels: who will search them, who will transport them, where to house them, how to provide medical care, and how to keep them safe while in custody. The LGBTI population requires humane treatment, as do all [prisoners]. However, they also require understanding and significantly more in the way of management than [prisoners] not in that population.” This piece was written for system corrections personnel as an example of one county’s learning lessons when addressing the LGBTI population in their corrections system.

[http://community.nicic.gov/cfs-file.ashx/ key/CommunityServer.Blogs.Components.WeblogFiles/national 5F00 jail 5F00 exchange.metablogapi/1256.LGBTI 2D00 Inmate 2D00 Population 5F00 255E3848.pdf](http://community.nicic.gov/cfs-file.ashx?key=CommunityServer.Blogs.Components.WeblogFiles/national%205F00%20jail%205F00%20exchange.metablogapi/1256.LGBTI%202D00%20Inmate%202D00%20Population%205F00%20255E3848.pdf)

### **CRIMINAL JUSTICE?: NEW FAST FACTS ABOUT TRANSGENDER PEOPLE, POLICE, AND INCARCERATION** by FORGE (2012)

This factsheet outlines some of the highlights of the survey results released in February 2011 by the National Center for Transgender Equality (NCTE) and the National Gay and Lesbian Task Force (NGLTF) of transgender and gender non-conforming people. The questionnaire, titled *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey*, elicited nearly 6,500 responses from transgender and gender non-conforming individuals.

<http://forge-forward.org/wp-content/docs/fast-facts-police.pdf>

Full report: *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey*

[http://transequality.org/PDFs/NTDS\\_Report.pdf](http://transequality.org/PDFs/NTDS_Report.pdf)

## **CORRUPTING JUSTICE: A PRIMER FOR LGBT COMMUNITIES ON RACISM, VIOLENCE, HUMAN DEGRADATION & THE PRISON INDUSTRIAL COMPLEX**

*by American Friends Service Committee (2005)*

Drawing on more than 80 years of American Friends Service Committee (AFSC) engagement with peoples experiencing the violence of war, hatred, and injustice, 50 years of AFSC engagement with the U.S. criminal justice system and more than 30 years of AFSC advocacy for LGBT rights and recognition, *Corrupting Justice* offers an introductory look at the human, spiritual, and economic shadow of crime policy in the United States on the LGBT community.

<http://www.prisonpolicy.org/scans/corrupting-justice.pdf>

## **LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX IN CUSTODIAL SETTINGS: NATIONAL INSTITUTE OF CORRECTIONS WEB RESOURCES**

*by the National Institute of Corrections (no date)*

The following webpages list resources “hand-picked by the NIC library team” for correctional agencies and systems-based people on various issues relating to lesbian, gay, bisexual, transgender and intersex persons in custodial settings. This resource could be helpful both to systems-based people as well as to community-based people to know what policies are recommended and in place as “best practices.”

- ***Lesbian, Gay Bisexual, Transgender and Intersex Offenders***  
<http://nicic.gov/LGBTI>
- ***LGBTI Medical and Mental Health***  
<http://nicic.gov/LGBTImedical>
- ***LGBTQI Juveniles***  
<http://nicic.gov/lgbtjuveniles>

## **Background Information: LGBTQ Youth-Specific Resources**

### **GENDER NONCONFORMING YOUTH: DISCIPLINE DISPARITIES, SCHOOL PUSH-OUT, AND THE SCHOOL-TO-PRISON PIPELINE**

*by Hilary Burdge, Adela C. Licona, and Zami T. Hyemingway (2014)*

This research brief is based on data collected through a series of adult interviews, youth focus groups, and survey distribution beginning in early 2012 by the Crossroads Collaborative at the University of Arizona and Gay-Straight Alliance Network. Excerpt: “The school-to-prison pipeline, or STPP, refers to a set of school policies and practices that push students away from education and onto a pathway toward the juvenile detention and the prison industrial complex. School policies and practices that promote the STPP include ‘zero tolerance’ policies, increased police presence, suspension and expulsion, and harsh and disparate disciplinary practices. Research has demonstrated that students pushed out by such policies, practices, and disciplinary disparities are disproportionately students of color and low-income students. However, findings from this research study are consistent with other recent studies suggesting that disabled, LGBTQ, and gender nonconforming (GNC) students are also facing discipline disparities and school push out. Our research shows that GNC youth, in particular, face persistent and frequent harassment and bias-based bullying from peers and school staff as well as relatively greater incidents of harsh school discipline, and consistent blame for their own victimization.”

[http://www.gsanetwork.org/files/aboutus/GSA\\_GNC\\_FINAL-web.pdf](http://www.gsanetwork.org/files/aboutus/GSA_GNC_FINAL-web.pdf)

## **LGBTQ YOUTHS IN THE JUVENILE JUSTICE SYSTEM**

*by the U.S. Department of Justice, Office of Juvenile Justice and Delinquency (2014)*

This resource gives an overview of LGBTQ youths in the juvenile justice system and highlights some initiatives around the United States and resources focused on this population. Excerpt: “More research is still needed to further understand risk/protective factors, prevalence, experiences, and outcomes of LGBTQ youth involved in the juvenile justice system. For example, youths’ experiences are rarely influenced by one factor in their lives, but rather they represent the intersection between various demographic or sociodemographic characteristics (sexual orientation/gender identity, race/ethnicity, gender, age, etc.). Research studies are merely beginning to explore the impact of this intersection on youths. For instance, studies have begun to examine the experiences of LGBTQ youths who are part of a racial minority group.”

<http://www.ojjdp.gov/mpg/litreviews/LGBTQYouthsIntheJuvenileJusticeSystem.pdf>

## **NDTAC FACT SHEET: IMPROVING SERVICES FOR YOUTH WHO ARE LGBT IN JUVENILE JUSTICE SYSTEMS**

*by Christian L. Rummell and Jeffrey M. Poirer for the National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent or at Risk (2014)*

Excerpt: “To promote the safe, inclusive treatment of youth who are lesbian, gay, bisexual, and transgender (LGBT) in juvenile justice systems, this fact sheet serves as a resource to enhance the capacity of State and local administrators and practitioners to improve policies and practices. This document explores the experiences of youth who are LGBT generally, their entry into juvenile justice systems and their experiences in these systems, and recommendations for policy and practice.”

<https://nicic.gov/ndtac-fact-sheet-improving-services-youth-who-are-lgbt-juvenile-justice-systems>

## **RESTORING JUSTICE: A BLUEPRINT FOR ENSURING FAIRNESS, SAFETY, AND SUPPORTIVE TREATMENT OF LGBT YOUTH IN THE JUVENILE JUSTICE SYSTEM**

*by Aisha C. Moodie-Mills and Christina Gilbert for the Center for American Progress, Fighting Injustice to Reach Equality, and the Equity Project (2014)*

Excerpt: “Over the past few years, several states and jurisdictions have enacted comprehensive nondiscrimination policies that serve as a model for how to treat LGBT youth with dignity and respect. This brief reviews these policies and finds that each contains similar themes and provisions, which, when taken together, reflect best practice guidelines that have long been promoted by experts in the field. . . . This brief lifts up what works for LGBT youth by outlining the critical components of model juvenile justice policies that are already being implemented around the country and offers sample language that all jurisdictions can adopt.”

<https://cdn.americanprogress.org/wp-content/uploads/2014/12/LGBTJJPolicy-brief7.pdf>

## **KEEPING LGBTQ YOUTH SAFE IN JUVENILE JUSTICE & DELINQUENCY PLACEMENTS**

*by Fostering Transitions, the Child Welfare League of America (CWLA), and Lambda Legal (2013)*

This resource offers practitioners some guidance on how to better ensure the safety of LGBTQ youth in custody. Excerpt: “Many young people who are lesbian, gay, bisexual, transgender or questioning their sexual orientation or gender identity (LGBTQ) and in the custody of juvenile justice and delinquency systems are unsafe in their placements and are not receiving appropriate services. Professionals working within these systems must ensure that LGBTQ young people are protected from harm and supported in their development.”

[http://www.lambdalegal.org/sites/default/files/gdtb\\_2013\\_10\\_juvenile\\_justice.pdf](http://www.lambdalegal.org/sites/default/files/gdtb_2013_10_juvenile_justice.pdf)

## **LGBT YOUTH IN DETENTION: MYTH AND REALITY**

*by the Correctional Association of NY (2006)*

This fact sheet addresses various misconceptions about LGBT youth, especially youth that are detained in the juvenile justice system. Some of these myths include: "Adolescents are too young to know that they are lesbian, gay, bisexual, or transgender;" "LGBT youth are manipulative;" and "LGBT youth in our detention centers never complain about mistreatment; this must mean they are being treated fine."

<https://www.prisonlegalnews.org/news/publications/the-correctional-association-of-ny-publication-lgbt-myths-and-reality-jan-2006/>

## **Background Information: Trans Prisoners**

### **TRANSGENDER, TRANSEXUAL, AND GENDER NONCONFORMING HEALTH CARE IN CORRECTIONAL SETTINGS**

*by the National Commission on Correctional Health Care (2015)*

This resource is written for correctional health staff to provide an overview of some risks that may arise for incarcerated transgender people. Excerpt: "Transgender people face an array of risks to their health and well-being during incarceration, and are often targets of physical assault and emotional abuse. They are commonly placed in correctional facilities according to their genitals and/or sex assigned at birth, regardless of their gender presentation. The health risks of overlooking the particular needs of transgender [incarcerated individuals] are so severe that acknowledgment of the problem and policies that assure appropriate and responsible provision of health care are needed ... Because jails, prisons, and juvenile confinement facilities have a responsibility to ensure the physical and mental health and well-being of [incarcerated individuals] in their custody, correctional health staff should manage transgender patients in a manner that respects their biomedical and psychological needs."

<http://www.ncchc.org/transgender-transsexual-and-gender-nonconforming-health-care>

### **THIS IS A PRISON, GLITTER IS NOT ALLOWED: EXPERIENCES OF TRANS AND GENDER VARIANT PEOPLE IN PENNSYLVANIA'S PRISON SYSTEMS**

*by Pascal Emmer, Adrian Lowe, and R. Barrett Marshall for the Hearts on a Wire Collective (2011)*

This report offers information to bridge the gap between the "community-level knowledge" of experiences of trans and gender variant people in Pennsylvania's prison systems and "the need for documentation and statistical representation of those experiences." The authors note there is relatively little information available on general prison conditions in Pennsylvania and a complete lack of statistical data on the experience of incarcerated T/GV people.

<http://www.scribd.com/doc/56677078/This-is-a-Prison-Glitter-is-Not-Allowed>

### **"IT'S WAR IN HERE": A REPORT ON THE TREATMENT OF TRANSGENDER AND INTERSEX PEOPLE IN NEW YORK STATE MEN'S PRISONS**

*by the Sylvia Rivera Law Project (2007)*

Drawing on interviews with imprisoned transgender people and their advocates, this report documents the widespread harassment, physical and sexual abuse, discrimination, and violence that transgender, intersex, and gender non-conforming people face inside state custody.

<http://srlp.org/files/warinhere.pdf>

## **UNRAVELING INJUSTICE: RACE AND CLASS IMPACT OF MEDICAID EXCLUSIONS OF TRANSITION-RELATED HEALTH CARE FOR TRANSGENDER PEOPLE**

*by Pooja S. Gehi and Gabriel Arkles (2007)*

Author's Abstract: "This article explores how Medicaid policies excluding or limiting coverage for transition-related health care for transgender people reproduce hierarchies of race and class. In many legal contexts, a medical model informs views of transgender experience(s), often requiring proof of specific types of surgery prior to legal recognition of transgender people's identity and rights. Simultaneously, state Medicaid programs disregard the medical evidence supporting the necessity of transition-related care when considering whether to cover it. In this article, the authors analyze the contradiction between the medicalization of trans experience(s) and government's refusal to recognize the legitimacy and necessity of trans health care. The authors examine the social, economic, legal, political, medical, and mental health impact of these policies on low-income trans communities, paying particular attention to the disproportionate impact on communities of color. The authors conclude with recommendations for legal and health care systems to improve access to transition-related health care for low-income trans people."

<http://srlp.org/wp-content/uploads/2012/08/SRLPmedicaidarticle.pdf>

## **Background Information: PREA (Prison Rape Elimination Act) Resources**

### **HOW THE PRISON RAPE ELIMINATION ACT HELPS LGBT IMMIGRANTS IN DETENTION**

*by Sharita Gruberg for the Center for American Progress (2014)*

This paper outlines the Prison Rape Elimination Act's impact detained LGBT immigrants concluding that additional practices could improve the safety of LGBT immigrants from sexual abuse while in detention. Excerpt: "While Department of Homeland Security's (DHS) Prison Rape Elimination Act standards are long-awaited and overall a positive step forward to improve conditions for detained LGBT immigrants, standards are only as effective as their implementation. It remains to be seen how effective these standards will be, especially since we do not know when or if the standards will apply to contract facilities. Furthermore, while PREA standards are a good first step, additional measures are still needed to protect LGBT immigrants in DHS custody from sexual abuse. In order to effectively protect these individuals, they should be released or placed in alternatives to detention whenever possible. Detention should be limited to circumstances in which it is mandatory under the law, not circumstances in which facilities want to fulfill congressional quotas."

<http://www.americanprogress.org/wp-content/uploads/2014/04/Gruberg-PREA-brief.pdf>

### **PREA AND LGBTI RIGHTS**

*by Terry Schuster (2014)*

Excerpt: "Correctional systems that want to aim higher than the basic protections required for Federal funding by going further to prevent and address sexual abuse and harassment behind bars will also affect public safety by improving [prisoners'] prospects for success once released. In this article, [the author] discuss[es] the basic protections for LGBTI [prisoners] that every juvenile and adult correctional system will need to put in place and offer some extra provisions they should adopt to become models of best practice."

[https://community.nicic.gov/blogs/national\\_jail\\_exchange/archive/2014/06/16/prea-and-lgbti-rights.aspx](https://community.nicic.gov/blogs/national_jail_exchange/archive/2014/06/16/prea-and-lgbti-rights.aspx)

### **LGBT PEOPLE AND THE PRISON RAPE ELIMINATION ACT**

*by the National Center for Transgender Equality (2012)*

Excerpt: “Sexual abuse is rampant in prison and detention facilities today, and lesbian, gay, bisexual, transgender and gender nonconforming people are among those most at risk. . . . This resource outlines key protections provided by the PREA Standards and what they mean for LGBT people.” It also lists the contact information and websites to some organizations that may offer additional information and support, as well as information on the legal rights of prisoners who have experienced sexual abuse while incarcerated.

[http://transequality.org/Resources/PREA\\_July2012.pdf](http://transequality.org/Resources/PREA_July2012.pdf)

### **OBAMA ADMINISTRATION ISSUES LGBT-INCLUSIVE RULES AIMED AT ELIMINATING PRISON SEXUAL ASSAULT**

*by Chris Geidner, Metro Weekly (2012)*

This news article featured coverage of the Obama administration’s announcement that it had “finalized regulations implementing the Prison Rape Elimination Act. According to an executive summary provided to members of the media and a conference call held with reporters, the regulations include provisions relating to ‘lesbian, gay, bisexual, transgender, intersex and gender nonconforming [prisoners]’ – a development a leading LGBT advocate calls one of the most important LGBT advancements in the administration.”

<http://www.prearesourcecenter.org/sites/default/files/library/obamaadministrationissueslgbt-inclusiverulesaimedateliminatingprisonsexualassault-poliglot.pdf>

# Practice Guides and Tools

This section includes guides and tools for advocates and practitioners working with justice-involved LGBTQ persons. Most of the resources are focused on working with people who are incarcerated. While a few of the resources briefly discuss reentry, none are specific to reentry. Since we were unable to locate reentry-specific guides and tools, we included the resources below because we believe that the more practitioners understand the unique issues and experiences of LGBTQ people during incarceration, the more effective they will be at providing services to and advocating for reentering LGBTQ people.

You will find four subsections:

- General Resources
- Working with LGBTQ Youth
- Working with Transgender People
- Prison Rape Elimination Act (PREA)

While some of the resources could be listed under more than one subsection, we listed them only once. Please look through all the resources to make sure you see all relevant listings.

*NOTE: The materials in each section are listed by year from the most recently published to those published longest ago. Within each year, they are listed alphabetically by title.*



## Practice Guides and Tools: General Information

### **LGBTI POPULATIONS: INTAKE – CREATING A CULTURE OF SAFETY**

*by the National Institute of Corrections (2014)*

Author's Description: "Using a variety of methods including on-air discussions and activities, demonstrations and skills practice, this two-day six-hour interactive training broadcast is designed to: establish the relevance of initial information-gathering and how it impacts LGBTI populations from intake to successful reentry; provide recommendations and good correctional practice examples to ensure a culture of respect and safety at intake for LGBTI populations and correctional staff; and provide practical examples and demonstrate professional communication with LGBTI populations at intake."

*Videos:*

<http://nicic.gov/library/027998>

### **SAFE & RESPECTED: POLICY, BEST PRACTICES & GUIDANCE FOR SERVING TRANSGENDER & GENDER NON-CONFORMING CHILDREN AND YOUTH IN THE CHILD WELFARE, DETENTION, AND JUVENILE JUSTICE SYSTEMS**

*by New York City's Administration Services (ACS), LGBTQ Policy and Practice Office (2014)*

Excerpt: "This guide is organized by the key areas of need for transgender and gender non-conforming (TGNC) children and youth. The guide includes:

- a brief overview of the barriers that TGNC children and youth are currently facing while in Children's Services' care;
- a glossary of terms commonly used when discussing TGNC people;

- an overview of Children’s Services’ commitment to providing culturally competent care for TGNC children and youth;
- an issue-by-issue guide to providing inclusive care, including
  - Excerpts of the Children’s Services’ policies related to serving TGNC children and youth, Best practices for service provision that are consistent with these policies,
  - Strategies for implementing these policies with fidelity, and
  - Common missteps to avoid when working with TGNC children and youth).

At the end of this guide, you will find appendixes with resources and referrals that will be of use in supporting the transgender and gender non-conforming children and youth.”

<https://nicic.gov/safe-respected-policy-best-practices-guidance-serving-transgender-gender-non-conforming-children-and>

### **STANDING WITH LGBT PRISONERS: AN ADVOCATE’S GUIDE TO ENDING ABUSE AND COMBATING IMPRISONMENT**

*by Jody Marksamer and Harper Jean Tobin for the National Center for Transgender Equality (2014)*

Excerpt: “This is a resource to help introduce LGBT and allied activists to a range of issues that affect LGBT people behind bars, and prepare you to advocate for policies that will protect the safety, health, and rights of all LGBT people who may find themselves imprisoned. The bulk of this toolkit is focused on advocacy to improve conditions for LGBT people in jails, prisons and other confinement facilities. While taking immediate actions to protect LGBT people from some of the worst harms they face behind bars is critical, we believe reforming jails and prisons can never be a complete solution. As Attorney General Eric Holder has recently stated, we believe that too many people go to too many prisons for far too long in the US – at tremendous human, and fiscal, cost to all of us. Chapter 6 of this toolkit offers some suggestions for doing the important work of combating mass incarceration.”

[http://transequality.org/PDFs/JailPrisons\\_Resource\\_FINAL.pdf](http://transequality.org/PDFs/JailPrisons_Resource_FINAL.pdf)

### **TRIBAL EQUITY TOOLKIT 2.0: TRIBAL RESOLUTIONS AND CODES TO SUPPORT TWO SPIRIT & LGBT JUSTICE IN INDIAN COUNTRY**

*by a collaboration of the Native American Program of Legal Aid Services of Oregon, the Indigenous Ways of Knowing Programs at Lewis & Clark Graduate School of Education and Counseling, the Western States Center, the Pride Foundation, and Basic Rights Oregon (2013)*

Excerpt: “Tribal laws reflect our values as a people, define our collective barriers, prioritize our issues, allocate public resources, and identify eligibility for conferred status and public benefits and services. This Toolkit identifies areas in which existing tribal laws may discriminate against Two Spirit /LGBT individuals. The Toolkit also gives tribal legislators a brief overview of legal and policy issues that impact the equal treatment of Two Spirit/LGBT community members, and offers sample resolution and code language for tribal lawmakers to consider adopting to maximize equality within their communities. The purpose of this Toolkit is to protect the most vulnerable among us by facilitating the development of tribal laws that ensure that Two Spirit/LGBT people have the same access and opportunities as other community members. By making simple adjustments to laws and policies – such as creating an inclusive definition of family, or extending criminal laws to address hate crimes based on sexual orientation and gender identity — tribal governments can exercise their sovereignty to better protect all of their tribal citizens.”

<https://nicic.gov/tribal-equity-toolkit-20-tribal-resolutions-and-codes-support-two-spirit-lgbt-justice-indian-country>



**ANNOTATED BIBLIOGRAPHY: LGBTI: LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND INTERSEX OFFENDERS (SELECTED RESOURCES FOR CRIMINAL JUSTICE PROFESSIONALS)**

*by the National Institute for Corrections (2012)*

Excerpt: “This annotated bibliography has been developed in an effort to provide current and useful information to correctional agencies regarding the safe and respectful management of lesbian, gay, bisexual, transgender and intersex (LGBTI) [prisoners]. Relying on a best practices approach, this information will enable corrections staff to make better informed decisions about the safety, security, treatment, and care of LGBTI [prisoners] by providing academic, cultural and legal perspectives of the issues that make this group unique.” Citations are organized in the following categories: general, juveniles, legal and policy considerations, and medical and mental health.

<https://nicic.gov/lgbti-lesbian-gay-bisexual-transgender-and-intersex-offenders-selected-resources-criminal-justice>

NIC Website for Lesbian, Gay, Bisexual, Transgender and Intersex Populations:

<http://nicic.gov/lgbti>

**LGBTI POPULATIONS: THEIR SAFETY, YOUR RESPONSIBILITY [SATELLITE/INTERNET BROADCAST]**

*by the National Institute of Corrections (2012)*

Author Description: “This 3-hour broadcast from November 7, 2012 is meant to inform and increase awareness of strategies for developing policies and procedures for LGBTI populations. The broadcast will highlight promising practices by providing resources and examples of agencies who are responding to the needs of the LGBTI population in their setting. During this national discussion sponsored and broadcast by the National Institute of Corrections, presenters define a framework for developing strategies for ensuring the safety, dignity, and respect of LGBTI individuals in corrections settings; identify typical concerns and challenges that arise as agencies address the needs and requirements of LGBTI [prisoners] in corrections settings; identify operational practices that can increase effectiveness of working with LGBTI [justice-involved individuals]; and review and discuss effective policy and program development strategies that address LGBTI populations in corrections.”

<http://nicic.gov/library/026763>

## Practice Guides and Tools: Working with LGBTQ Youth

**A GUIDE TO JUVENILE DETENTION REFORM: LESBIAN, GAY, BISEXUAL AND TRANSGENDER YOUTH IN THE JUVENILE JUSTICE SYSTEM**

*by Shannan Wilber for the Juvenile Detention Alternatives Initiative, a project of The Annie E. Casey Foundation (2015)*

Excerpt: “The Annie E. Casey Foundation has developed this practice guide to support Juvenile Detention Alternative Initiative (JDAI) sites in meeting their obligation to ensure the safety and well-being of lesbian, gay, bisexual and transgender (LGBT)\* youth involved in the juvenile justice system. The guide covers a wide range of policies and practices – from broad organizational measures such as staff training and nondiscrimination policies, to specific practices such as talking with youth about sexual orientation and gender identity and making individualized classification and housing decisions. This guidance is critical because LGBT youth are at heightened risk of physical, sexual and emotional abuse, particularly in secure settings. In addition, LGBT youth represent up to 20 percent of detained youth – a far greater percentage than their share of the general population. Although the guide is chiefly aimed at promoting the health and well-being of LGBT youth, its recommendations will benefit all justice-involved youth by exposing and

challenging bias, promoting mutual respect and increasing professionalism. The recommendations in the guide are also consistent with core JDAI strategies.”

[http://www.nclrights.org/wp-content/uploads/2015/09/AECF\\_LGBTinJJS\\_FINAL2.pdf](http://www.nclrights.org/wp-content/uploads/2015/09/AECF_LGBTinJJS_FINAL2.pdf)

### **IMPROVING BEHAVIORAL HEALTH SERVICES FOR LESBIAN, GAY, BISEXUAL, AND GENDER NONCONFORMING (LGB/GNC) YOUTH IN THE JUVENILE JUSTICE SYSTEM [WEBINAR]**

*by Reclaiming Futures presented by Angela Irvine and Aisha Canfield (2015)*

Host Description: "This workshop [provided] an overview of the many different intersecting identities held by young people in the youth justice system, including race, gender identity, sexual orientation, and immigration status. The presenters then [focused] on how LGB/GNC young people, particularly those of color, are driven into the youth justice system. The workshop [ended] with recommendations on how behavioral health professionals can improve their services to best meet the needs of LGB/GNC adolescents in the youth justice system."

<https://www.reclaimingfutures.org/webinars/lesbian%2C-gay%2C-bisexual%2C-and-gender-nonconforming-youth>

### **TOWARD EQUITY: UNDERSTANDING SEXUAL ORIENTATION, GENDER IDENTITY, AND GENDER EXPRESSION, AND DEVELOPING COMPETENCY TO SERVE LESBIAN, GAY, BISEXUAL, AND TRANSGENDER YOUTH IN THE JUVENILE JUSTICE SYSTEM TRAINING CURRICULUM**

*by Sarah Bergen, Linn Chiu, Tim Curry, Christina Gilbert, Carolyn Reyes, and Shannon Wilber (2015)*

Excerpt: "The Equity Project is pleased to release *Toward Equity: Understanding Sexual Orientation, Gender Identity, and Gender Expression, and Developing Competency to Serve Lesbian, Gay, Bisexual, and Transgender Youth in the Juvenile Justice System* ["Toward Equity"]. This training curriculum provides comprehensive, interactive training lessons designed to increase competence about sexual orientation, gender identity, and gender expression (SOGIE), while providing practitioners with increased knowledge, tools, and resources for working with lesbian, gay, bisexual, and transgender (LGBT) youth in the juvenile justice system.

*Toward Equity* aims to improve the experiences and outcomes of LGBT youth in the juvenile justice system by providing juvenile justice personnel with a deeper understanding of terms and concepts related to SOGIE, normative adolescent development, and the data relating to LGBT youth in the juvenile justice system. It will also increase professionals' capacity to understand bias and stigma related to SOGIE, and their impact on the well-being of youth in the juvenile justice system. Additionally, the curriculum will provide participants with skills for communicating with youth about SOGIE and increase knowledge of the common circumstances leading LGBT youth into the juvenile justice system. *Toward Equity* illustrates methods by which juvenile justice system stakeholders can support LGBT youth to increase their resiliency and prevent their re-entry into the system. The curriculum also covers specific conditions of confinement issues and promotes a greater understanding of transgender and gender non-conforming youth. "

[http://www.equityproject.org/wp-content/uploads/2015/01/Equity\\_Curriculum\\_Complete.pdf](http://www.equityproject.org/wp-content/uploads/2015/01/Equity_Curriculum_Complete.pdf)

### **A PRACTITIONER'S RESOURCE GUIDE: HELPING FAMILIES TO SUPPORT THEIR LGBT CHILDREN**

*by Caitlin Ryan for the Substance Abuse and Mental Health Services Administration (SAMHSA) (2014)*

Excerpt: "This resource guide was developed and is being disseminated throughout health and social service systems to help practitioners who work in a wide range of settings to understand the critical role of family acceptance and rejection in contributing to the health and well-being of adolescents who identify as lesbian, gay, bisexual, and transgender."

<https://nicic.gov/practitioners-resource-guide-helping-families-support-their-lgbt-children>

## **ENSURING ACCESS TO MENTORING PROGRAMS FOR LGBTQ YOUTH**

*by the University of California Los Angeles, School of Law and the Williams Institute on Sexual Orientation and Gender Identity and Public Policy (2014)*

Excerpt: “This white paper summarizes research showing that LGBTQ youth would benefit from access to these programs and makes recommendations for youth mentoring programs and local, state, and federal governments to ensure that access. . . . In Part I of this paper, we provide an overview of youth mentoring programs. In Part II, we present the research demonstrating that LGBTQ youth need access to youth mentoring programs and would benefit from them. In Part III, we offer recommendations to ensure that LGBTQ youth have access to services through youth mentoring programs, including the availability of LGBTQ mentors.”

<http://williamsinstitute.law.ucla.edu/wp-content/uploads/Access-to-Youth-Mentoring-Programs.pdf>

## **PRACTICE GUIDE: CREATING A JUVENILE JUSTICE LGBTQ TASK FORCE BY NATIONAL COUNCIL ON CRIME AND DELINQUENCY**

*by Bernadette E. Brown, Aisha Canfield, and Angela Irvine (2014)*

Excerpt: “The purpose of this practice guide is to provide instruction regarding how to establish a task force along with guidance on handling possible challenges to this work. This guide is directed toward the individual or group of individuals within a jurisdiction who are charged with convening and facilitating such a task force. The development of this guide was informed by a collaboration between the National Council on Crime and Delinquency (NCCD) and a probation department in California to develop a comprehensive nondiscrimination policy. The process included multiple government agencies and leaders from the LGBTQ community, the straight and cisgender communities, faith communities, and communities of color, as well as representatives from the intersections of all of those communities, e.g., LGBTQ people of color.”

[http://nccdglobal.org/sites/default/files/publication\\_pdf/practice-guide-lgbtq-task-force.pdf](http://nccdglobal.org/sites/default/files/publication_pdf/practice-guide-lgbtq-task-force.pdf)

## **RESPONDING TO SEXUAL ABUSE OF YOUTH IN CUSTODY: RESPONDING TO THE NEEDS OF BOYS, GIRLS AND GENDER NON-CONFORMING YOUTH**

*by American University, Washington College of Law and the National PREA Resource Center (2014)*

Geared towards corrections personnel and practitioners working with justice-involved youth.

Author’s Description: “This is a 24-hour training covering the national Prison Rape Elimination Act Standards and implications for responding to the different needs of boys, girls and gender non-conforming youth who are sexually abused in custody. The following are the goals of this training: (1) review the applicable PREA Standards for responding to sexual abuse in custody and their gender impact; (2) review the dynamics of custodial sexual abuse for boys, girls and gender non-conforming youth; (3) identify the components of adolescent development and sexuality and understand their impact on sexual abuse of youth; (4) discuss immediate and long-term medical and mental health care needs of youthful victims of sexual abuse; and (5) identify legal, investigative and other implications and strategies of responding to custodial sexual abuse.”

[http://www.wcl.american.edu/endsilence/juvenile\\_training.cfm](http://www.wcl.american.edu/endsilence/juvenile_training.cfm)

## **TOOLKIT FOR PRACTITIONERS/RESEARCHERS WORKING WITH LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND QUEER/QUESTIONING (LGBTQ) RUNAWAY AND HOMELESS YOUTH (RHY)**

*by Kristin M. Ferguson-Colvin and Elaine M. Maccio (2012)*

Excerpt: “Our current toolkit builds on existing efforts in five ways. First, this toolkit outlines specific evidence-based . . . and evidence-informed . . . programs, practice models, and assessment/evaluation tools that agency staff are using with LGBTQ RHY. Second, we highlight

available cultural sensitivity and standards of care training curricula for staff and youth from LGBTQ RHY-serving agencies. Third, we include sample agency non-discrimination policies (e.g., harassment and non-discrimination, affirmative action, client rights, safety, and sexuality and reproductive health policies) that can be adapted and customized to other agencies. Fourth, we draw findings in this toolkit from first-hand accounts from individual interviews, literature reviews, and from empirical research. This toolkit, then, reflects evidence-based and evidence-informed practices, programs, methods, and techniques whose success has been demonstrated elsewhere. Fifth, we infuse cultural considerations throughout our toolkit, rather than presenting LGBTQ RHY as monolithic and homogeneous.”

[http://www.hunter.cuny.edu/socwork/nrcfcp/info\\_services/download/LGBTQ%20HRY%20Toolkit%20September%202012.pdf](http://www.hunter.cuny.edu/socwork/nrcfcp/info_services/download/LGBTQ%20HRY%20Toolkit%20September%202012.pdf)

## Practice Guides and Tools: Working with Transgender People

### **KNOW YOUR RIGHTS: LAWS, COURT DECISIONS, AND ADVOCACY TIPS TO PROTECT TRANSGENDER PRISONERS**

*by the National Center for Lesbian Rights and the American Civil Liberties Union (2014)*

Excerpt: Written for incarcerated transgender prisoners “[t]his guide identifies laws, court decisions, advocacy tips, and other resources that may be helpful for adult transgender prisoners. Each transgender person’s experience in prison and jail is different, in part because the conditions vary a great deal from one prison to another and change over time. However, the safety and health of every transgender prisoner in the United States is guaranteed by the U.S. Constitution no matter where the prisoner is held. And the recently-released Prison Rape Elimination Act (“PREA”) standards provide additional support for the protection of transgender prisoners. Both PREA and the Constitution protect prisoners even if they are kept in a privately run facility and even if the medical or correctional staff are not government employees. This guide is divided into the following sections: The Prison Rape Elimination Act, Safety and Protection from Violence, Medical Care, Housing and Administrative Segregation, Searches and Privacy, Safely Preserving/Enforcing Your Rights, and Resources, which includes lists of organizations and helpful documents. It focuses primarily on the standards imposed by PREA and the protections offered by the Eighth and Fourth Amendments to the United States Constitution. However, prisons and jails may also violate your rights under the Constitution’s Equal Protection Clause if they deny you the services or benefits they provide to other prisoners because you are transgender. In addition, there may be additional federal and state laws, or agency policies, that could help you but are not addressed in this guide.”

[http://www.nclrights.org/wp-content/uploads/2014/12/KnowYourRights\\_GuidetoProtectTransgenderPrisoners.pdf](http://www.nclrights.org/wp-content/uploads/2014/12/KnowYourRights_GuidetoProtectTransgenderPrisoners.pdf)

### **TIPS FOR COMMUNICATING WITH TRANSGENDER CLIENTS IN PRISONER’S RIGHTS CASES**

*by the Sylvia Rivera Law Project (2012)*

Author’s description: “This series of fact sheets is designed to assist attorneys in developing the skills and approach to communicating with currently and formerly incarcerated trans people that will facilitate the best possible attorney/client relationship.”

<http://srlp.org/files/Tips%20Trans%20Prison%20Cases%20final.pdf>

### **SURVIVING PRISON IN CALIFORNIA: ADVICE BY AND FOR TRANSGENDER WOMEN**

*by TGI Justice Project (2011)*

This guide was created in response to the need expressed by trans women imprisoned in the San Francisco jails for detailed information about going to prison or back to prison after not having

been there in a long time. This guide is not only useful for trans women but for those working with them. Being aware of the issues affecting trans women will make it much easier to understand and effectively respond to this population. Information and tips are provided for housing and classification, protecting oneself, education and empowerment, dress code, health, and other topics. [http://www.bentbarsproject.org/sites/default/files/Trans\\_Survival-Guide-California\\_Printable.pdf](http://www.bentbarsproject.org/sites/default/files/Trans_Survival-Guide-California_Printable.pdf)

## Practice Guides and Tools: PREA (Prison Rape Elimination Act)

### **PRISON RAPE ELIMINATION ACT (PREA) TOOLKIT: END THE ABUSE - PROTECTING LGBTI PRISONERS FROM SEXUAL ASSAULT**

*by the American Civil Liberties Union (2014)*

Excerpt: “Despite – or likely because of – the decade-long process leading up to the passage of the final regulations, much confusion remains about how PREA’s protections can be leveraged to protect LGBTI individuals from sexual assault. This four-part toolkit is designed for advocates both in and outside of correctional settings to use PREA’s requirements to end the abuse of LGBTI individuals. As federal, state and local agencies reassess their policies and practices to come into compliance with PREA, there will be key opportunities to make important policy changes that will impact all individuals in confinement settings.”

<https://www.aclu.org/sites/default/files/assets/012714-prea-combined.pdf>

### **PREVENTING THE SEXUAL ABUSE OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE IN CORRECTIONAL SETTINGS**

*by the Transgender Law Center, Lambda Legal, ACLU, National Center for Transgender Equality, National Center for Lesbian Rights (2010)*

This letter, written and submitted by various prominent national legal organizations to Attorney General Eric Holder, includes comments in response to AG order No. 3143-2010, “National Standards to Prevent, Detect, and Respond to Prison Rape.” The comments conclude that the sexual abuse of LGBTI people in prisons, jails, immigration detention, lockups, community corrections, and juvenile facilities must stop, and the writers recommend changes should be adopted to protect all people, including LGBTI people.

[http://www.prearesourcecenter.org/sites/default/files/library/8-preventingthesexualabuseoflgbtipeopleincorrectionalsettings\\_0.pdf](http://www.prearesourcecenter.org/sites/default/files/library/8-preventingthesexualabuseoflgbtipeopleincorrectionalsettings_0.pdf)

# Websites of Community-Based Organizations Working With LGBTQ Communities

The following websites are some of the organizations that work directly with, or do policy work on behalf of, justice-involved LGBTQ individuals.



## **BLACK AND PINK**

<http://www.blackandpink.org/>

## **FORGE: (FOR OURSELVES: REWORKING GENDER EXPRESSION)**

<http://forge-forward.org/>

## **HEARTS ON A WIRE (PENNSYLVANIA-BASED)**

<https://www.facebook.com/HeartsOnAWire>

## **NATIONAL CENTER FOR TRANSGENDER EQUALITY**

<http://transequality.org>

## **SYLVIA RIVERA LAW PROJECT**

<http://srlp.org/>

## **TRANSFORMATIVE JUSTICE LAW PROJECT OF ILLINOIS**

<http://tjlp.org/>

## **TRANSGENDER GENDER VARIANT INTERSEX JUSTICE PROJECT (TGIJP)**

<http://www.tgijp.org/>