Violence Against Women Act: Protections for LGBT Women

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Tania Israel, Ph.D.
Associate Professor
University of California, Santa Barbara

“Underserved populations” are those who face barriers in accessing and using victim services, in this case, because of sexual orientation or gender identity.

LGBT victims of IPV, sexual assault, and stalking experience distinct needs and services are underprepared to address these distinct experiences and needs.

Female Same-Sex IPV

- IPV occurs at similar or higher rates (12-50%) in same gender couples compared to mixed-gender couples

- Victims of female same-sex IPV face particular challenges
  - Threat of being “outed”
  - Threat of children being taken away
  - Social isolation due to non-disclosure of sexual orientation or rejection
  - Lack of family and community support may be exacerbated for women of color
  - Reluctance to reveal abuse due to concern that society will perceive same-sex relationships as inherently dysfunctional
  - Reluctance to report abuse or seek support services

- Societal beliefs create barriers to accessing social support and legal and mental health services
  - Women are not violent by nature
  - Women cannot inflict serious harm
  - Lesbian relationships are egalitarian

Barriers to Services for LGBT IPV Victims

- Barriers to effective law enforcement response
  - Victims with a female partner were less likely to report than those with a male partner
  - Of those who did report: 33% described police as indifferent, 12% as hostile
  - Same-sex IPV may not be recognized as such by law enforcement
  - Law enforcement may mis-identify the perpetrator

- Barriers to effective shelter response
  - Refuse access to women in same-sex relationships and transgender victims
  - Female perpetrators may access shelter services to find victim or prevent from using services
  - Transgender IPV victims may experience bias from shelter staff and residents
  - Shelter staff feel inadequately trained to assist LGBT persons

- Barriers to effective mental health response
  - Mental Health providers minimize IPV in same-sex couples (focus on relationship negotiation)
  - Mental Health providers mis-identify perpetrator and victim in same-sex couples
Sexual Victimization of LGB Women

- Experiences of sexual victimization
  - Over half of LGB women experienced sexual victimization, overwhelmingly perpetrated by men
  - LGB women of color experienced higher rates of physical and sexual victimization than White women
  - LGBT victims had higher levels of acute stress and anxiety than heterosexual victims
- Sexual victimization as a bias crime
  - Guys and lesbians more likely to experience sexual assault, physical assault, and stalking compared to other groups typically targeted for bias crimes
  - 5-7% of LGBT individuals have experienced sexual trauma due to bias
  - Lesbians are more likely to experience gang rape than heterosexual women
  - In one study, fewer than 40% of victims of anti-LGBT bias sexual assaults reported to police
- Female same-sex sexual assault
  - Difficult to press criminal charges against female perpetrators, due to legal definitions of rape
  - Many of the same barriers to accessing services as victims of female same-sex IPV

Sexual Victimization of Transgender People

- Experiences of sexual victimization
  - 50% of transgender persons report unwanted sexual activity.
  - First rapes often occurred in the early to mid teens.
  - 86% of transgender youth had experienced sexual violence because of their gender identity.
  - MTFs (68.8%) were more likely to have been forced to have sex than FTMs (38.7%).
  - Perpetrators are primarily be people known to the victim. Most are men.
- Barriers to effective legal and mental health response
  - 9-17% of transgender sexual assault victims reported the crime to law enforcement.
  - Half of victims told no one of the sexual assault.
  - 5% of incidences of sexual violence were perpetrated by police and 6% were perpetrated by a social service or health care provider
  - Transgender sexual assault survivors often waited years before accessing professional emotional support services

Law Enforcement and Mental Health

- Barriers to reporting crimes against LGBT people
  - Reporting would force victim to reveal sexual orientation
  - Fears of discrimination from and mistrust of law enforcement
  - Failure of law enforcement to take the reported crimes seriously
  - LGBT reporters of crime frequently described law enforcement as "indifferent"
- Most LGBT people feel that law enforcement is not well equipped to handle sexual assault in the LGBT community.
- Most police departments in large urban areas provide some training on same-sex IPV.
  - Otherwise, LGBT issues are typically addressed only as a part of a diversity training, if at all.
- Despite therapist self-reported positive attitudes, therapists have unrecognized biases, respond to and evaluate LGBT clients differently than heterosexual clients, and may be unaware of how their biases affect their assessments of LGBT clients
- Three quarters of mental health trainees and practitioners reported inadequate preparation during their training to meet the needs of LGBT clients.

How VAWA Can Help

- Training interventions with mental health professionals and law enforcement have proven effective in increasing knowledge about LGBT populations and self-confidence in implementing LGBT-affirming practices.
- There is ample evidence that LGBT people are an underserved population with regard to intimate partner violence and sexual assault in that they face barriers in accessing and using victim services because of sexual orientation or gender identity.
- The provision of funding for research, outreach, training, and services under VAWA could help to address the distinct needs of this underserved population to reduce violence and increase access to services for all women.