

Bridging the Gap: Strengthening LGBTQ Youth and Police Relations

This publication was written by
the Queens Neighborhood Youth Justice Council

Q U E E N S

Y O U T H J U S T I C E

C E N T E R

About This Report

This report was written by the Queens Neighborhood Youth Justice Council (“the Council”) members and staff. The Council is made up of seven youth ages 14-19 who met twice a week for eight weeks at the Queens Youth Justice Center during July and August 2015. The Council engages adolescents, living in Queens, in studying public policy issues that affect young people. Young people were recruited to join the Council through the Queens Youth Justice Center, schools, local government agencies, community-based organizations, and LGBTQ¹ service providers. In summer, 2015, the Council focused on community-level interactions between LGBTQ youth and police. Council members researched issues affecting LGBTQ youth and relationships and interactions between the youth and police officers.

This report represents the points of view of the members of the Council and does not necessarily reflect the official policies of the Center for Court Innovation and the Queens Youth Justice Center.

ACKNOWLEDGEMENTS

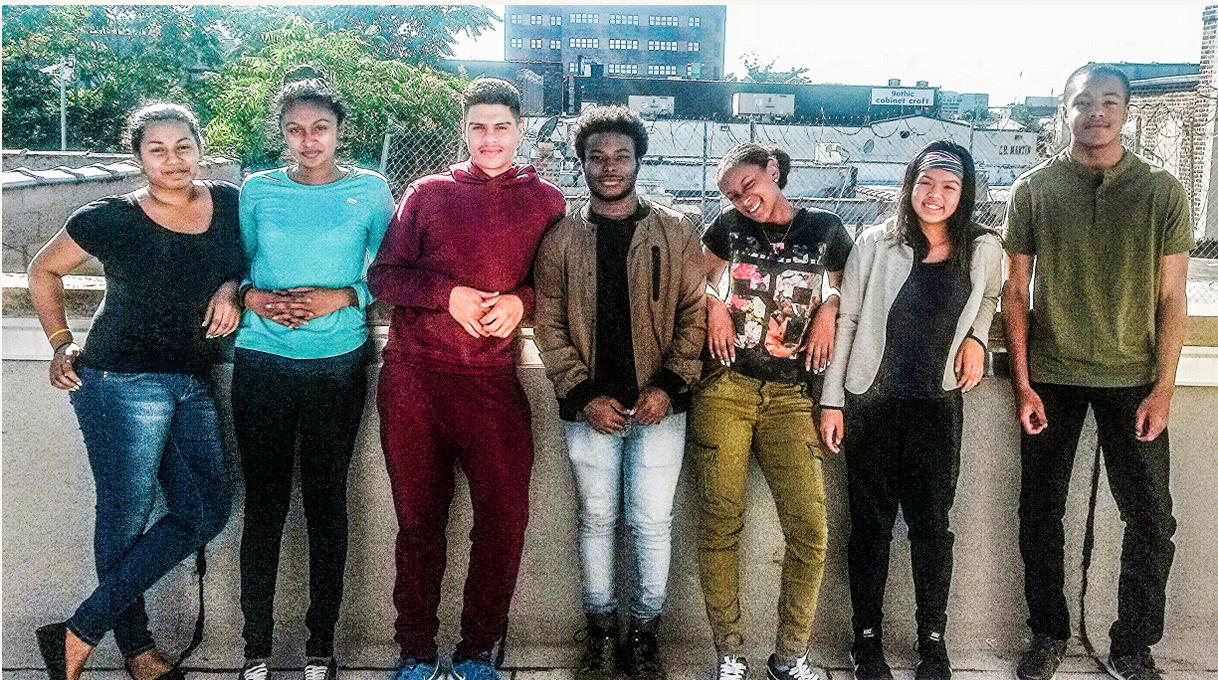
The Queens Neighborhood Youth Justice Council would like to extend a huge thank you to all of the people who met with us and allowed us to interview them. We learned so much and are grateful for everyone’s contributions. We especially want to thank the youth who talked about her experience.

We also want to thank the following people for their support during the process: Shaquana Green, Sally Sanchez, Linda Baird, Dory Hack, Robert Wolf, Mary Walle and Raye Barbieri.

¹ “LGBTQ” stands for lesbian, gay, bisexual, transgender and queer/questioning. This initialism is widely understood to include all sexual orientations, gender identities and gender expressions.

Introduction

Right now, a lot of people are having conversations about police and community relations. New York City Mayor Bill de Blasio and Police Commissioner William Bratton are working on collaboration between communities and police to address public safety issues and improve public trust in law enforcement. We believe that more young people need to have a voice in the conversation, as there are many young people, especially young men and women of color and those who identify as LGBTQ, who are interacting with police officers regularly.



Queens Neighborhood Youth Justice Council Members.

Our Focus

We studied the relationship between LGBTQ youth and police officers in Queens and greater New York City because research shows that LGBTQ youth are twice as likely as their straight counterparts to report negative contact with police.² A number of factors can lead to LGBTQ youth interacting with police officers. Some LGBTQ youth may experience rejection after they come out to their parents or guardians about their sexuality. In some cases, family members may abuse them or even force youth out of their homes. As a result, youth may become homeless and involved in committing survival crimes (e.g., shoplifting, exchanging sex for financial support, trespassing). Some youth may experience harassment at school, which can lead to feeling unsafe, isolated and experiencing low self-esteem. As a result, they may be truant or bring a weapon to school for safety. LGBTQ youth in foster care may have difficulty finding stable housing; they are sometimes harassed due to their sexual orientation or gender expression, which can lead to high rates of depression, suicide and homelessness. All of these variables can lead to LGBTQ youth having increased interactions with police officers.

² Angela Irvine, (2014). Dispelling Myths: Understanding the Incarceration of Lesbian, Gay, Bisexual, and Gender Nonconforming Youth. National Council on Crime & Delinquency.

Our Work

We started off the project by learning the history of this topic and how to approach this work. We studied methods of advocacy, issues affecting LGBTQ youth, a brief history of community safety and police-LGBTQ relations, and the “broken windows” theory of policing—which for many years focused police resources on stopping low-level offenses—and how this affected police-youth relations. We then began fieldwork, mainly interviewing experts in this field. We first generated a list of experts that we wanted to interview and developed questions to help guide the interviews and inform our recommendations. In the end, the Council interviewed the following people:

- LGBTQ YOUTH³
- TOM BURROWS, ATTORNEY, JUVENILE RIGHTS PRACTICE, QUEENS, THE LEGAL AID SOCIETY
- DETECTIVE TIMOTHY DUFFY, COMMISSIONER’S LGBT LIAISON UNIT, NEW YORK CITY POLICE DEPARTMENT
- DETECTIVE TANYA DUHANEY, 113TH PRECINCT, QUEENS, NEW YORK CITY POLICE DEPARTMENT
- OFFICER TRISHA DUNLAY, SCHOOL SAFETY DIVISION, NEW YORK CITY POLICE DEPARTMENT
- MIRIAM GOODMAN, ASSISTANT DIRECTOR OF ANTI-TRAFFICKING AND TRAUMA INITIATIVES, CENTER FOR COURT INNOVATION
- RHODES PERRY, DIRECTOR OF LGBTQ POLICY AND PLANNING, NEW YORK CITY ADMINISTRATION FOR CHILDREN’S SERVICES
- MEREDITH SALVAGGIO, ASSISTANT DEPUTY BOROUGH CHIEF, QUEENS, CORPORATION COUNSEL OF THE CITY OF NEW YORK
- DR. RYAN SHANAHAN, RESEARCH DIRECTOR, CENTER ON YOUTH JUSTICE, VERA INSTITUTE

³ We made several attempts to interview LGBTQ youth who have had interactions with the police. Due to the short time frame of our program, we were only able to interview one youth.

Our Findings

We reviewed the information that we collected through our research and interviews to inform our recommendations. We learned about areas in which there have been significant advances in the last 10 years and positive work being done for LGBTQ youth in the juvenile justice system and in LGBTQ youth-police relations. We also learned about areas that could use more work. The major theme that came out of all our interviews was the need to build trust and respect in both directions.

- 1. LGBTQ YOUTH ARE AT HIGH RISK FOR POLICE AND JUSTICE SYSTEM INVOLVEMENT** — We heard in many of our interviews that when a youth comes out as LGBTQ to family, he or she may experience rejection. Youth may be bullied in school and feel unsafe going to school. As a result of unsafe homes and schools, LGBTQ youth are at higher risk of living on the streets. Once on the street, they may feel their only option is to commit survival crimes to get by. On the streets they are at higher risk for interactions with police due to law enforcement tactics such as Stop and Frisk,⁴ Broken Windows,⁵ and Condoms as Evidence.⁶ These policies disproportionately affect minority youth, gender non-conforming youth, and transwomen of color.
- 2. THERE ARE POSITIVE CHANGES GOING ON BETWEEN LGBTQ YOUTH AND THE POLICE** — Tom Burrows, Attorney, Juvenile Rights Practice, The Legal Aid Society, reported that The Legal Aid Society is currently seeing fewer arrests of LGBTQ youth because the police are doing a lot more intervention work. The Hetrick-Martin Institute⁷ is working with police officers to train school safety officers on LGBTQ competency.

⁴ Stop and Frisk is a “type of limited search which occurs when police confront a suspicious person in an effort to prevent a crime from taking place. The police frisk (pat down) the person for weapons and question the person...If the officer uncovers further evidence during the frisk, the stop may lead to an actual arrest, but if no further evidence is found, the person is released.” West’s Encyclopedia of American Law, edition 2 (2008). Retrieved from <http://legal-dictionary.thefreedictionary.com/Stop+and+Frisk>.

⁵ Broken Windows is based on the theory developed in the early 1980s that cracking down on minor crimes helps to prevent major ones. James Q. Wilson and George L. Kelling, Broken Windows; The Police and Neighborhood Safety, Atlantic Monthly 29, 38 (Mar 1982).

⁶ Condoms as Evidence refers to police using the possession of condoms as evidence of prostitution, even if they don’t witness the crime underway. New York City Department of Health and Mental Hygiene. A report to the New York City commissioner of health. Available from: <http://sexworkersproject.org/publications/reports/public-health-crisis>.

⁷ The Hetrick-Martin Institute is a nonprofit agency that serves lesbian, gay, bisexual, transgender, and questioning (LGBTQ) youth between the ages of 13 and 24 through after-school programs, supportive services and other programming. Find more information at <http://www.hmi.org>.

The Administration for Children’s Services has developed resources including a document titled, *Safe & Respected: Policy, Best Practices, and Guidance for Serving Transgender and Gender Non-Conforming Children and Youth Involved in the Child Welfare, Detention, and Juvenile Justice Systems*.⁸ The New York City Police Department (NYPD) has a Police Commissioner’s LGBT Liaison Unit that takes complaints from citizens and is working to make interactions better between LGBTQ youth and police. Detective Tanya Duhaney reported that the 113th precinct, located in the neighborhood of Jamaica, Queens, has a few transgender youth who come into the precinct to spend time with the officers. She said that the officers treat these youth with respect and have positive relationships with them. For example, the officers in the 113th precinct attend the annual Queens Gay Pride Parade. Almost everyone we spoke with, including law enforcement officials, said that law enforcement and school safety officers would welcome the opportunity to participate in more LGBTQ sensitivity trainings.

3. AT TIMES, LGBTQ YOUTH FEEL DISRESPECT FROM POLICE — We heard stories of police officers treating LGBTQ youth offensively. An interviewee shared a story of a young transwoman getting arrested and having her hair extensions cut off and fake fingernails ripped off by a police officer. One interviewee told us about a young transwoman getting searched by an officer and the officer throwing the padding from her bra on the street. One local adolescent in Queens who had been arrested said that the officer who arrested her kept referring to her as “him” (she has short hair and dresses in baggy clothes). She repeatedly told the officer that she is a girl. She felt ignored. These examples illustrate that transgender and gender non-conforming youth are at risk of being treated badly because their gender identities do not match what officers assume them to be.

4. AT TIMES, POLICE FEEL DISRESPECT FROM YOUNG PEOPLE — Officer Trisha Dunlay, School Safety Division, NYPD, told us that as she came into our building for her interview, she was called a pig and murderer by youth on Jamaica Avenue. Detective Timothy Duffy, NYPD Commissioner’s LGBT Liaison Unit, said, “The tension goes both ways. Youth don’t treat police officers properly and officers get upset when youth don’t follow an order.”

Our Recommendations

Dr. Ryan Shanahan, Research Director for the Center on Youth Justice at the Vera Institute said, “We need to work towards a community where everyone respects each other. We should reimagine what the relationship (between LGBTQ youth and police) could look like.”

We developed five recommendations to increase positive LGBTQ youth-police relations in Queens:

1. **Police officers should direct youth to social services rather than arrest when appropriate.**

To implement this recommendation, we recommend:

- A.** Police officers should have information about social service resources for LGBTQ youth and families.
- B.** Police, community providers and youth should develop brochures listing resources for LGBTQ youth and parents/guardians of LGBTQ youth.

As mentioned earlier, LGBTQ youth are at higher risk for police interactions due to a number of issues such as family rejection, homelessness, and truancy. If a youth sees an officer as someone who can help him or her, maybe that youth will be less likely to interact negatively with the police officer in the future. A police officer can be the first person to help a youth find a safe place by providing a referral to one of the resources in the city such as the Door⁹ for a hot meal or shower, Covenant House¹⁰ for shelter, or Fierce¹¹ for peer support. If an officer has contact with the youth’s family, the officer can give the family information on The Family Acceptance Project¹² and possibly take a first step in helping the youth to reconnect with his or her family. If the youth is homeless, an officer can connect the youth to somewhere safe to sleep instead of an arrest when appropriate. Police officers could have a pamphlet with a list of services in Queens and New York City for LGBTQ youth. This helps build trust. However, we also learned that there are not enough services for LGBTQ youth in Queens, which ties into our next recommendation.

⁹ Find more information at <http://www.door.org/programs-services/lgbtq>.

¹⁰ Find more information at <https://www.covenanthouse.org/>.

¹¹ Find more information at <http://www.fiercenyc.org/>.

¹² The Family Acceptance Project™ is a research, intervention, education, and policy initiative that works to prevent health and mental health risks for lesbian, gay, bisexual, and transgender (LGBT) children and youth. Find more information at <http://familyproject.sfsu.edu>.

2. **Develop more resources, including after-school programs, for LGBTQ youth in Queens.**

To implement this recommendation, we recommend:

- A. The City Council should consider funding more programs to help LGBTQ youth in Queens who are isolated and alone.

A number of people whom we interviewed encouraged us to reach out to Queens City Council members and talk to them about the challenges that LGBTQ youth may experience in the home, at school and on the streets. Through raising awareness about what is happening in Queens with LGBTQ youth, we can advocate for an organized response. Funding for programs that directly support LGBTQ youth is a good first step.

3. **Police precincts should work towards becoming more LGBTQ youth friendly and inviting.**

To implement this recommendation, we recommend:

- A. Create safe spaces in the precincts for youth to speak to an officer in private.
- B. Precincts should have signs and posters that let youth know it is a safe space for LGBTQ youth.

Precincts should make their physical space more inviting and safe for LGBTQ youth, and officers need to use language and actions that support the safe space. In many cases more regularly scheduled LGBTQ competency trainings for police officers—which include using pronoun and name of choice when interacting with an LGBTQ youth—would be helpful. We feel that LGBTQ youth should have a voice in designing the trainings.

4. **Create opportunities for LGBTQ youth and police officers to collaborate.**

To implement this recommendation, we recommend:

- A. Organize forums for police officers and LGBTQ youth to have open dialogues. They can talk about what is going on in the neighborhoods and collaboratively problem solve.
- B. Police officers and LGBTQ youth can present together at schools. They can lead workshops that dispel stereotypes on both sides.

One way to increase mutual understanding and respect is to have more opportunities for discussion and getting to know each other. Detective Duffy said that there is not enough open dialogue between LGBTQ youth and police. He said, “They need to become actual people to each other.” Miriam Goodman, Assistant Director of Anti-Trafficking and Trauma Initiatives at the Center for Court Innovation, said that youths’ voices need to be a part of how to build back trust with the police department and police officers need to express what they experience when they are patrolling. Youth and police can learn from each other. Tom Burrows said LGBTQ youth, police, and school safety officers should form committees to figure out how to be safe together in and out of school.

We think that some ways to create collaboration are to include LGBTQ youth voices on community boards and a youth advisory panel with the NYPD that looks at local issues. Local community organizations such as the Queens Youth Justice Center can host block parties and game nights for youth and police officers to get to know each other. These kinds of forums will help to build relationships.

5. Educate youth on their options, rights and responsibilities when interacting with police officers.

To implement this recommendation, we recommend:

- A.** Organize joint police-youth trainings that present youth with options and information they can use when interacting with police officers.

Some reactions by youth to police officers can escalate a police-youth interaction and potentially lead to a youth being arrested. One detective said to us, “Arguing in the moment will not solve the negative interaction. Both the youth and the officer should take a breath.” We had a few interviewees explain how youth can respond to interactions with officers if they feel they are stopped unfairly. After a bad interaction, a youth can make a complaint by calling 311, report the incident to the Civilian Complaint Review Board, or file a report with the NYPD Internal Affairs Bureau. Youth can also report an interaction to the Administration for Children’s Services’ LGBTQ unit. Since 2012, the Administration for Children’s Services has received 700 reports and a lot of those have been around incidents involving “Stop and Frisk” and profiling.

Queens Neighborhood Youth Justice Board Member Biographies

Austin

Austin is a college sophomore who currently attends the City College of New York. At the age of 19, Austin is the oldest member of the Youth Justice Council. Austin joined the Council to help in being a part of a team that was daring enough to tackle a problem in the community that is probably more culturally and socially relevant than ever before. Austin is interested in learning as much as he can while in college while trying to build himself as both a student and a person. Austin hopes one day to do something in the field of law.

Jamie

Jamie is a junior from Academy of American Studies in Long Island City. During her free time she loves to spend time with friends and play volleyball and basketball. She is also interested in taking photos. Jamie joined the Youth Justice Council because she found an interest in the law when she was little. The Youth Justice Council exposed her to issues that some youth face today. It was a great internship experience that has helped Jamie realize a career path.

Qiara

Qiara attends Bayside High School. As a high school senior she decided to join the Youth Justice Council because she wanted to spark a positive change in her community. Qiara admires the Council for making positive moves to end unjust treatment. During her off time, she enjoys reading and taking part in Youth Court.

Rudy

Rudy is a senior at Cardozo High School in Bayside. Rudy joined the Council because he has a fiery passion to help his community. He hopes through the help of the Council he can better his community in many ways.

Sarah

Sarah is a 16 year old junior attending Hillcrest High School. In her free time she enjoys cooking and reading. Sarah joined the Youth Justice Council to improve interactions within her community. After all, she is a reflection of her community.

Zaina

Zaina is a 15 year old junior at Hillcrest High School. Zaina joined the Council because she wanted to help make a change in the community and make a difference. Zaina is also a part of the Queens Youth Court because she wanted to expand her knowledge in the law field. Zaina hopes in the future she can pursue a career in the law field.

Zaveyn

Zaveyn is a senior at Queens Metropolitan High School. In his free time he likes to read stories submitted to websites and reviewing shows with his friends. Zaveyn joined the Youth Justice Council to learn more about anything he might have not realized about what is going on around him. He wants to be able to assist in any way he can. Zaveyn is currently still deciding whether or not he wants to work in a field that pertains to issues with the law. He wouldn't mind it.

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