

Supplement to the 2014

LGBTQ Survey Supplement No. 2016-39

Civil Legal Needs Study Update
Washington State Supreme Court
Civil Legal Needs Study Update Committee

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LGBTQ Study Component

The present report presents data from a supplemental survey conducted in association with the [2014 Civil Legal Needs Study Update](#). This was a focused non-probability survey assessment of the legal needs of low-income Lesbian, Gay, Bisexual, Transgender, and Questioning (hereafter referred to as "LGBTQ") individuals in Washington State, a group that was insufficiently represented in a state-wide probability survey.

Although low-income LGBTQ people face many of the same socio-economic and legal challenges that other low-income people who share their race, ethnicity, age, and disability do, they also face additional unique problems because of their sexual orientation and gender identity. This study was not designed to replicate the 2014 Civil Legal Needs Study (CLNS) Update, but rather was designed as a separate research effort that could identify which legal problems are most important and most directly affect to low-income LGBTQ individuals, how they are similar to those of other low-income people in Washington, and how they are different.

Similar to 2014 CLNS study, the survey was targeted to individuals with household incomes at or below 200% of the federal poverty level (FPL)¹. Because there is no precise estimate for LGBTQ population, it is challenging to estimate how many LGBTQ Washingtonians are living in poverty. The best estimates of the LGBTQ population by state are based on 2012 Gallup Daily tracking interviews conducted from June-December 2012². According to these data, the percentage of U.S. adults who identify as LGBTQ ranges from 1.7% in North Dakota to 5.1% in Hawaii and 10% in the District of Columbia with the nationwide average of 3.5%. Washington State has approximately 4% of the population between 18 and 45 old who self-identify as LGBTQ.³

The 2015 U.S. Census estimates place Washington State's population at 7,170,351.⁴ In 2013, the percentage of the Washington population living at or below 125% of the federal poverty level (FPL) was 18.3% of the general population (or 1,312,174 individuals). If we apply 4% LGBTQ standard, it can be estimated that there are approximately 52,486 LGBTQ individuals living at or below 125% of the federal poverty level in Washington State. This number understates the estimate for impoverished LGBTQ in Washington State, because the basic standard for determining eligibility for state or federally funded programs (e.g., Head Start, the Supplemental Nutrition Assistance Program (SNAP), the National School Lunch Program, the Low-Income Home Energy Assistance Program, and the Children's Health Insurance Program) is set at 125% or 185% percent of FPL.

With a non-existent, incomplete or easily accessible sampling frame, or a list of impoverished LGBTQ individuals in Washington State, it would be very difficult and expensive to recruit

¹ For the most part, governmentally funded civil legal aid services, food and nutritional assistance, income assistance, health care, free or reduced lunch programs for students, housing assistance and many other programs employ eligibility benchmarks that range between 125% and 200% of the federal poverty level.

² Source: <http://www.gallup.com/poll/160517/lgbt-percentage-highest-lowest-north-dakota.aspx>

³ These results are based on responses to the Gallup survey question, "Do you, personally, identify as lesbian, gay, bisexual, or transgender?" This is the largest study of the distribution of the LGBT population in the U.S. on record, and the first time a study has had large enough sample sizes to provide estimates of the LGBT population by state.

⁴ <http://www.census.gov/quickfacts/table/PST045215/53>

study participants using a probability sampling method. Instead, Washington State University's Social and Economic Sciences Research Center (WSU-SESRC) used a facility-based sampling.

Facility-based sampling involves engaging members of the target population at a variety of facilities that provide services to this population. SESRC engaged five community-based organizations providing services to LGBTQ individuals, including Odyssey Youth Movement (Spokane, WA), Entre Hermanos (Seattle, WA), Northwest Justice Project (Pasco office, WA), Gay City Health Project (Seattle, WA), and DV Services of Benton & Franklin Counties (Kennewick, WA). It should be noted that any facility-based sampling comes with limitations. First, it under-samples those who are reluctant to seek and obtain services from the organizations selected for the study. Another limitation is that organizations providing services to low-income LGBTQ individuals are not common, and most of them are usually located in urban and suburban areas, and even where provided, equal access to them is not guaranteed.

Each organization received a package with surveys (the survey was available in English and Spanish languages), instructions on how to distribute the surveys, and cash for incentives (every respondent was paid \$20 upon completion of the survey). For this supplemental study, the 2014 CLNS Instrument was modified to accomplish two things: 1) to address the unique civil legal problems that directly affect low-income LGBTQ persons, and 2) to ensure comparability of the data collected for the general low-income population with the data collected for low-income LGBTQ individuals⁵. The targeting was generally successful. 118 LGBTQ individuals were screened for eligibility. Of those, 106 LGBTQ individuals met the eligibility criterion and completed the survey⁶.

Table 1 shows the number and percent of completed surveys obtained from each organization. A majority of respondents completed the paper questionnaire (85.8%) and 14.2% completed the online version of the survey. More than two-thirds of surveys (68.9%) were completed in English and the rest (31.1%) were completed in Spanish.

Table 1: List of Organizations and the Number of Received Surveys

Organization	N	%
Odyssey Youth Movement (Spokane, WA),	22	20.8%
Entre Hermanos (Seattle, WA),	41	38.7%
Northwest Justice Project (Pasco office, WA),	20	18.9%
Gay City Health Project (Seattle, WA),	11	10.4%
DV Services of Benton & Franklin Counties (Kennewick, WA).	12	11.3%
TOTAL	106	100%

Note: Only surveys from eligible respondents are included

⁵ The instrument changes are described in some detail in the next section.

⁶ LGBTQ survey was not random, and its results do not predict outcomes for the general LGBTQ population with statistical accuracy.

LGBTQ Survey Instrument

For this survey, the 2014 CLNS instrument was slightly modified to provide opportunities for LGBTQ respondents to report whether they experienced one or more civil (non-criminal) legal problems within the preceding 12-month period. Similar to participants in the 2014 CLNS survey (hereafter referred to as "PS" respondents), LGBTQ respondents were asked about 10 categories of substantive civil legal problems, including:

- Employment
- Health Care
- Estate Planning
- Municipal Services and Utilities
- Rental Housing
- Education
- Family Relations⁷
- Mobile Homes
- Access to Government Assistance
- Consumer and Financial Services

They also were asked questions about eight (8) categories of focused problems relevant to specific target groups, including a new set of questions addressing the issues relevant to LGBTQ target group. These included:

- Problems experienced by persons with disabilities⁸
- Problems experienced by immigrants
- Problems related to Native American status
- Problems experienced by military service members and veterans⁹
- Problems experienced by youth and young adults
- Problems experienced by persons involved in the child welfare and foster care system¹⁰
- Problems experienced by persons in juvenile and adult correctional facilities
- Problems experienced by LGBTQ persons¹¹

⁷ Family relations section included two new questions: 1) *Problems with establishing recognition of relationship with a same sex partner or spouse* and 2) *Problems related to ending a long term relationship with someone the respondent was not married to.*

⁸ One additional question was added to this section: *You want to live in the same long term care facility as your same sex partner or spouse but could not do so.*

⁹ Item related to discharge status was modified to include *discharge based on respondent's sexual orientation, gender identity or gender expression.*

¹⁰ Two items in this section were modified to include *problems related to respondent's sexual orientation, gender identity or gender expression*

¹¹ This section, consisting of four items, was added to the instrument to address the unique problems relevant to LGBTQ individuals, including: 1) *Problems obtaining or changing government-issued identification documents... because of your or a household member's sexual orientation, gender identity or gender expression;* 2) *Being denied health, mental health insurance, benefits or services because of your or a household member's sexual orientation, gender identity or gender expression;* 3) *Having an immigration problem because of your sexual orientation, gender identity or gender expression;* 4) *Being denied the ability to participate in gender appropriate programs or receive gender appropriate services from a public, non-profit or private business or organization because of your sexual orientation, gender identity or gender expression.*

Similar to the 2014 CLNS survey, the LGBTQ supplemental survey instrument asked questions about problems relating to discrimination and unfair treatment. The discrimination section was slightly modified to measure whether and to what degree LGBTQ people were treated differently because of their sexual orientation, gender identity or gender expression.

Principal Findings from the Survey

1. Overall, members of the general low-income population and low-income LGBTQ individuals were equally prone to civil legal problems, and they appeared to be similar in terms of help-seeking behavior. Consistent with the findings of the 2014 CLNS Study Update¹², 73% of low-income LGBTQ individuals experienced at least one civil legal problem in one of the surveyed problem areas, and almost two-thirds (or 64%) of them did not seek or were not able to obtain legal help with respect to these problems.
2. For the LGBTQ sample, the number of problems per person was slightly higher than the level documented in the 2014 CLNS. Of those LGBTQ individuals who experienced at least one legal problem, the LGBTQ study found an average of 10.3 problems per person/household. The 2014 CLNS Update found that households with at least one problem averaged around 9.3 problems per household.
3. The issues most frequently identified by low-income LGBTQ respondents were different from problems that were most often experienced by members of the general low-income population. In particular, 2014 CLNS PS respondents were more likely to report problems in the areas of health care, consumer/finance and employment; whereas, the problems most frequently noted by LGBTQ survey respondents included rental housing, health care, and education.
4. In the area of rental housing, the issues most frequently identified by LGBTQ respondents were being denied a shelter, being denied relocation assistance to move from an unsafe rental housing unit, having a dispute with a landlord about rules, living in unsafe housing, and being denied assistance with rental housing.
5. Significant differences exist in the type and prevalence of problems LGBTQ respondents experienced depending upon their immigrant status, disability status, victim status, and homeless status.
6. Low-income LGBTQ respondents experienced a much higher rate of homelessness at the time of the survey relative to PS respondents (9.4% vs 1.7%). Of those, the majority (60%) experienced discriminatory practices in the area of housing. Just trying to survive with transitory and unstable housing, 40% of homeless LGBTQ respondents were denied a shelter, 54.4% were denied assistance with rental housing, 40% were denied relocation assistance to move from an unsafe rental housing unit, 40% had a dispute with a landlord about the rules, 46% experienced retaliation from the landlord when they stood up for their rights, and 40% had difficulties getting a security deposit back.

¹² The 2014 CLNS PS survey found that 71.1% of low-income households experienced at least one civil legal problem during a year preceding the survey.

7. Another status group that was at a higher risk for legal problems was LGBTQ immigrants who together totaled approximately one-third of LGBTQ sample. Consistent with the USLA's Williams Institute's estimates regarding characteristics of the LGBTQ immigrant population in the US,¹³ 70% of LGBTQ immigrants in our sample were male and 79% were Hispanic.
8. The issues most frequently noted by LGBTQ immigrants related to healthcare. Rates of these problems were disproportionately higher than those for the entire LGBTQ sample. LGBTQ immigrants were at increased risk of not being informed about financial assistance, having problems with medical debt cost recovery, and having insurance that would not cover medical services.
9. More than a third of LGBTQ respondents had a disability. Relative to all LGBTQ respondents, LGBTQ persons with a disability experience a substantially greater number of problems in a broader range of areas, including, municipal services, consumer/financing, health care, family, access to government assistance, estate planning, and education.
10. LGBTQ DV/SA victims (who were white (54%), male (46.2%) or transgender male (23.1%), young (85% were 39 years old or younger), single and living alone (61.5%) with no children (69%), had a disability (69%), unemployed (46%) or employed part-time (31%)) experienced a substantially greater number of problems in a broad range of areas, including housing, municipal services, consumer/financial services, government assistance, health care, and estate planning.
11. Low-income LGBTQ respondents reported substantially higher levels of problems associated with discrimination and unfair treatment than the 2014 CLNS PS respondents.
12. Although disparities in the levels of discrimination experienced by general low-income population and low-income LGBTQ respondents were evident across practically all personal characteristics, they were the largest for sexual orientation, gender, immigration status, and victim status.
13. Although discrimination was common throughout the entire LGBTQ sample, the combination of anti-transgender bias and certain status characteristic appears to be significant. LGBTQ persons with a disability, youth, homeless, and DV/SA victims in general fare substantially worse than the baseline low-income LGBTQ population.
14. Discrimination and unfair treatment rates were the highest in the areas of employment, rental housing, health care, education, and consumer/financial services.
15. Legal awareness, or people's ability to recognize the legal dimensions of their every-day problems, was lower among LGBTQ participants relative to the general low-income population surveyed during the 2014 CLNS study. Only 28.8% of LGBTQ respondents were able to self-identify civil legal problems early in the survey; whereas, 35.5% of the PS survey respondents were aware of their legal problems prior taking the survey.

¹³ Source: <http://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBTImmigrants-Gates-Mar-2013.pdf>

16. The percent of LGBTQ respondents who self-recognized their legal problems in a general broad question posed prior to answering specific legal problems in the later portion of the survey and who reported they tried to get some level of legal help was the same as for PS respondents (23.5% vs 24%). There was a substantial difference between the types of problems most often faced by LGBTQ respondents and the types of problems PS respondents tried to get help. LGBTQ respondents who sought help (n=24, or 23.5%) were more likely to seek legal help with problems they were most likely to face, including health care and housing (including rental housing and homeownership) problems than PS respondents.
17. LGBTQ respondents, who tried to get legal help, were more likely to go to a legal aid provider, a paid private attorney, a volunteer (unpaid) private attorney, or a social or human services organization.
18. The percentage of LGBTQ respondents who were able to solve some portion of their legal problems was slightly higher than that of PS survey respondent (52% versus 44%), but the rate of obtaining the complete resolution for their problems was slightly lower (13.8% for LGBTQ respondents versus 17% for PS respondents).
19. Perceptions regarding the fairness or effectiveness of the civil justice system for “people like them” and its ability to serve as a forum for the effective resolution of disputes were similar to those shared by the general low-income population surveyed in a random manner. Specifically, 34% of LGBTQ respondents did not believe that people like them have the ability to use the courts to protect themselves and their families. Whereas in contrast, 22% of LGBTQ respondents believed that people like them have the ability to use the courts to protect themselves and their families.
20. LGBTQ respondents’ views on solving problems were also almost equally split between two opposite ends of the scale with 27% of LGBTQ participants thinking that the civil justice system rarely, if ever, offers value as a forum for solving important problems, while 25% stated that the system is effective most or all of the time.
21. The experience with the system seemed to affect the views of respondents. A majority of those LGBTQ respondents who sought legal help but could not get it had less favorable views of the courts and the effectiveness of the civil justice system.

Demographic Characteristics of LGBTQ respondents

Overall, the demographic profile of LGBTQ respondents was different from the profile of the respondents participating in a state-wide probability survey (PS). Table 2 shows the relative breakdown of PS and LGBTQ respondents by personal characteristics. LGBTQ respondents were more likely to be young male or transgender male, White or Hispanic, not married, without children, not-employed or employed part-time; whereas, PS respondents were more likely to be female, 40 years old and older, White or Hispanic, having children, not employed or employed part time (Table 2)¹⁴.

A more detailed comparison revealed some additional differences between PS and LGBTQ respondents. Racial composition of two samples was somewhat different. Relative to PS respondents, LGBTQ respondents consisted of a statistically higher share of Hispanics (41.5% vs 20.4%) and individuals of mixed race (8.5% vs 3.6%). In contrast, LGBTQ sample contained a lower percent of Black/African Americans (4.7% vs 9.2%) and Asians (2.8% vs 7.6%).

There were also significant gender differences in a composition of two groups. In particular, LGBTQ respondents consisted a higher percentage of male (55.3% vs 38.6%), while, PS respondents consisted of a higher percentage of female (60.8% vs 30.1%). There were only 7 (or 0.5%) of PS respondents who self-identified as transgender, while 9.7% of LGBTQ respondents were transgender male and 5% were transgender female (see Table 2).

Overall, LGBTQ respondents were younger—64.8% were 39 years old or younger—and the percent of seniors was significantly lower among members of this group (2.9% vs 18.5%). Significantly fewer LGBTQ respondents than PS respondents were married (8.6% vs 32.5%) or had children (16% vs 43%); whereas, a significantly higher percent of LGBTQ respondents were cohabitating (31.4% vs 20.2%) or lived alone (46.7% vs 29.7%). Further, significantly fewer LGBTQ respondents than PS respondents were caring for a dependent (8.7% vs 15.4%) or served in military (6.6% vs 16.6%). In addition, LGBTQ respondents were more likely than PS respondents to be homeless (9.4% vs 1.7%) and victims of domestic violence and sexual assault (hereafter referred to as “DV/SA victims”) (13.8% vs 8.4%).

The profile of DV/SA victims who identify themselves as LGBTQ was slightly different from the DV/SA victims among the general low-income population surveyed in a random manner. More than a half of DV/SA victims in LGBTQ sample were white (54%), male (46.2%) or transgender male (23.1%), young (85% were 39 years old or younger), single and living alone (61.5%) with no children (69%), had a disability (69%), unemployed (46%) or employed part-time (31%). DV/SA victims, identified through the PS survey, were disproportionately female (83.5%), white (58%), black (13.2%), or Native American (16.1%), young (53.5% were between 18 and 39 years of age), single (29.8%), had children (62.5%), had a disability (48%), were unemployed (55%) or employed part-time (20.5%), and some of them were homeless at the time of the survey (16%).

¹⁴ Any comparisons between two samples should be done with caution. LGBTQ survey was not random, and its results do not predict outcomes for the general LGBTQ population with statistical accuracy. The CLNS14 data were generated from the probability survey, and, thus, are generalizable to the overall low-income population. All comparisons presented in this report are very descriptive.

Table 2: Household Characteristics of PS and LGBTQ respondents

Demographic Characteristics	PS survey		LGBTQ survey	
	n	%	n	%
Race				
White or Caucasian	708	57.6%	55	51.9%
Black/African American	113	9.2%	5	4.7%
Hispanic/Latino	251	20.4%	44	41.5%
Asian	93	7.6%	3	2.8%
Pacific Islander	17	1.4%	2	1.9%
Native American	78	6.3%	6	5.7%
Mixed Race	44	3.6%	9	8.5%
Other	38	3.1%	4	3.8%
Total	1,342	100%		100%
Immigrant status (born outside the U.S.)				
Yes	325	26.8%	36	34%
No	889	73.2%	69	65.1%
Total	1,214	100%	105	100%
Gender				
Male	468	38.6%	57	55.3%
Female	736	60.8%	31	30.1%
Transgender Male	-	-	10	9.7%
Transgender Female	-	-	5	4.9%
Transgender other	7	0.5%	-	-
Total	1,211	100%	103	100%
Age				
0-17	11	0.9%	5	4.8%
18-24	123	10.2%	24	22.9%
25-39	344	28.4%	39	37.1%
40-64	509	42%	34	32.4%
65+	224	18.5%	3	2.9%
Total	1,211	100%	105	100%
Marital Status				
Married	394	32.5%	9	8.6%
Not married, but live and share household expenses with another	246	20.3%	33	31.4%
Single and live alone	360	29.7%	49	46.7%
Other	212	17.5%	14	13.3%
Total	1,212	100%	105	100%

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Demographic Characteristics	PS survey		LGBTQ Survey	
	n	%	n	%
Households composed of families with children				
Households without children	691	57%	89	84%
Households with children	522	43%	17	16%
Total	1,213	100%	106	100%
Homeless				
Homeless	21	1.7%	10	9.4%
No	1,192	98.3%	96	90.6%
Total	1,213	100%	106	100%
Disability				
Disability	463	38.1%	37	34.9%
No disability	752	61.9%	67	63.2%
Total	1,210	100%	104	100%
Caring for Dependent				
Yes	187	15.4%	9	8.7%
No	1,026	84.6%	94	91.3%
Total	1,213	100%	103	100%
Military Status:				
Served in the military	201	16.6%	7	6.6%
Did not serve in the military	1,011	83.4%	97	91.5%
Total	1,212	100%	104	100%
Citizenship				
United States citizen	1,073	88.5%	73	68.9%
U.S. permanent resident, but not a U.S. citizen	78	6.4%	8	7.5%
Citizen of another country	48	4%	21	19.8%
Other	14	1.2%	4	3.8%
Total	1,213	100%	106	100%
Employment				
Not employed	650	53.9%	49	47.1%
Employed full-time	276	22.9%	16	15.4%
Employed part-time	218	18.1%	31	29.8%
Self-employed	63	5.2%	8	7.7%
Total	1,213	100%	104	100%
Victims of domestic violence				
Yes	99	8.4%	13	13.8%
No	1,114	91.6%	81	86.2%

Prevalence of Legal Problems among LGBTQ respondents

LGBTQ respondents experienced similar levels of problems overall and per capita with the general low-income population surveyed in a random manner. While 71.1%¹⁵ of all PS respondents reported experiencing at least one legal problem, 72.6% (or 77) of LGBTQ respondents reported at least one civil legal problem in at least one of the surveyed problem areas.

Overall, LGBTQ respondents reported an aggregate total of **772** separate legal problems in areas identified in the survey instrument with an average of 10.03 legal problems per respondent/household. This is slightly higher than an average of 9.3 problems per household/respondent documented for the general low-income population surveyed through the PS research study. Of those LGBTQ respondents who experienced at least one civil legal problem, 15.6% reported having just *one legal problem* within the prior 12 months, slightly less than a fourth (26%) reported having *two to four legal problems*, and 58.4% reported having *five or more legal problems* during the 12 months preceding the survey.

Legal awareness, or a person's ability to recognize legal problems and reinforce her legal rights, was somewhat lower among LGBTQ respondents relative to the general low-income population. Only 28.8% of LGBTQ respondents were able to self-identify legal problems early in the survey, whereas 35.5% of the PS survey respondents were aware of their legal problems, as measured by Q1 early in the survey¹⁶.

Figure 1 visually presents the percent of PS and LGBTQ survey respondents who experienced legal problems by substantive category. Some significant differences exist in the type and prevalence of problems experienced by PS and LGBTQ respondents. Whereas PS respondents were more likely to report problems in the areas of health care, consumer-finance (including access to and terms of credit as well as debt collection) and employment, LGBTQ respondents (who disproportionately included young male or transgender male, not married, without children, not-

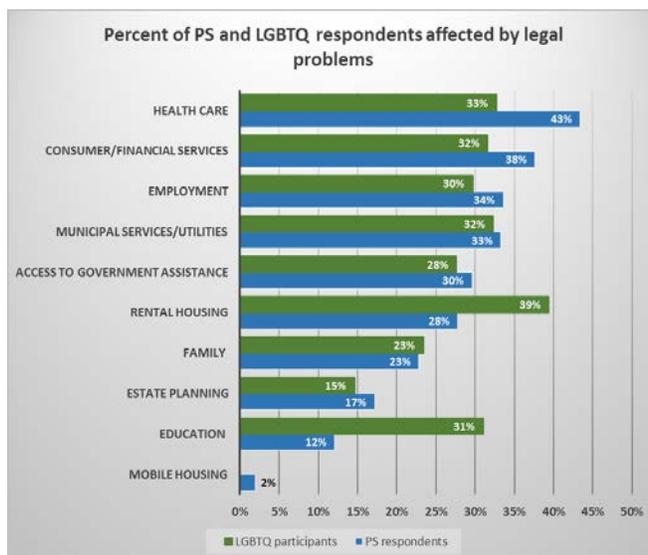


Figure 1: Percent of PS and LGBTQ respondents affected by legal problems, by category

¹⁵ Incidents of discrimination and unfair treatment reported by survey respondents are not included into this number.

¹⁶ Question 1 of the survey asked respondents to choose between “Yes” or “No” answer to the following: “In the last 12 months, have you had any civil (not criminal) problems for which you thought you needed legal help? (For this survey, “you” refers to you and the members of your immediate household. Household means all persons living together in a unit and sharing income and expenses).”

employed or employed part-time) were more likely to report problems in the areas of rental housing, health care, and education¹⁷.

Rental Housing

The issue most frequently noted by LGBTQ respondents as being of greatest concern to them was rental housing (see Figure 1). Relative to PS respondents, LGBTQ participants were 1.4 times more likely to face a problem in this sphere. The distinctions between PS and LGBTQ respondents become even more pronounced when problems in the area of rental housing were broken down into 13 specific and more narrowly defined problems (see Figure 2).

As shown, LGBTQ participants (who disproportionately included young male and transgender male, who are not married, without children, not-employed or employed part-time) were almost 4 times more likely than the general low-income population to be denied a shelter (12.1% vs 3.3%), and three times more likely to be denied relocation assistance to move from an unsafe rental housing unit (15% vs 4.8%).

In addition to those cited above, LGBTQ respondents were almost twice as likely as the general low-income population to have a dispute with a landlord about rules (20.4% vs 12.5%), live in unsafe housing (19.4% vs 11%), and being denied assistance with rental housing (16% vs 9%). Sixteen percent (16%) reported being evicted or threaten with eviction before the lease ended. When they stood for their legal rights, LGBTQ participants, if compared to the general low-income population, were more likely to experience retaliation by a landlord (17% vs 10%).

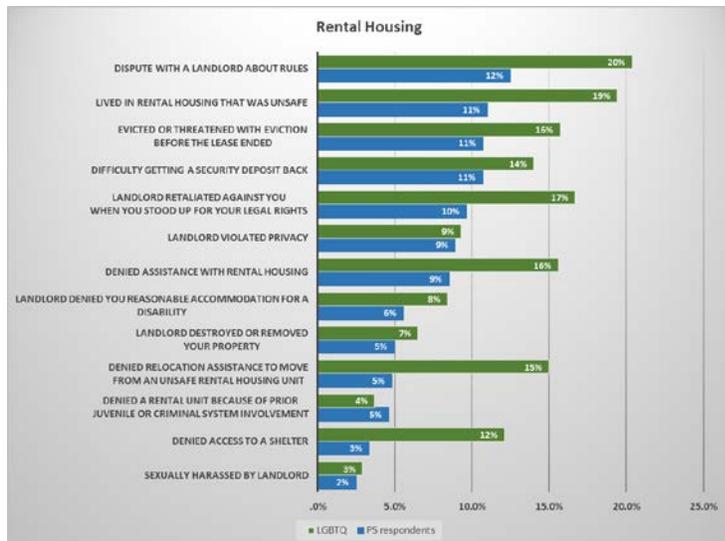


Figure 2: Percent of PS and LGBTQ respondents affected by rental housing problems

LGBTQ respondents, who reported being homeless at the time of the survey, were disproportionately affected by housing problems.

About ten percent (or 9.4%) LGBTQ respondents were homeless at the time of the survey. Of those, 40% reported having been denied a shelter, 54.4% were denied assistance with rental housing, 40% were denied relocation assistance to move from an unsafe rental housing unit, 40% had a dispute with a landlord about the rules, 45.5% experienced retaliation for the landlord when stood for their rights, and 40% had difficulties getting security deposit back.

¹⁷ Only respondents who in the past 12 months were in school or had someone in their immediate household in school, including K-12, a community college, college or university were eligible for questions in Education section.

Education–related problems

Figure 3 breaks down education-related problems and shows the prevalence of problems experienced by PS and LGBTQ respondents. As shown, LGBTQ participants were 2.5 times more likely than participants of the PS survey to have at least one problem in this area (31% vs 12%) (Figure 1).

The most pervasive problem for LGBTQ participants was being denied access to appropriate special educational (SPED) services. If compared to the general low-income population, LGBTQ participants were 3 times more likely to be denied access to SPED services (21% vs 6%, respectively). The next most commonly cited problems were unsafe schools (17% vs 15%, respectively), school suspension (13% vs 9%), and change of school due to multiple moves (13% vs 6%).

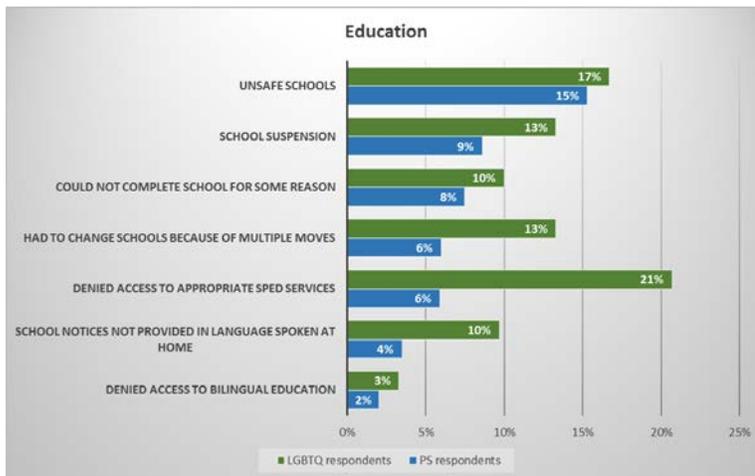


Figure 3: Percent of PS and LGBTQ respondents affected by education-related problems

Employment Problems

In the area of employment, LGBTQ respondents were 1.13 times less likely to report a legal problem than PS respondents (33.6% vs 29.7%) (Figure 1). Figure 4 shows the prevalence of 8 specific employment-related problems among LGBTQ respondents relative to PS respondents.

The largest number of LGBTQ respondents reported not being hired or being fired for reasons unrelated to their qualifications or job performance (16%). This was followed by problems associated with unsafe working conditions (13%), being denied accommodations for a disability (9%), and not being paid wages (8%) (Figure 4). Although the numbers are small, LGBTQ participants were almost 2.5 times more likely than the general low-income population to have a professional license denied or suspended (5% vs 2%).

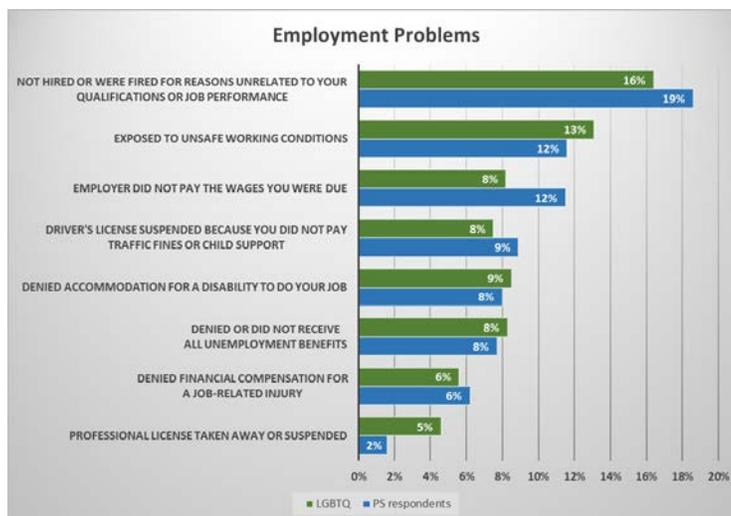


Figure 4: percent of PS and LGBTQ respondents affected by employment problems

Health care

Figure 5 breaks down legal problems related to health care. This shows that PS and LGBTQ participants were similarly affected by most of the problems related to health care.

There were three areas where LGBTQ participants were affected at a higher rate than PS respondents. LGBTQ respondents were almost twice more likely to be denied health care because of their immigration status (7% vs 4%), probably due to the higher percentage of citizens of another country among this group (19.8% vs 4% in PS sample). Further, LGBTQ respondents were twice as likely than PS respondents to experience problems with quality of healthcare in a long-term facility (7% vs 3%) and access to an interpreter (5% vs 3%).

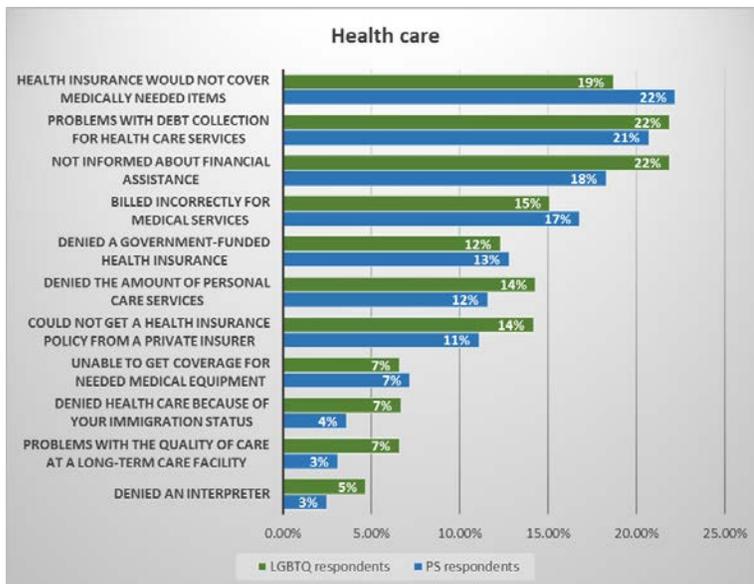


Figure 5: Percent of PS and LGBTQ respondents affected by problems related to health care

Consumer, Financial Services and Credit

In consumer/financial services area, PS respondents overall experienced a higher level of problems than LGBTQ respondents (38% vs 32%). Figure 6 breaks down this category into 12 specific consumer-related problems and depicts the prevalence of each problem for both PS and LGBTQ respondents.

The most common problem affecting both PS and LGBTQ was harassment by creditors or collection agencies (21.4% and 17.5%, respectively). This was followed by problems associated opening a bank account (12%), and problems financing or repossession of a used car (10%).

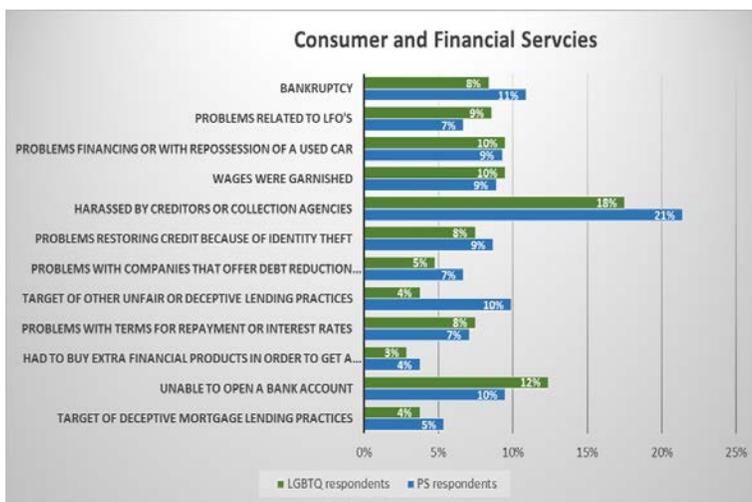


Figure 6: Percent of PS and LGBTQ respondents affected by problems related to consumer/financial services and credit

Utilities and Municipal Services

Overall PS and LGBTQ respondents were similarly affected by problems in this area (33% vs 32%). A breakdown of problems related to utilities and municipal services into 6 specific categories is presented in Figure 7. The largest number of LGBTQ participants reported being mistreatment by law enforcement in neighborhood (19%), having difficulties with getting utility services (16%), lacking law enforcement in neighborhood (15%), and having utilities disconnected due to nonpayment or a billing dispute (14%).

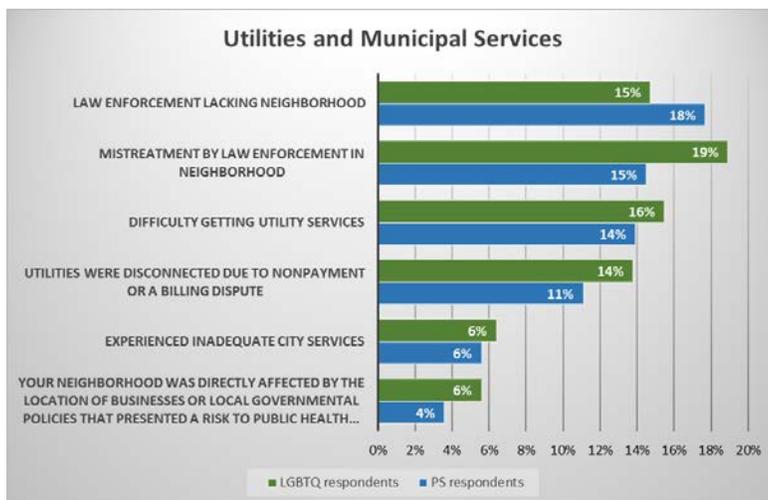


Figure 7: Percent of PS and LGBTQ respondents affected by problems related to utilities and municipal services

The remaining two issues (e.g., inadequate city services, and problems associated to the business location) were reported by less than 7% of LGBTQ respondents.

Estate Planning

Estate planning is an area where PS and LGBTQ respondents have had similar experiences.

Figure 8, that breaks down estate-related problems into four specific problems, shows that the most common problems experienced by LGBTQ respondents were preparing a will or developing an estate plan (11%).

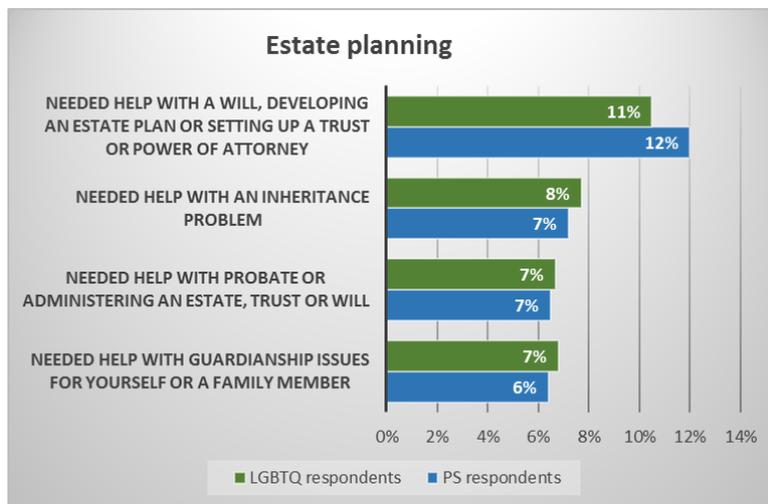


Figure 8: Percent of PS and LGBTQ respondents affected by problems related to estate planning

The remaining three problems – inheritance, probate or administering an estate, trust or will and guardianship issues—affected LGBTQ respondents at a lower rate (see Figure 8).

Family

In the area of family-related problems, the gap in the overall rate of problems was the smallest between PS and LGBTQ respondents (see Figure 1). However, when family-related problems were broken down into eight specific problems, the differences between experiences of LGBTQ and PS respondents became apparent.

While 8.4% of PS respondents said that they were victims of DV/SA, 13% LGBTQ respondents (which disproportionately included young male and transgender male with no children) were victims of DV/SA. The other two problems reported by the large percent of LGBTQ participants were ending a long term relationship with someone they were not married to (12.5%) and problems establishing recognition of the relationship with a same sex partner or spouse (10.6%).

Although the numbers are small, LGBTQ respondents were twice as likely to experience problems involving parentage of a child than PS respondents (6% vs 3% respectively), while PS respondents (which were disproportionately women with children) were almost twice as likely to experience problems with child support obligations (10% vs 6%).

Access to Government Assistance

In the area of needs-based government assistance, LGBTQ respondents were as much likely to report a legal problem as PS respondents (see Figure 10). The largest percent of LGBTQ respondents reported being denied, sanctioned, terminated from or had their level of state governmental assistance reduced (22%). This was followed by problems with applying for the Earned Income Tax Credit (EITC) (10%), being denied federal SSDI (8%) and SSI (7%).

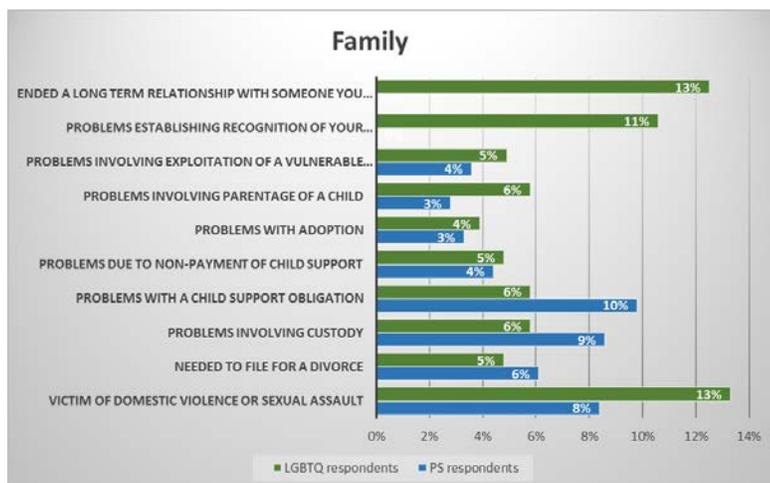


Figure 9: Percent of PS and LGBTQ respondents affected by family-related problems

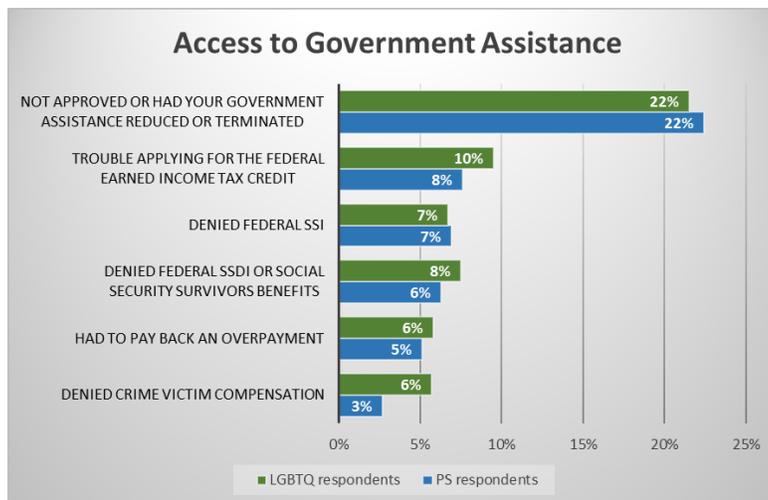


Figure 10: Percent of PS and LGBTQ respondents affected by problems related to government assistance

Prevalence of Legal Problems by Substantive Area and Demographic Group

Master Table 1 shows the prevalence of legal problems by substantive area and by demographic group. The results in this table should be interpreted with caution and not considered generalizable. The numbers of respondents are smaller than 100 for most subgroupings, and results are suggestive of trends and not definite trends. This table documents disproportionalities in the experiences of members of distinct sub-demographic groups relative to the all LGBTQ survey respondents¹⁸. Specifically, Master Table 1 shows that while 30% of all LGBTQ respondents experienced one or more problems relating to employment, 41% of LGBTQ persons with children and 80% of LGBTQ homeless persons experienced at least one legal problem in this area.

The results show that relative to the all LGBTQ respondents, persons with disabilities, respondents with children, immigrants, homeless, and victims of domestic violence and youth experience substantially greater number of problems in a broader range of areas, including, employment, rental housing, municipal services, consumer/financing, health care, family, and education. Differences exist in the type and prevalence of problems respondents experienced depending upon their gender identity and minority status. In particular, men (including transgender men) were more likely than women (including transgender women) to experience problems with rental housing and government assistance, while, women were more likely than men to be affected by problems in the area of family and education. Further, non-white respondents were more likely than white respondents to experience problems with employment, municipal services, consumer/financial services, and healthcare, while white respondents were more likely to be affected by problems in education.

Master Table 1: Prevalence (%) of Legal Problems by Substantive Area and Demographic Group

	All	White	Non-White	Hispanics	Not employed	Persons with a disability	Households with children	Immigrants	Youth	Homeless	DV/SA victims	Men	Women
Employment	30%	24%	34%	29%	31%	34%	41%	29%	33%	80%	38%	32%	26%
Rental Housing	39%	38%	40%	33%	36%	44%	50%	35%	27%	60%	77%	46%	30%
Municipal Services/Utilities	32%	29%	34%	30%	28%	44%	29%	41%	23%	33%	50%	39%	30%
Consumer	32%	26%	36%	31%	33%	50%	50%	32%	18%	60%	46%	36%	30%
Government Assistance	28%	27%	28%	18%	34%	49%	38%	19%	27%	50%	46%	30%	20%
Health care	33%	19%	42%	41%	24%	41%	35%	47%	46%	50%	38%	33%	35%
Family	23%	24%	22%	14%	19%	38%	47%	14%	30%	14%	100%	14%	32%
Education	31%	40%	15%	29%	21%	44%	46%	13%	40%	0%	43%	10%	36%
Estate Planning	15%	12%	15%	16%	16%	23%	40%	20%	9%	33%	15%	14%	17%
Number of respondents	N=106	n=43	n=62	n=44	n=49	n=37	n=17	n=36	n=13	n=10	N=13	n=67	n=37

Note: DV/SA victims stands for Victims of Domestic Violence and Sexual Assault

Note: Men include "Men" and "Transgender Men," while Women include "Women" and "Transgender women".

¹⁸ Table 1 uses red color code to highlight the areas in which the prevalence of problems among demographic groups of victims is 10 or more percent higher than the prevalence for the entire groups of victims reported in column 1.

Discrimination and Unfair Treatment

Figure 11 shows the disparities in the prevalence of discrimination and unfair treatment experienced by LGBTQ respondents on the basis of a state and federal legally protected characteristics relative to PS respondents. LGBTQ survey respondents reported substantially higher levels of discrimination and unfair treatment than PS respondents.

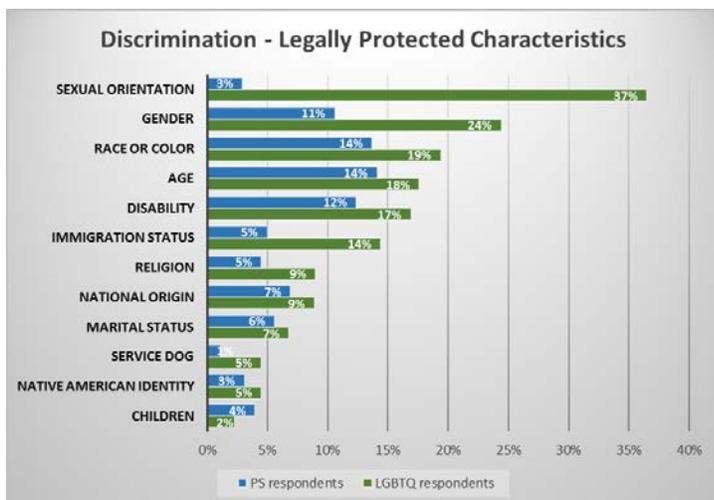


Figure 11: Percent of PS and LGBTQ respondents affected by discrimination or unfair treatment on a basis of legally protected characteristics

Although disparities in the levels of discrimination were evident across practically all personal characteristics, they were the largest for sexual orientation, gender, and immigration status. LGBTQ respondents were about 12 times more likely to experience discrimination on the basis of sexual orientation, two times more likely to be discriminated against based on gender, and three times more likely to be discriminated against based on immigration status.

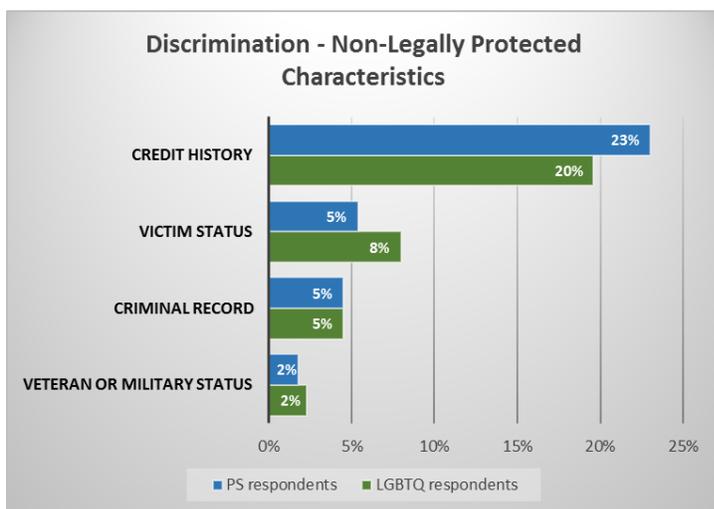


Figure 12: Percent of PS and LGBTQ respondents affected by discrimination or unfair treatment on a basis on non-legally protected characteristics

The rates of discrimination on the basis of non-legally protected characteristics were similar for PS and LGBTQ respondents (see Figure 12).

Because DV/SA victims were disproportionately represented in the LGBTQ sample (14%) relative to PS sample (8%), though not substantially beyond what might be expected for the key target groupings of DV/SA, LGBTQ respondents were 1.6 times more likely than PS respondents to experience discrimination on the basis of their being a victim of domestic violence or sexual assault (8% v. 5%).

Prevalence of Discrimination and Unfair Treatment Based on Demographic Identity across Demographic Group

Master Table 2 documents the extent to which discrimination and unfair treatment differ across sub-groups of LGBTQ respondents. In particular, it shows that relative to all LGBTQ respondents, several sub-groups of LGBTQ individuals are disproportionately affected by discrimination and unfair treatment based on one or more identity characteristics. These sub-groups include persons with disabilities, youth, homeless persons and DV/SA victims.

For example, while 19% percent of LGBTQ respondents indicated that they experienced at least one discriminatory incident in the past year based on their race or color (see Column 1, Master Table 2), several demographic groups, including non-white, immigrants, and DV/SA victims, were discriminated against based on race or color at a disproportionately higher rate (26%, 26%, and 42%, respectively). The most common type of discrimination or unfair treatment was based on sexual orientation (affecting 37% of LGBTQ respondents) followed by gender discrimination (24%). Discrimination based on national origin was half as prevalent than discrimination based on race or color for most demographic groups except homeless LGBTQ individuals. For homeless persons (who are disproportionately male, non-white, and unemployed), discrimination based on national origin (38%) was four times more prevalent than discrimination based on race or color (14%).

Master Table 2: Prevalence (%) of Discrimination and Unfair Treatment Based on Demographic Identity and Demographic Group among LGBTQ Respondents

	All	White	Non-White	Hispanics	Not employed	Persons with a disability	Households with children	Immigrants	Youth	Homeless	DV/SA victims	Men	Women
Race or color	19%	8%	26%	15%	12%	23%	13%	26%	25%	14%	42%	23%	9%
National origin	9%	0%	15%	11%	7%	7%	13%	13%	0%	38%	8%	11%	3%
Religion	9%	3%	14%	11%	10%	14%	14%	3%	0%	29%	31%	7%	9%
Native American Identity	5%	0%	6%	3%	5%	7%	7%	3%	9%	25%	9%	6%	0%
Gender	24%	32%	19%	16%	24%	45%	29%	20%	40%	0%	69%	22%	27%
Marital status	7%	0%	12%	5%	3%	11%	7%	7%	0%	14%	25%	9%	3%
Children in home	2%	0%	2%	3%	0%	7%	7%	0%	9%	0%	0%	0%	3%
Sexual orientation	37%	38%	35%	26%	38%	58%	33%	34%	55%	38%	62%	39%	31%
Age	18%	18%	15%	6%	17%	36%	27%	10%	42%	14%	39%	16%	18%
Veteran	2%	0%	4%	3%	3%	4%	0%	3%	0%	14%	8%	2%	0%
Disability	17%	22%	12%	8%	24%	35%	20%	4%	50%	29%	42%	18%	10%
Service dog	5%	3%	4%	3%	3%	7%	7%	3%	9%	14%	8%	4%	3%
Prior Juv. or crim. record	5%	0%	8%	5%	8%	7%	7%	3%	0%	0%	8%	6%	3%
Credit History	20%	15%	22%	21%	17%	27%	29%	27%	9%	67%	17%	20%	18%
Immigration status	14%	3%	23%	23%	8%	14%	7%	32%	10%	29%	8%	16%	9%
Victim Status	8%	5%	10%	5%	10%	14%	14%	3%	10%	14%	33%	9%	3%
Number of respondents	n=106	n=43	n=62	n=44	n=49	n=37	n=17	n=36	n=13	n=10	n=13	n=67	n=37

Note: Only the groups consisting of a sufficiently representative sample of respondents were selected

Note: DV/SA victims stands for Victims of Domestic Violence and Sexual Assault

Note: Men include “Men” and “Transgender Men,” while Women include “Women” and “Transgender women”.

Discrimination and Unfair Treatment by Substantive Problem Area

Master table 3 shows the relationships between LGBTQ respondents' reporting of problems relating to discrimination and unfair treatment by reference to their demographic identity/characteristics and the substantive problem areas in which the reported acts of discrimination or unfair treatment occurred. Consistent with the results regarding the general low-income individuals surveyed in a random manner, the top three areas where the largest number of LGBTQ respondents experienced discrimination were employment (41%); rental housing (35%); and health care (30%). Due to the age composition of the LGBTQ sample¹⁹, discrimination and unfair treatment in the area of education was more pervasive for LGBTQ respondents than for general low-income population (23% vs 11%).

LGBTQ persons with a disability, individuals with children, youth, homeless, and DV/SA victims in general experience greater levels of discrimination and unfair treatment than others. For example, while 41% of all LGBTQ respondents reported discrimination in the area of employment, 63% of homeless LGBTQ individuals were discriminated against in this area as well as 50% of youth and 50% of DV/SA victims. Master Table 2 (see previous page) which shows that homeless LGBTQ individuals are more likely to be discriminated against based on credit history, national origin, religion, or Native American Identity, suggests the reasons why LGBTQ homeless people might experience discrimination with employment.

Master Table 3: Prevalence (%) of Discrimination and Unfair Treatment Based on Demographic Identity by Substantive Problem Area

	All	White	Non-White	Hispanics	Not employed	Persons with a disability	Households with children	Immigrants	Youth	Homeless	DV/SA victims	Men	Women
Employment	41%	38%	44%	37%	32%	39%	25%	44%	50%	63%	50%	43%	41%
Rental Housing	35%	28%	39%	26%	29%	23%	25%	26%	13%	25%	40%	34%	32%
Home ownership	9%	3%	12%	11%	3%	8%	25%	4%	0%	0%	0%	6%	14%
Utility Services	1%	0%	2%	4%	3%	0%	0%	4%	0%	13%	0%	2%	0%
Municipal Services/Land Use	3%	0%	2%	4%	3%	4%	0%	4%	13%	13%	0%	2%	0%
Law Enforcement	17%	10%	20%	4%	19%	31%	33%	9%	25%	25%	40%	17%	14%
Consumer	20%	10%	24%	22%	16%	31%	17%	30%	13%	25%	20%	21%	14%
Health care	30%	21%	34%	26%	32%	42%	42%	22%	50%	50%	60%	28%	27%
Government Assistance	10%	3%	12%	7%	13%	19%	0%	13%	13%	25%	20%	11%	5%
Education	23%	21%	22%	19%	23%	46%	50%	17%	75%	25%	40%	19%	23%
Government Programs	9%	3%	12%	11%	10%	12%	0%	13%	0%	25%	20%	9%	9%
Access to private business srv	9%	7%	10%	7%	10%	15%	0%	13%	13%	25%	20%	4%	18%
Number of respondents	n=106	n=43	n=62	n=44	n=49	n=37	n=17	n=36	n=13	n=10	n=13	n=67	n=37

Note: Only the groups consisting of a sufficiently representative sample of respondents were selected

Note: DV/SA victims stands for Victims of Domestic Violence and Sexual Assault

Note: Men include "Men" and "Transgender Men," while Women include "Women" and "Transgender women".

¹⁹ Compare to PS respondents, LGBTQ respondents consisted of a higher percent of younger individuals—64.8% were 39 years old or younger—and the percent of seniors was significantly lower among members of this group (2.9% vs 18.5%).

Steps LGBTQ Respondents Take When Faced with Civil Legal Problems

The percent of LGBTQ respondents who self-diagnosed their legal problems prior to taking the survey and tried to get some level of legal help was the same as for PS survey respondents (23.5% versus 24%)²⁰. The percent of LGBTQ respondents who sought but could not get legal help was two times lower than that for PS survey respondents (4.9% versus 11%). There was a correlation between the types of problems that are most often experienced by LGBTQ persons

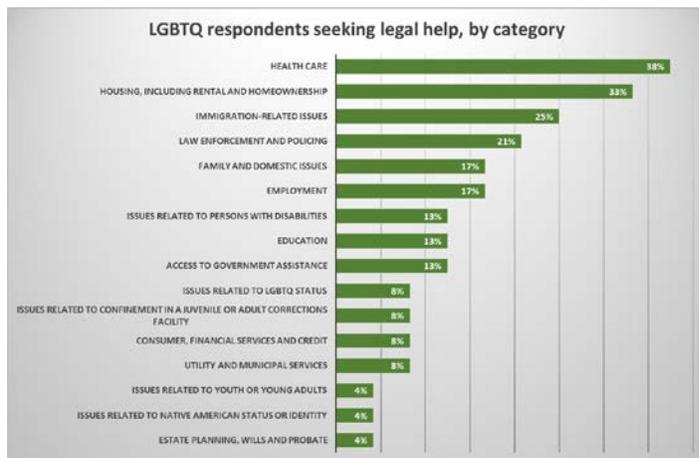


Figure 12: Percent of LGBTQ respondents Seeking Legal Help, by category

and types of problems for which legal help was most often sought.

Specifically, while the greatest prevalence of problems falls in the areas of rental housing (39%), health care (32%), and education (31%), LGBTQ respondents who sought help (23.5%) were more likely to seek legal help with health care problems (38%) and housing (including rental housing and homeownership) (33%).

While education-related problems were reported by 31% of LGBTQ respondents, this is not an area where LGBTQ persons were likely to seek legal help.

The percentage of LGBTQ respondents who sought legal help with immigration-related issues (25%) exceeds those in the PS survey (7%). This difference is attributed to the substantially higher percentage of citizens of another country in LGBTQ sample relative to the PS sample (20% vs 4%). The percentage of LGBTQ respondents who sought legal help with law enforcement (21%) was slightly higher than that for PS respondents (16%), reflecting the differences in sample disposition of two samples, with LGBTQ respondents consisting of a higher proportion of young homeless male/transgender male who are more likely to have negative interactions with law enforcement (e.g., people who are homeless, youth). Only 8% of LGBTQ respondents sought legal help with problems related to their LGBTQ status.

Ability to Solve Legal Problems

Of those LGBTQ respondents who tried to get legal help, 25% went to legal aid, 21% went to a paid private attorney, 21% went to a volunteer (unpaid) private attorney and 21% went to a social or human services organization. The percentage of LGBTQ respondents who were able to solve some portion of their legal problems was slightly higher than for PS survey respondent (52% versus 44%), but the rate of obtaining the complete resolution for their problems was slightly lower (13.8% of LGBTQ respondents versus 17% for PS respondents).

²⁰ 24 (or 23.5%) of LGBTQ respondents sought legal help

LGBTQ Respondents' Views of the Civil Justice System

Perceptions regarding the fairness or effectiveness of the civil justice system for “people like them” and its ability to serve as a forum for the effective resolution of disputes were similar to those shared by respondents to the PS survey. Specifically, 34% of LGBTQ respondents did not believe that people like them have the ability to use the courts to protect themselves and their families (see Figure 13), while 22% of LGBTQ respondents believed that people like them have

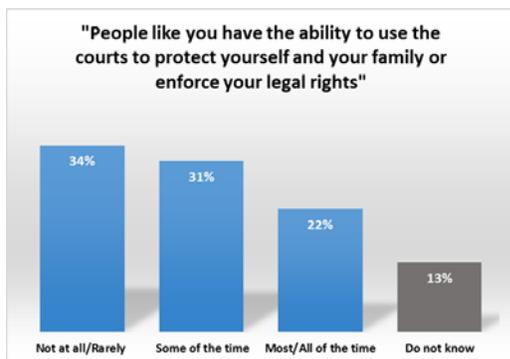


Figure 13: LGBTQ respondents' views of the courts

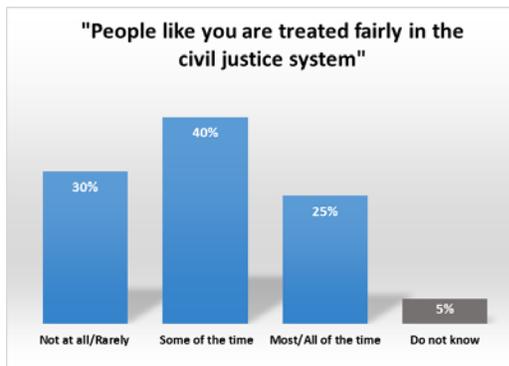


Figure 14: LGBTQ respondents' views on fair treatment

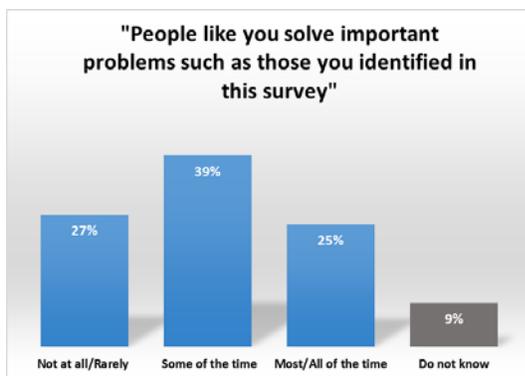


Figure 15: LGBTQ respondents' views on solving problems

the ability to use the courts to protect themselves and their families. For comparison, 41.2% of PS respondents felt that people like them can rarely, if ever, use the courts; while, 25% felt they can use the courts most or all of the time. The experience with the system seemed to affect the views of respondents. Although the numbers are very low, the majority of LGBTQ respondents who sought legal help but could not get it, had less favorable views of the courts (60%).

LGBTQ respondents' views on fair treatment were almost equally split between two opposite ends of the scale (see Figure 14). While 30% of LGBTQ respondents felt that people like them are rarely, if ever, treated fairly in the civil justice system, 25% believed that people like them are treated fairly most or all of the time. Help-seeking experience may lead to less favorable views on fair treatment. Specifically, a majority of those LGBTQ respondents who sought legal help but could not get it, were more likely to feel that people like them are rarely, if ever, treated fairly (60%).

LGBTQ respondents' views on solving problems were also almost equally split between two opposite ends of the scale (see Figure 15). As shown in Figure 15, 27% of LGBTQ participants felt that the civil justice system rarely, if ever, offers value as a forum for solving important problems, while 25% felt that the system is effective most or all of the time. More than a third (38%) of those who tried to get legal help and a majority of those who sought legal help but could not get it (60%), were more likely to feel that people like them are rarely, if ever, can solve important problems.