

2021 SUPREME COURT  
SYMPOSIUM: THE STATUS,  
NUMBERS OF INCARCERATED  
WOMEN AND GIRLS IN WA

Overview of Impact on  
LGBTQIA+ Black, Indigenous  
People of Color (BIPOC) in  
Prison

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# NATIONAL STATISTICS

LGBTQIA+ people of color face exceptionally high rates of incarceration

## LGBT PEOPLE OF COLOR ARE OVERREPRESENTED IN THE SYSTEM

ADULTS

**1 IN 3**

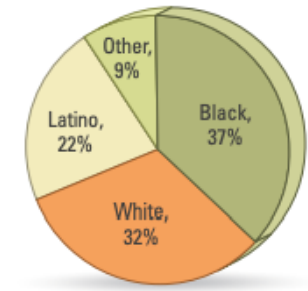
ADULTS ARE PEOPLE OF COLOR



**3.8%** OF ALL ADULTS IDENTIFY AS LGBT

**2 IN 3**

ADULTS IN PRISON & JAIL ARE PEOPLE OF COLOR



**7.9%** OF ADULTS IN PRISON & JAIL IDENTIFY AS LGBT

Source: Center for American Progress & Movement Advancement Project. (2016). Unjust: How the Broken Criminal Justice System Fails LGBT People of Color. Washington, DC & Denver, CO.

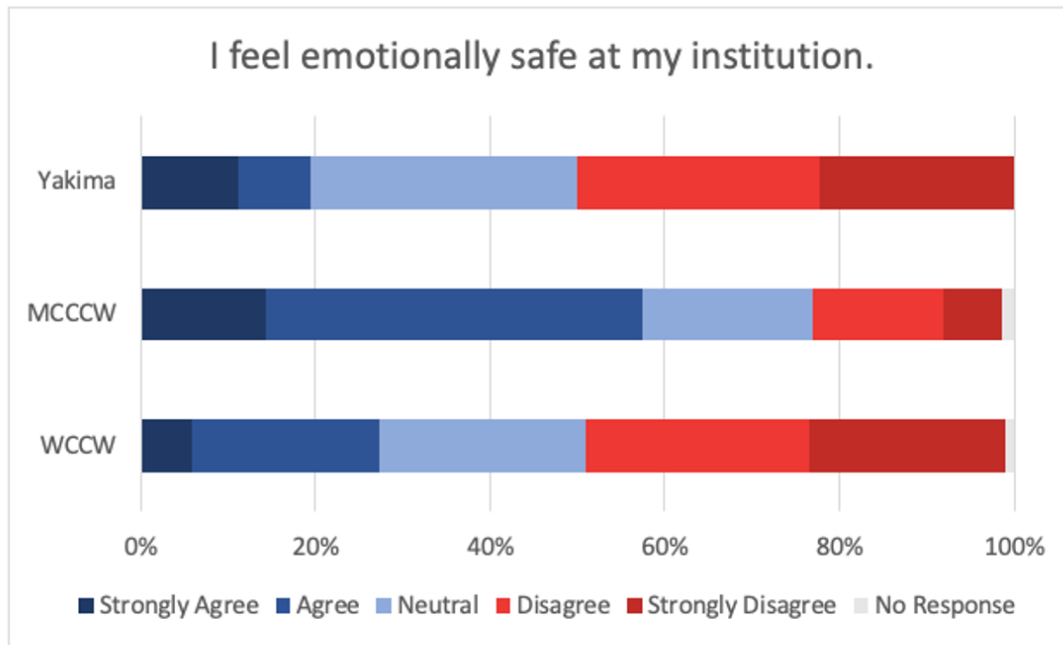
## HIGHER RISK OF WIDESPREAD SEXUAL VIOLENCE

*“Every day, the lives and the physical integrity of lesbian, gay, bisexual, and transgender people are at stake within our prison systems.”*

–National Prison Rape Elimination Commission Report, 2009

- In 2012, the Bureau of Justice Statistics reported that for those who identify as lesbian, gay, bisexual, or other sexual orientations:
  - 12.2% of people in state and federal prisons reported being sexually victimized by another incarcerated person
  - 5.4% reported being victimized by staff, versus 1.2% and 2.1% respectively for those who identify as straight
  - For transgender people surveyed, 33.2% reported abuse by another incarcerated person, and 15.2% reported staff sexual misconduct, with an overall reporting of sexual victimization at 39.9%

## WASHINGTON STATE WOMEN'S PRISONS



Note: 772 surveys total (Yakima 37, MCCCW 209, WCCW 526)

Of the individuals surveyed in 2019 at Women's Facilities including Washington Correction Center for Women and Mission Creek Correction Center for Women:

- LGBTQIA+, non-white, and immigrant people experience various types of harassment and do not always feel emotionally safe (Office of Corrections Ombuds Survey of Incarcerated Women, 2020).



PRIOR  
EXPERIENCE OF  
ABUSE

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Individuals targeted based on not only sexual orientation or gender identity, but also because they are also a person of color, indigenous, or live with a disability.

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According to the 2015 U.S. Transgender Survey, transgender people of color and indigenous people and people with disabilities (61%), were more likely to be sexually assaulted in their lifetime than white and non-disabled trans people.

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Solutions must address the compounding effects of different forms of discrimination that lead to the dehumanization of individuals and the perpetration of abuse and violence such as racism, sexism, ableism, classism, homophobia, and transphobia.

## PREA PROTECTIONS FALL SHORT

PREA has done little to address the underlying cultural norms that lead to sexual assault and violence against LGBTQIA+ people

Most people fear reporting for fear of retaliation or increased harassment

LGBTQIA+ individuals report that PREA is used to house people in solitary confinement for their "safety" after an assault

PREA is used to punish LGBTQIA+ individuals for consensual sex

When LGBTQIA+ individuals do experience harm, their reports of abuse are often not taken seriously, or they are blamed for their own victimization

## WHAT WORKS TO SUPPORT LGBTQIA+ PEOPLE IN PRISON?

- Engaging currently incarcerated people in changes
  - Model: WCCW Gender & Sexuality Trainings started by Alyssa Knight, Ellis Hopkins, and community advocates
- Getting buy-in from leadership
- Staff training
- In-prison media and messaging
- Community engagement in policy adoption and implementation, and establishing committees or other workgroups

## WHAT WORKS TO SUPPORT LGBTQIA+ PEOPLE IN PRISON?

- Allowing community members to build ongoing, accountable relationships with queer and trans people who are locked up to support their daily well-being, healing, leadership, and survival
- Building community networks of care to support people coming out of prison and jail; collaborate with other movements to address root cause of queer and trans imprisonment
- Work to abolish prisons, establish community support for people with disabilities and eliminate medical and psychiatric institutionalization, and provide permanent housing instead of shelter beds for all people without houses
- Pass Key Legislation: Survivors Justice Act (HB 1293 introduced in 2020)
  - Waives, reduces, and provides community-based sentencing for Survivors of Violence