SEXUAL AND INTIMATE PARTNER VIOLENCE IN THE LGBTQ+ COMMUNITY

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AUSTIN POLICE DEPARTMENT

TOWARD A LONG-TERM VIEW OF RISK:
Moving Your CCR Beyond an Incident-Based Response
July 25-27, 2017- New Orleans, LA
DISCLAIMER

The views expressed herein are those of the presenter and not necessarily those of the Austin Police Department.
Learning Objectives

• Define what is LGBTQ+ sexual and IPV.

• Understand how prevalent the violence really is.

• Learn basic terms used within the LGBTQ+ community.
Learning Objectives

• Identify the challenges associated with LGBTQ+ IPV/Sexual Assault cases.
• Understand the specific barriers to reporting in the LGBTQ+ community?
• Learn how to overcome those barriers and challenges so as to encourage trust, respect, and compassion for LGBTQ+ victims.
Sexual Violence Defined

• Sexual violence is defined as a sexual act committed against someone without that person’s freely given consent.

*Centers for Disease Control and Prevention*
LGBTQ+ Intimate Partner Violence-Defined

• “a pattern of behavior where one intimate partner coerces, dominates, or isolates another intimate partner to maintain power and control over the partner and the relationship.”

• IPV is primarily understood as violence perpetrated by current or past intimate partners.

*National Coalition of Anti-Violence Programs
Boy meets “The Girl”
Girl meets “The Girl”
Boy meets “The Boy”
Every day is bliss
THE VICTIM’S PERCEPTION OF THE OFFENDER

Who the victim thought the offender was

Who he/she really turned out to be
• Although the majority of research on IPV & sexual assault involves heterosexual relationships, most research suggests heterosexual and LGBTQ+ relationships experience IPV and sexual assault at a similar or higher rate.

• The Williams Institute of the UCLA School of Law researched 42 studies from 1989 to the present on the prevalence of Intimate Partner Violence and Intimate Partner Sexual Assault involving lesbian, gay bisexual and transgender people.

* Intimate Partner Violence and Sexual Abuse Among LGBT People, Taylor NT Brown and Jody L. Herman November 2015, The Williams Institute, UCLA School of Law
LGBTQ+ – IPV & Sexual Assault

* Intimate Partner Violence and Sexual Abuse Among LGBT People, Taylor NT Brown and Jody L. Herman November 2015, The Williams Institute, UCLA School of Law

<table>
<thead>
<tr>
<th>Group</th>
<th>Percentage of Respondents Experiencing IPV in Their Lifetime</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lesbian</td>
<td>25</td>
</tr>
<tr>
<td>Bisexual Women</td>
<td>40.4</td>
</tr>
<tr>
<td>Gay Men</td>
<td>25.2</td>
</tr>
<tr>
<td>Bisexual Men</td>
<td>16.1</td>
</tr>
</tbody>
</table>

Reported experiencing IPV in their lifetime
**LGBTQ+ – IPV & Sexual Assault**

*Intimate Partner Violence and Sexual Abuse Among LGBT People, Taylor NT Brown and Jody L. Herman November 2015, The Williams Institute, UCLA School of Law*
LGBTQ+ – IPV & Sexual Assault

* 2010 Centers for Disease Control and Prevention, (CDC) National Intimate Partner and Sexual Violence Survey

Experiencing IPV & Sexual Violence

<table>
<thead>
<tr>
<th>Category</th>
<th>Lesbian/Gay</th>
<th>Bisexual</th>
<th>Heterosexual</th>
</tr>
</thead>
<tbody>
<tr>
<td>WOMEN (IPV)</td>
<td>43.8</td>
<td>61.1</td>
<td>35</td>
</tr>
<tr>
<td>MEN (IPV)</td>
<td>26</td>
<td>37</td>
<td>29</td>
</tr>
<tr>
<td>WOMEN (RAPE)</td>
<td>13</td>
<td>46</td>
<td>17</td>
</tr>
<tr>
<td>MEN (SEXUAL VIOLENCE OTHER THAN RAPE)</td>
<td>40</td>
<td>47</td>
<td>21</td>
</tr>
</tbody>
</table>

*Lesbian/Gay, Bisexual, Heterosexual*
Age & Race

• Of the total number of survivors, 64% were between the ages of 19 and 39 years old.

• Survivors who were under the age of 24 were three times more likely to report experiencing sexual violence compared to survivors who were 25 years old and older.

• 54% of the respondents identified as people of color.

Marriage Equality – June 26, 2015 - Obergefell V. Hodges
LGBTQ+ Terminology
## Match Game

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lesbian</td>
<td><strong>A.</strong> Refers to a person whose sexual and romantic feelings are for people of the same gender. While once widely used, it is generally not preferred as it did not emerge from within the community and was used to describe a mental illness.</td>
</tr>
<tr>
<td>Bisexual</td>
<td><strong>B.</strong> Someone whose primary sexual and romantic feelings are for people of the same gender. While many people use the word only to refer to men, others use it as a general term to include both men and women, e.g. “the ____community”</td>
</tr>
<tr>
<td>Gay</td>
<td><strong>C.</strong> A person whose sexual and romantic feelings may be for people of either gender.</td>
</tr>
<tr>
<td>Homosexual</td>
<td><strong>D.</strong> A woman whose primary sexual and romantic feelings are for people of the same gender.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>-----------------</td>
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</tr>
<tr>
<td>Queer</td>
<td>E. Terms which may have been oppressive when used by people outside the community but which some people have chosen to reclaim despite their history of being used in a hurtful way.</td>
</tr>
<tr>
<td>Fag/Dyke/etc.</td>
<td>F. An abbreviation some people use to refer to lesbian, gay men, bisexual, transgender, queer &amp; questioning folks collectively.</td>
</tr>
<tr>
<td>LGBTQ+</td>
<td>G. The systemic oppression of lesbian and gay men based on their sexuality.</td>
</tr>
<tr>
<td>Homophobia</td>
<td>H. An adjective used by some people, particularly younger people, whose sexual orientation is not exclusively heterosexual (e.g. queer person, queer woman). Typically, for those who identify as queer, the terms <em>lesbian</em>, <em>gay</em>, and <em>bisexual</em> are perceived to be too limiting and/or fraught with cultural connotations they feel don't</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
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</tr>
<tr>
<td>Biphobia</td>
<td><strong>I.</strong> The belief that heterosexual relationship and people are ideal and better or more “normal” than queer relationship or people.</td>
</tr>
<tr>
<td>Heterosexualism</td>
<td><strong>J.</strong> A medical term used to describe the physical characteristics one has such as genitalia, chromosomes, and hormones. Because usually subdivided into “male” and “female”, this category does not recognize the existence of intersex bodies.</td>
</tr>
<tr>
<td>Heterosexual Privilege</td>
<td><strong>K.</strong> The systemic oppression of bisexual people specifically because they are bisexual.</td>
</tr>
<tr>
<td>Sex</td>
<td><strong>L.</strong> Unearned privileges that go to straight people simply because they are straight: e.g. the ability to legally marry a partner and talk publicly about crushes and intimate relationships.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
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<tr>
<td>-----------------------------</td>
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<tr>
<td>Intersex</td>
<td>M. A person's internal, deeply held sense of their gender.</td>
</tr>
<tr>
<td>Gender Identity</td>
<td>N. The collection of society’s assumptions, expectations and traditions for how a person of a particular gender is supposed to act and be acted upon socially.</td>
</tr>
<tr>
<td>Gender Role</td>
<td>O. External manifestations of gender, expressed through a person's name, pronouns, clothing, haircut, behavior, voice, and/or body characteristics. Society identifies these cues as masculine and feminine, although what is considered masculine or feminine changes over time and varies by culture.</td>
</tr>
<tr>
<td>Gender Expression</td>
<td>P. A category that reflects biological variations in sex.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Transgender</td>
<td><strong>Q.</strong> Cross-dressing for performances and not as often interested in having gender attributed on basis of clothing.</td>
</tr>
<tr>
<td>Transphobia</td>
<td><strong>R.</strong> An umbrella term for people whose gender identity and/or gender expression differs from what is typically associated with the sex they were assigned at birth.</td>
</tr>
<tr>
<td>Cisgender</td>
<td><strong>S.</strong> The systemic oppression of transgender people because they may not fit societal gender expectations.</td>
</tr>
<tr>
<td>Drag King/Queen</td>
<td><strong>T.</strong> A term used to describe someone whose birth sex and current gender identity are in alignment. Sometimes referred to as ”non-transgender.”</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>------------------------------</td>
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</tr>
<tr>
<td>Cross-dresser</td>
<td>U. Used as shorthand to mean <em>transgender</em> or <em>transsexual</em> - or sometimes to be inclusive of a wide variety of identities under the transgender umbrella.</td>
</tr>
<tr>
<td>Non-binary and/or genderqueer</td>
<td>V. Terms used by some people who experience their gender identity and/or gender expression as falling outside the categories of man and woman.</td>
</tr>
<tr>
<td>Trans</td>
<td>X. While anyone may wear clothes associated with a different sex, the term <em>cross-dresser</em> is typically used to refer to men who occasionally wear clothes, makeup, and accessories culturally associated with women. Those men typically identify as heterosexual. This activity is a form of gender expression and not done for entertainment purposes.</td>
</tr>
</tbody>
</table>
Sexual Orientation vs. Gender Identity

- **Sexual orientation** - An inherent or immutable enduring emotional, romantic or sexual attraction to other people.

- **Gender identity** - One's innermost concept of self as male, female, a blend of both or neither – how individuals perceive themselves and what they call themselves. One's gender identity can be the same or different from their sex assigned at birth.

*Human Rights Campaign - Sexual Orientation & Gender Identity Definitions*
LGBTQ+ Terminology

Acrobated the quiz!
LGBTQ+ Terminology
Specific Challenges of LGBTQ+ Victims
Gender Socialization of Emotion

From infancy into adulthood, males and females are conditioned to experience and respond to emotions very differently.

- How parents respond to their emotions
- Responses from peers, games they play
- Responses from adults – teachers, coaches, etc.
- Media messages and role models

* Dr. Jim Hopper, Male Victims: Special Issues, SARC Conference 2006
How does sexual assault & IPV affect LGBTQ+ victims

- Men are not taught how to be a victim.
  - Men are warriors.
  - Men are protectors.
  - Men don’t have to watch their drink.
  - Men walk alone.

- Men are taught:
  - Not to cry.
  - Man up.
  - Cowboy up.
  - Take it like a man.
  - “Don’t be a pussy”
How does sexual assault & IPV affect LGBTQ+ victims

- Women are taught to be a victim.
  - Women are told they are the weaker sex.
  - Women need men to protect them.
  - Women should always watch their drink.
  - Women should never walk alone.

- Women are taught:
  - You’re too emotional.
  - Don’t act like a boy.
  - Be obedient to your husband.
  - Learn to behave and act like a lady.
  - Don’t over-react, it wasn't like rape.
How does sexual assault & IPV affect LGBTQ+ victims

• Experience and effects of assault, especially sexual assault, totally contradict male identity
  • Victim
  • Vulnerable
  • Submissive
  • Overwhelmed
  • Intense and inescapable emotions

• Normal male gender identity not an option

• Can shatter male identity – extreme negative beliefs and judgments about oneself

• How (try to) deal with the vulnerable emotions?

*Dr. Jim Hopper, Male Victims: Special Issues, SARC Conference 2006
How does sexual assault & IPV affect LGBTQ+ victims

• Women may feel safe from abuse in Lesbian relationship.
  • Denial that women are sexual predators.
    • “I have a hard time acknowledging that women can be violent and that a woman can rape another woman”.
  • For some it shatters the dream of lesbian utopia that our relationships are mutual, egalitarian, and non violent.
  • “Many were being victimized after history of childhood incest and/or rape by men”.
  • The lack of dialogue that women are sometimes sexual predators put women at a complete disadvantage to identify what really happened to them, to admit what happened, and to tell others.

• Most of all, they felt they would not be believed!!!!

*No more Denying: Facing Woman-to-Woman Sexual Violence- Lori B. Girshick, PhD*
How does sexual assault & IPV affect LGBTQ+ victims

• Recognition-Not recognizing the violence for what it is. (Domestic violence only happens between men and women)

• In Lesbian relationship-(women can’t be the aggressor.)

• Masking the nature of the violence for self preservation.

Perceptions of an Experience With System Response to Female Same-Sex Intimate Partner Violence-National Institute of Health-January 2010
CHALLENGES
S.A. & IPV CASES
Challenges of any SA or IPV cases

• “Imperfect victims”
  • Substance Addiction
  • Mentally Ill
  • Sex Workers
  • Undocumented
  • Homeless
  • *20% to 40% of all homeless youth identify as Lesbian, Gay, Bisexual, or Transgender.

Challenges of any sexual assault or IPV cases

- Victims may omit, exaggerate and lie so that they will be *a better victim for us.*
  - *Belief of what a victim should look & act like*

- Victim choose not to participate in the criminal justice process.
  - Fear of not being believed.
  - Fear Criminal Justice system won’t value them as equals. (LGBTQ+)

*Courtesy of Sergeant Liz Donegan – Austin Police Department*
Specific challenges in LGBTQ+ sexual assault or IPV cases

• Threat of being outed:
  • Used by abuser/predator to control victim –
    • Fear of losing job/promotion – EEOC 2016
    • Fear of rejection from family.
    • Fear of loosing children.

• Insults:
  • You are not gay enough.
  • You are too gay.
  • Bisexual – Deny and accuse of sleeping around.
  • Too masculine to be real woman.
Specific challenges in LGBTQ+ sexual assault or IPV cases

- Identity theft:
  - Using partners ID-outstanding charges/tickets
  - Victim gets arrested

- Withholding or selling of medication:
  - Hormone therapy;
  - HIV+
  - PrEP w/HIV+ abuser
  - Failure to use condom or intentionally breaks it
Specific challenges in LGBTQ+ sexual assault or IPV cases

- When children are involved:
  - May have raised together for years but have no claim
  - Biological parent may be the abuser
  - Leave with child face charges – (kidnapping)

- LGBTQ+ phobia
  - Denial of protective orders
  - Criminal Justice System does not see LGBTQ+ as equals
  - Criminal Justice System does not appreciate the violence for what it is.
Specific challenges in LGBTQ+ sexual assault or IPV cases

• Misidentify the aggressor/perpetrator:
  • Stereotype aggressor as the person who is physically larger
  • Discount the violence as horseplay or two roommates roughhousing

• Dual arrests:
  • Brittney Grinder & Glory Joiner
    • Allows aggressor to maintain control over victim

• Everyone fights.
  • It’s part of every LGBTQ+ relationship.
  • This is what it means to be gay.
Specific challenges to being LGBTQ+

- Few people grow up having information about what an empowered, nurturing LGBTQ+ relationship could look like.

- Gay sex—where do you learn what’s healthy?
  - Trial and error.
  - Gay pornography.
  - Predators take advantage.
BARRIERS TO REPORTING IN THE LGBTQ+ COMMUNITY
Oppression

Oppression often reduces a person’s access to resources, rights, personal freedoms, and safety. Oppression is maintained, supported, and promoted in various ways by institutions, violence, culture, and other tactics.
Oppression

Homosexuality is a Sinful Choice.

VOTE REPUBLICAN
Oppression

Atheists, Abortionists, Homosexuals and other perverts will love your Democrat vote!!
Sodomy Laws

• 2003 U.S. Supreme Court Lawrence V. Texas – Unconstitutional.
• 17 States still have sodomy laws on the books.
• “The fact that a segment of U.S. society is still considered to be criminals, in print if not in practice, leads some in law enforcement to turn a blind eye to the realization that LGBTQ+ individuals can be victimized.”

Laws which define sexual assault for LGBTQ+ victims as lesser offenses.

- **Alabama** - defines rape as intercourse between partners of opposite sex.
- **Kentucky** – uses only the pronoun “he” in its statute for first and second degree rape. Unless assault involves intercourse or sodomy it considers the conduct a less serious offense.
- **North Carolina** – Does not consider anal penetration in its rape laws.
- **New York** – was the same way until 2013.

*LGBT Students Face More Sexual Harassment And Assault, And More Trouble Reporting It | The Huffington Post*
Insulting Terms

- Fag/Faggot
- Tranny/Transvestite
- He-She
- She-male
- It
- Lesbo
- “Joto”

- Homo
- Queen
- “That’s so gay”
- Fairy
- Shim
- Dyke
- Queer
Barriers to victim reporting in LGBTQ+ sexual assault or IVP case

• Protection through silence-stay in the relationship to prove to family, friends, society their choice to be in a LGBTQ+ relationship was not wrong.

• **Fear of not being believed**

• **Fear of being “outed”**

• Fear of discrimination, ridicule, issues with disclosure of their sexuality.

_Perceptions of an Experience With System Response to Female Same-Sex Intimate Partner Violence-National Institute of Health-January 2010_
Other considerations in LGBTQ+ sexual assault & IPV cases.

- Close-knit community, everyone will know what they did.
- Accessibility of abusers to their victims
  - Bathrooms
  - Gyms
  - Social Settings
- Reluctance of the LGBTQ+ community to acknowledge or address IPV to avoid unfavorable political scrutiny of LGBTQ+ families.
  - Results-abusers are free to manipulate and terrorize victims.
Other considerations in LGBTQ+ sexual assault & IPV cases.

• Lack of facilities to house male or transgender victims.
• Transgender victims.
  • Most discriminated segment of the LGBTQ+ community.
  • How do they self Identify?
• Victims report physical abuse but not the sexual abuse. (Assault victim statements)
Largest Barrier to why victims don’t report.

• Fear of not being believed!
In their shoes
Overcoming challenges and barriers

• Don’t allow their sexual orientation and/or gender identity or expression to become the focus of the investigation.
• Focus on the assault.
• Have advocates throughout the entire criminal justice process.
• Provided culturally competent services to support LGBTQ+ survivors.
Overcoming challenges and barriers

• Medical exams - anxiety for LGBTQ+ survivors.
  • Different exams for Transgender & Intersex survivors.
  • Competent medical professionals.
  • Female to male transgender – emergency contraception?
  • How they present doesn’t match their legal name?
  • How will the information in medical file be used?
Overcoming challenges and barriers

• Pick a safe and comfortable spot that is private and free from distractions.
• Every possible effort should be made to minimize further trauma to the victim.
• Advocacy before and after interview.
• The victim should be made to feel that reporting was the right decision.
Overcoming challenges and barriers

• Why Start with Trauma?
• The victim’s first impression matters.
• Understanding the impact of victim trauma promotes:
  • better interviews & investigations
  • victim healing…
  • greater offender accountability = Public Safety
• Not understanding leads to bad outcomes and potentially long-term, devastating consequences for victim and community

Courtesy- Tom Tremblay  L.E. Consulting and Training
Overcoming challenges and barriers

• Understanding Trauma:
  • Trauma changes the brain
  • Trauma triggers chemicals
  • Chemicals influence perception and memory
  • We do not control how the brain and body respond to trauma

Courtesy- Tom Tremblay  L.E. Consulting and Training
Overcoming challenges and barriers

• Try to establish some rapport & trust
  • How are you feeling?
  • Are you comfortable?
  • Do you need any water etc.?
  • I’m sorry this happened to you.
  • I know how much courage it took for you to report what has been happening to you.
  • I am concerned about your safety.
Overcoming challenges and barriers

• LGBTQ+ victims are just as, if not more, uncomfortable than you.

• It is **your job** to get past that uncomfortableness.

• Only use labels that the survivor has used themselves.

• If unsure how they identify and its relevant to the investigation, **ask, don’t assume.**
Overcoming challenges and barriers

• Appropriate – “Can you tell me how you identify, because I want to be respectful of your wishes.”

• Before you ask someone about his/her identity, ask yourself if you are asking because you are curious or because knowing will help the investigation.
Overcoming challenges and barriers
Transgender victims

• Always call a transgender person by his or her chosen name and preferred pronoun (he or she)

• If you are not sure which pronoun is appropriate, respectfully ask that person how he or she would like to be addressed. Don’t make assumptions.
  • “Which pronoun do you prefer?”
  • “How would you like to be referred to, in terms of gender?”

* Courtesy of Officer Greg Abbink – Austin Police Department
Overcoming challenges and barriers - language

• If you don’t use the right language, get confused with the pronouns, or aren’t familiar with something when it comes up. That’s OK!!

• Apologize, acknowledge that you are still learning and ask respectful questions to get the information you need.
  • “I’m not familiar with the term you used. Would you mind explaining it to me so that I can be better informed?”

• Better to ask and acknowledge mistakes than avoid questions that need to be answered out of fear or embarrassment.
Overcoming challenges and barriers - things not to ask

• Recognize the difference between necessary questions and questions you don’t need to ask.
  • Asking about a transgender person’s anatomy or surgery details.
  • Asking someone who’s LGBTQ+ – when he/she knew they were LGBTQ+.
  • We don’t ask heterosexuals when they “knew” they liked the opposite sex
  • Asking one’s sexual preference:
    • Top/bottom
    • S&M
  • *It is not an LGBTQ+ persons responsibility to educate you on LGBTQ+ issues.*
Overcoming challenges and barriers

• Recognize that even though a survivor is LGBTQ+ they may also identify strongly with a religious, cultural, or ethnic community. These cultural norms may be a stronger influence in shaping their needs than their sexual orientation or gender identify.

• Don’t assume that someone who identifies as LGBTQ+ that this identification is the most important part of their identity.
Overcoming challenges and barriers

• Sensitivity and empathy are the keys.
• Be patient.
• Be thorough
• Give the victim time to process and work through the trauma.
Overcoming challenges and barriers

- Take what is reported at face value.
- Let the evidence drive your investigation/case.
- Leave any myths, prejudices and biases you have out of the investigation.
- We are no different than you!
Questions?
Contact Information

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