

Redefining Intimate Partner Violence for Trans, Queer & HIV+ Communities

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Content Warning

- This presentation discusses topics that may traumatize or retraumatize survivors and others:
 - Intimate partner violence
 - Sexual assault
 - Suicidality
 - LGBTQ and HIV specific violence concepts and data
- Please practice self-care in whatever way you need.

Theory of Change

- Many transgender women of color, as well as the transgender and non-binary community generally, hold multiple marginalized and criminalized identities.
- Working to decriminalize people who hold identities such as:
 - Living with HIV
 - Using syringe services
 - Trading sex
- Will help to reduce violence in trans people's lives, including intimate partner violence.
- Centering policy on the communities most impacted will also reduce violence against the entire LGBTQ community.

Key Terms

- **Sexual orientation:** Describes a person's emotional, physical, and/or romantic attraction to another person.
- **Gender identity:** A person's deeply held internal sense of being male or female or somewhere else on or outside the gender spectrum.
- **Gender Expression:** refers to all of a person's external characteristics and behaviors — such as clothing, grooming, mannerisms, speech patterns and social interactions — that represent or express one's gender identity to others.

Key Terms

- **LGBTQ:** Lesbian, gay, bisexual, transgender & queer
- **Lesbian:** A woman who is attracted to women
- **Gay:** A man who is attracted to men
- **Bisexual:** A person who is attracted to both men and women, though not necessarily simultaneously
- Note: these are all binary terms.
- **Gender binary:** Thinking in terms of male vs. female
- **Queer:** A term often used to express fluid identities and/or orientations.

Key Terms

- **Transgender:** An umbrella term for people whose gender identity is different from their birth-assigned sex.
- **Non-binary:** An umbrella term that refers to people who reject the gender binary male vs. female.
- **Sex assigned at birth:** The classification people are given at birth usually according to how their outward genitalia appear compared to those typically-appearing.
- **Cisgender:** A term used to describe people whose gender identity aligns with the sex assigned to them at birth.

Health Disparities: Increased Risk of Sexual Violence

- Bisexual women are more than twice as likely to have been sexually assaulted by an intimate partner than heterosexual women.
- North Carolina respondents to the 2015 US Trans Survey reported sexual assault:
 - At work
 - In K-12 school
 - During interactions with law enforcement
 - While seeing healthcare providers
- LGB military troops are twice as likely to experience sexual assault

Dating Violence among LGBTQ Young People

- Intimate partner violence within the LGBTQ community (Urban Institute study)
 - Physical abuse by dating partners:
 - 29% heterosexual youth
 - 42.8% LGB youth
 - Sexual coercion:
 - 12.3% for heterosexual youth
 - 23.2% for LGB youth
 - Transgender youth reported highest rates of dating violence: 88.9% reporting physical dating violence

North Carolina's Discriminatory Protective Order Statute

- Chapter 50B Domestic Violence Protective Orders (DVPOs)
N.C.G.S. 50B-1(b)(6)
- In order to be eligible to seek the heightened protections of a DVPO as opposed to a stay-away order, there must be a “personal relationship.”
- In dating relationships, only different-sex couples meet the definition of “personal relationship.”
- “Are persons of the opposite sex who are in a dating relationship or have been in a dating relationship.”
- Equality NC led an amicus brief in an appeal challenging the statute.

NCAVP 2016 IPV Violence Reports

- Intimate partner violence homicide deaths: 15 reports
 - 60% people of color
 - 20% transgender
 - 67% people aged 25 and younger
- Intimate partner violence survivors: 2,032 reports
 - 43% gay, 16% lesbian, 10% bisexual, 6% queer
 - 19% transgender people
 - 64% between ages 20-39
 - 59% people of color
 - 9% undocumented people
 - 18% people with disabilities
 - 21% people living with HIV (PLWH)

Interlocking Oppression & IPV

- Anti-immigrant bias went from 4% in 2015 to 10% in 2016
- HIV-related bias doubled from 5% in 2015 to 10% in 2016
- Transgender women 2.5 times more likely to experience
 - Stalking
 - Financial violence
- 2018 study of transgender women age 16-29
 - Prevalence of IPV was high: 42%
 - Risk of physical violence 6x higher than for cis women

Why Might This Be the Case?

- LGBTQ and HIV-affected communities face barriers to access:
 - Legal remedies like protective orders
 - Shelter and other housing options
 - Law enforcement support
 - Healthcare
 - Supportive counseling
 - Crisis intervention
 - Safety planning

Barriers for LGBTQ & HIV Survivors

- Marginalized identity(ies) or experiences used by aggressor to maintain power and control
- Continued consequences even after relationship ends
 - Although most aggressors are current partners (48%)
 - 29% are ex-partners
 - LGBTQ community may be small, which increases the risk of continued contact with the aggressor in community spaces

Barriers for LGBTQ & HIV Survivors

- The survivor may have already faced isolation and loss of community when they came out
- If they are not out, LGBTQ & HIV+ people face the additional threat of being outed by the aggressor:
 - Threat to out them as LGBTQ
 - Threat to out them as trans
 - Threat to out them as HIV+
- Worries about losing community if you speak out against someone in the community, especially if they are visible
 - Fear of “airing dirty laundry” making discrimination worse goes up for people with multiple marginalized identities

Interaction of HIV and IPV

Positive Survivors

- Disclosure of positive status may set off violence
- Aggressor may interfere with survivor's healthcare
- Aggressor may use survivor's poor health to further isolate them
- Survivor in poor health may be too weak to physically defend themselves

Positive Aggressors

- Forced sex may be part of violence by an HIV+ aggressor
- May threaten to transmit HIV to survivor
- History of violence may make condom negotiation more difficult or more treacherous
- May suggest they will get sicker or die if survivor ends relationship

Intersections of HIV & Trans Survivors

- HIV criminalization laws: NC HIV control measures make it a misdemeanor to fail to disclose your status unless you're virally suppressed for at least 6 months and in care
- Not everyone has access to this healthcare.
- No corresponding exception for people who share needles
 - Trans people may have difficulty accessing prescribed hormones or silicone that are injected, and end up sharing
 - On average, HIV is only transmitted 1/160 instances of sharing a syringe with a person living with HIV
- Criminalization of sex work also heightens penalties for HIV in some jurisdictions.

IPV Factors for Trans People

- Facing intimate partner violence may be more difficult for trans people due to:
 - Lack of safety elsewhere in our lives
 - Likely discrimination if we try to seek help
- IPV tactics that may be unique to trans people
 - Blaming the victim
 - Withholding resources
 - Body-focused shame
 - Social shame

IPV Tactics Affecting Trans Folks

- Blaming the victim
 - “This is how it is when you are trans” (aka “you deserve abuse for transitioning”)
 - “Trans people cannot be in an IPV relationship”
 - “You’re the one who’s the abuser, because of your hormones”
- Withholding resources
 - Withholding money for transition
 - Withholding/destroying transition-related medications
 - Withholding/destroying gender-affirming clothing

IPV Tactics Affecting Trans Folks

- Body-focused shame
 - Pressure to “change your body back”
 - Exploitation of internalized transphobia (“trans bodies are wrong,” “you are mutilating yourself”)
 - Targeting sexual/emotional abuse toward body parts that cause dysphoria or disassociation
 - Ridiculing a trans’ person’s appearance
 - Criticizing sexual performance (“affected by hormones”)
 - Forcing trans survivor to expose scars

IPV Tactics Affecting Trans Folks

- Social shame
 - Refusing to use chosen name, pronouns
 - Refusing to introduce trans partner to family/friends
 - “Trans people don’t deserve to have relationships”
 - “No one else will love/accept you”

Shelter Access: NCAVP Report

- 12% reported that they attempted to access emergency shelters (2016)
- 44% reported being denied access to emergency shelter (2015)
- 71% reported barriers to emergency shelter based on gender identity (2015)
- Many of the barriers are based on emergency shelters set up for services for cisgender women, which can create access barriers:
 - Transgender women
 - Transgender men
 - Cisgender men
 - Non-binary people

Law Enforcement Encounters

- Misarrests (where aggressor is not arrested but survivor is) increased from 17% to 31% between 2014 and 2015
- Same-sex couples are 10 times more likely to face dual arrest (where both the aggressor and the survivor are arrested)
- Aggressor/survivor differentiation assessments that law enforcement is trained on are based on gender-normative, heterosexual models of intimate partner violence
 - Inability to grasp that a “fem” partner could be violent
 - Masculinization of violence (“boys will be boys”)

Policy & Advocacy Impacts

- Anti-LGBTQ policy has a disproportionate impact on people living with intimate partner violence
 - Religious exemption laws that permit conversion therapy approaches
 - Public accommodations restrictions on access to restrooms in accordance with gender identity
- These laws target those resources that people living with intimate partner violence rely on:
 - Housing
 - Employment
 - Counseling

Policy & Advocacy Recommendations

- Intimate partner violence prevention
 - Dating violence curricula should include content related to LGBTQ and HIV-affected communities
 - Support early intervention and prevention
 - Increase public awareness
 - Support survivor-led initiatives
- Reduce barriers to intimate partner violence resources
 - Revise mandatory arrest programs
 - Economic empowerment programs
 - Immigration reform

Policy & Advocacy Recommendations

- Intimate partner violence response
 - Training for service providers should include specific content related to LGBTQ and HIV-affected communities
 - Non-discrimination in employment, housing and public accommodations
 - Eradicating discriminatory laws that increase barriers
 - Support survivor-led initiatives

Policy & Advocacy Recommendations

- Additional research on intimate partner violence in LGBTQ and HIV-affected communities
 - Increase literature on how transgender and non-binary people are affected by intimate partner violence
 - Inclusive and comprehensive data collection on sexual orientation and gender identity in federal surveys
 - Inclusion of LGBTQ survivors in prevention assessments
 - Support for LGBTQ intimate partner violence fatality review research
 - Examine social determinants of survivors to identify structural influences

Questions?



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