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# UNDERSTANDING ISSUES FACING LGBT PEOPLE IN THE U.S.



## This report was authored by:

### **Movement Advancement Project**

The Movement Advancement Project's (MAP) mission is to provide independent and rigorous research, insight and communications that help speed equality and opportunity for all people. MAP works to ensure that all people have a fair chance to pursue health and happiness, earn a living, take care of the ones they love, be safe in their communities, and participate in civic life. For more information, visit [www.lgbtmap.org](http://www.lgbtmap.org).

### **Center for American Progress**

The Center for American Progress (CAP) is a think tank dedicated to improving the lives of Americans through ideas and action. CAP combines bold policy ideas with a modern communications platform to help shape the national debate. CAP is designed to provide long-term leadership and support to the progressive movement. CAP's policy experts cover a wide range of issue areas, and often work across disciplines to tackle complex, interrelated issues such as national security, energy, and climate change.

### **GLAAD**

GLAAD rewrites the script for LGBT equality. As a dynamic media force, GLAAD tackles tough issues to shape the narrative and provoke dialogue that leads to cultural change. GLAAD protects all that has been accomplished and creates a world where everyone can live the life they love.

### **Human Rights Campaign**

The Human Rights Campaign (HRC) seeks to improve the lives of LGBT Americans by advocating for equal rights and benefits in the workplace, ensuring families are treated equally under the law, and increasing public support among all Americans through innovative advocacy, education and outreach programs. HRC works to secure equal rights for LGBT individuals and families at the federal and state levels by lobbying elected officials, mobilizing grassroots supporters, educating Americans, investing strategically to elect fair-minded officials, and partnering with other LGBT organizations.

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## About this report:

*Understanding Issues Facing LGBT People in the U.S.* is a primer that introduces the major areas in which LGBT people face legal barriers to fully participating in life and provides a summary of what advocates are doing to work for change. This report incorporates information current as of June 2019. Visit [www.lgbtmap.org/understanding-lgbt-issues](http://www.lgbtmap.org/understanding-lgbt-issues).

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Note to Reader: This report aims to provide a high-level, easy-to-read summary of many of the key issues facing LGBT people in the United States. The authors advise the reader that this type of snapshot report cannot adequately do justice to the nuance and complexity of the issues—nor to the diversity of interests and priorities across the LGBT community. This report aims only to lay some basic groundwork and create high-level understanding. For readers wishing to deepen their knowledge of these issues, we provide a resource list and link to an online resource page at the end of this report.



## INTRODUCTION

June 2019 marks the 50th anniversary of the police raid and subsequent riot at the Stonewall Inn, a bar in New York City. While the movement for increased visibility and advocacy for lesbian, gay, bisexual, and transgender (LGBT) people had been underway in various cities across the country prior to the Stonewall Inn raid, this moment kicked off new and renewed efforts to counter discrimination against LGBT people.

As LGBT people, their allies, and advocates across the country mark this meaningful anniversary, it is an apt time to examine the work that lies ahead for ensuring that all people have the ability to earn a living, pursue health and happiness, take care of the ones they love, be safe in their communities, and serve their country, regardless of who they are or whom they love. (see *Figure 1*).

Unfortunately, unfair laws, lack of legal protections, institutional barriers, and stigma stand in the way of these very basic goals for LGBT people. This report

provides a high-level overview of the added burdens facing LGBT people in the United States, as well as a look at what organizations and individuals are doing to make sure all people are treated equally and fairly.

### Who are LGBT People?

Just like other Americans, LGBT people have families, work hard to earn a living, pay taxes, and serve their communities and their country. Analysis of Gallup polling data shows that 4.5% of the adult U.S. population identifies as lesbian, gay, bisexual, or transgender, with a higher percentage of youth identifying as LGBT or queer.<sup>1</sup> Applying these figures to the total number of adults in the United States, this suggests that there are roughly 11 million LGBT adults nationwide.<sup>2</sup>

LGBT people live in every part of the United States, including in rural communities. The 2010 U.S. Census shows same-sex couples live in every congressional district across the country and in 93% of U.S. counties, and an estimated 2.9-3.8 million LGBT people live in rural parts of the country.<sup>3</sup>

**Figure 1:** The Goal: Equal Opportunity to Participate in American Life





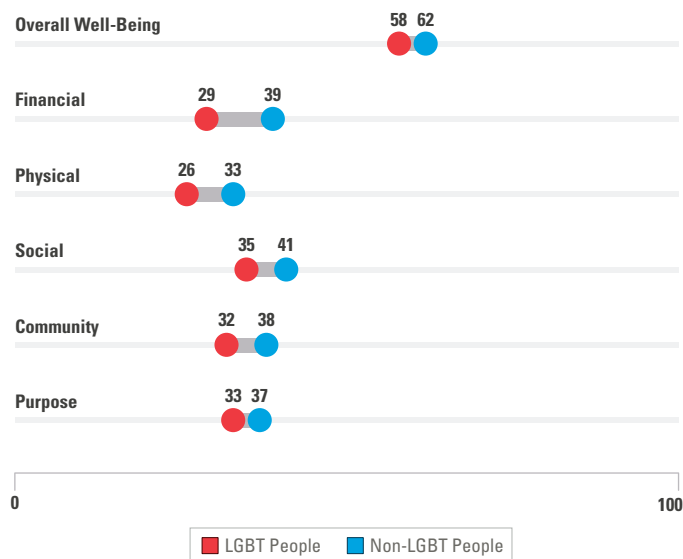
The LGBT community is racially and ethnically diverse. People of color are more likely than white people to identify as LGBT: while 4% of white adults identify as LGBT, this number increases to 4.9% of Asian adults, 5% of Black adults, and 6.1% of Latinx adults.<sup>4</sup> A 2015 survey of more than 27,000 transgender people in the United States found that 38% identified as people of color.<sup>5</sup>

Young people are also more likely to identify as LGBT: 8.1% of Millennials identify as LGBT, compared to 3.5% of Generation X, 2.4% of Baby Boomers, and 1.4% of people born before 1945.<sup>6</sup> And women are more likely than men to identify as LGBT: 5.1% of women identify as LGBT compared to 3.9% of men.<sup>7</sup>

LGBT people are neighbors, partners, parents, coworkers, and service members. Approximately 29% of LGBT people are currently raising a child under the age of 18.<sup>8</sup> There are 6 million people in the United States with an LGBT parent, and analysis of three different sources suggests that between 2.0 and 2.8 million American children are *currently* being raised by LGBT parents.<sup>9</sup> More than 1 million LGBT veterans served in the United States military, and an estimated 50,000 currently serve in active duty or in the National Guard and Reserves.<sup>10</sup>

Despite the fact that LGBT people have higher levels of education,<sup>11</sup> research finds that LGBT people, particularly LGBT families with children and LGBT families of color, have higher rates of poverty.<sup>12</sup> LGBT people report a lower

**Figure 2: LGBT People Report Lower Well-Being**  
Gallup-Healthways Well-Being Index Scores, by LGBT Status



Source: Gary J. Gates, "LGBT Americans Report Lower Well-Being," Gallup Well-Being, August 25, 2014, accessed September 9, 2014, <http://www.gallup.com/poll/175418/lgbt-americans-report-lower.aspx>.

overall sense of well-being than non-LGBT people, with LGBT Americans reporting an average well-being score of 58 compared to 62 for non-LGBT people (see *Figure 2*).<sup>13</sup> This index rates well-being along five axes: financial, physical, social, community, and purpose.<sup>14</sup>

## Understanding the Terminology: Lesbian, Gay, Bisexual, and Transgender

The terms "lesbian," "gay," and "bisexual" describe a person's sexual orientation, or a person's pattern of physical, romantic and/or emotional attraction (or lack thereof) to other people. "Lesbian" typically refers to women whose pattern of attraction is predominantly toward other women. "Gay" typically refers to people (of all genders, though more commonly used to describe men) whose pattern of attraction is predominantly toward people of the same gender. "Bisexual" refers to people (of all genders) whose pattern of attraction includes both people of their own gender and of different genders.

The term "transgender" is independent of sexual orientation and describes individuals whose gender identity (the sense of gender that every person feels inside) and/or gender expression (their behavior, clothing, haircut, voice, and body characteristics) is different from the sex assigned to them at birth. At some point in their lives, many (though not all) transgender people begin living publicly as the gender they know themselves to be. For some, though not all, this transition may include medical steps such as hormones or surgery. However, a person's transgender identity is not determined by medical or physical changes, but rather by the person's own self-identification. People who are not transgender are referred to as "cisgender," meaning that their gender identity aligns with the sex they were assigned at birth.

## EQUAL OPPORTUNITY FOR LGBT PEOPLE



**THE OPPORTUNITY TO EARN  
A LIVING AND PROVIDE FOR  
OURSELVES AND OUR FAMILIES**

### Fair and Inclusive Workplaces

The basic American bargain is that people who work hard and meet their responsibilities should be able to succeed and provide for their families. Majorities of Americans in every state—and 71% of Americans nationwide—believe that workers should be treated fairly and equally and that no one should be fired for reasons that have nothing to do with their job performance.<sup>15</sup> This basic bargain is not just an idea—it is embedded in laws that promote equal access to jobs and that protect workers from unfair practices. But these laws do not protect everyone, despite the fact that 67% of Americans believe that a federal law explicitly protects LGB workers and one in three believe transgender workers are explicitly protected from discrimination.<sup>16</sup>

America's estimated 5.4 million LGBT workers<sup>17</sup> face inequality, unfairness, harassment, and discrimination in the workplace. Gallup data show that 9% of LGBT people reported being unemployed compared to 5% of non-LGBT people.<sup>18</sup> Transgender workers have three times the unemployment rate of the population as a whole.<sup>19</sup> According to the Williams Institute, 60% of lesbian, gay, and bisexual employees reported

**25%** of LGBT people report experiencing discrimination based on sexual orientation or gender identity in the past year—half of whom said it negatively impacted their work environment



Source: Singh, S. & Durso, L. E. (2017). Widespread Discrimination Continues to Shape LGBT People's Lives in Both Subtle and Significant Ways. Center for American Progress.

ever being fired or denied a job, compared to 40% of cisgender heterosexual people.<sup>20</sup> Research by the Center for American Progress and the 2015 U.S. Transgender Survey found that 25% of LGBT people have experienced discrimination in the past year alone, and 30% of transgender people reported being fired, denied a promotion, or experiencing some other mistreatment at work in the past year.<sup>21</sup>

The federal government, America's largest employer, currently prohibits discrimination against federal workers on the basis of sexual orientation and gender identity and prohibits such discrimination by federal contractors as well. Existing federal law prohibits discrimination based on sex, which many federal courts—as well as the Equal Employment Opportunity Commission (EEOC) and the Department of Labor—have determined also prohibits

### U.S. Supreme Court to Hear LGBT Employment Cases in 2019-2020 Term



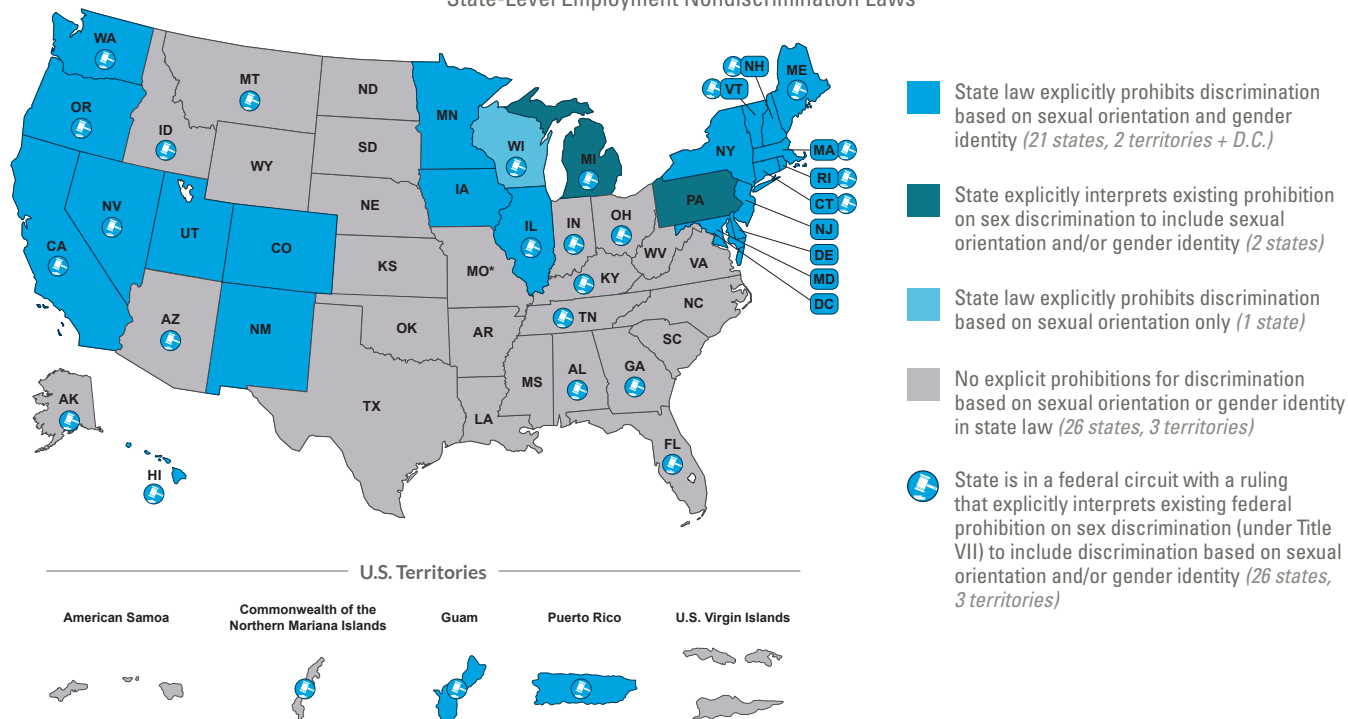
Aimee Stephens (right) and her wife Donna. Photo credit: ACLU

The U.S. Supreme Court will be hearing three cases considering whether federal employment law's prohibition on sex discrimination includes discrimination based on sexual orientation and gender identity.

One case is that of Aimee Stephens. Aimee worked as a funeral director at R.G. & G.R. Harris Funeral Homes when she informed the funeral home's owner that she is a transgender woman and planned to start dressing in appropriate business attire for a woman. The owner fired her two weeks later, explaining that it would be "unacceptable" for her to present and dress as a woman. The Sixth Circuit Court of Appeals ruled in March 2018 that she was discriminated against in violation of Title VII.

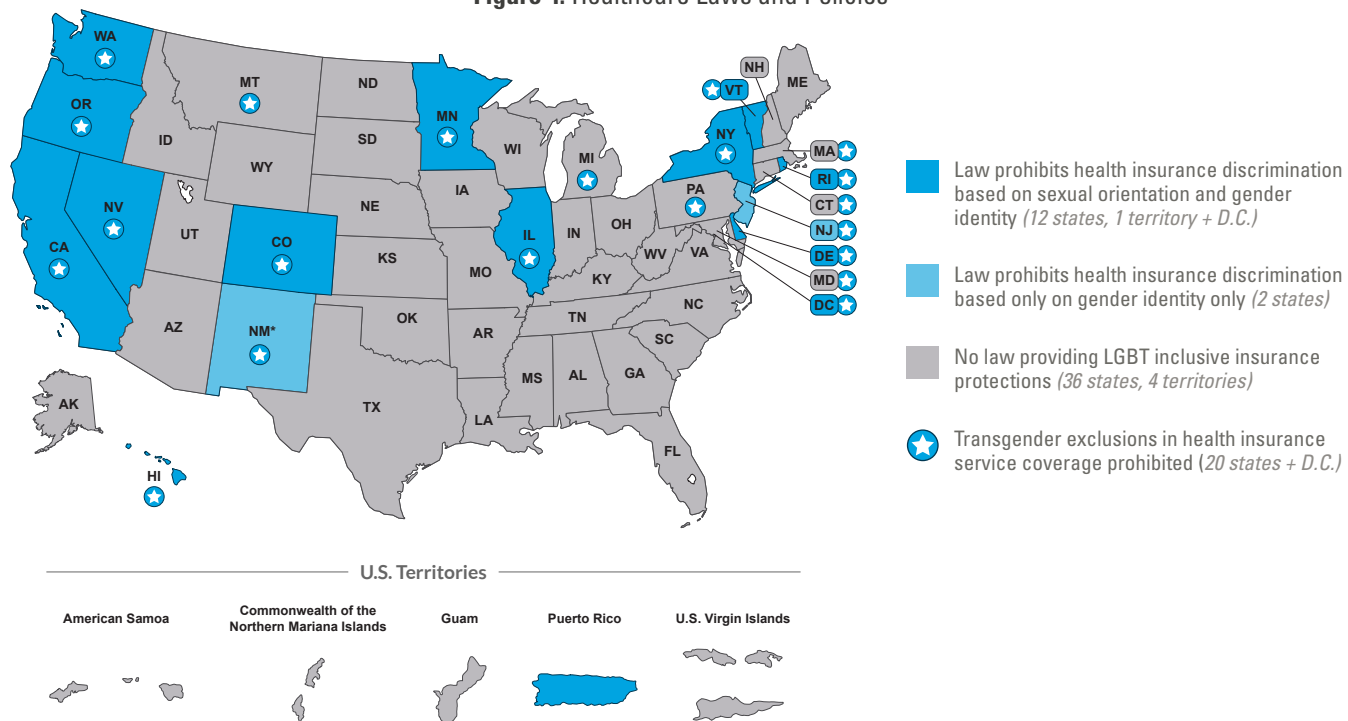
**Figure 3: State-Level Employment Nondiscrimination Laws**

State-Level Employment Nondiscrimination Laws



Source: Movement Advancement Project, "LGBT Equality Maps: Nondiscrimination Laws."

**Figure 4: Healthcare Laws and Policies**



\*Note: New Mexico's Bulletin 2018-013 bans exclusions of transgender-related care. It also prohibits discrimination on the basis of gender identity.  
Source: Movement Advancement Project, "LGBT Equality Maps: Healthcare Laws and Policies."



workplace discrimination based on sexual orientation and gender identity.<sup>22</sup> This means that, currently, LGBT workers have federal protections against employment discrimination. However, in the 2019-2020 term, the U.S. Supreme Court is scheduled to consider a series of cases about whether to take away protections for LGBT people under these federal employment laws. Advocates are working to pass federal legislation that would clarify these protections and explicitly add sexual orientation and gender identity as protected categories in federal law, alongside existing categories such as sex and race.

At the state level, and as shown in *Figure 3* on the previous page (updated in real-time at [www.lgbtmap.org/equality-maps/non\\_discrimination\\_laws/employment](http://www.lgbtmap.org/equality-maps/non_discrimination_laws/employment)), fewer than half of states explicitly prohibit employment discrimination against LGBT people. This means that over half of the U.S. LGBT population can be fired, denied a promotion, or not hired because of their sexual orientation or gender identity, according to their state's law. In states that lack workplace protections, advocates are working to pass nondiscrimination laws.

At the local level in states without statewide employment protections for LGBT people, advocates are working with municipalities to pass local nondiscrimination ordinances that protect LGBT residents. These ordinances have created local-level, LGBT-inclusive protections for as many as 60% of a state's residents, as in the case of Florida. By MAP's tracking, there are currently more than 280 cities and counties that have nondiscrimination ordinances prohibiting discrimination based on sexual orientation and gender identity (in states without statewide protections).<sup>23</sup>



#### THE ABILITY TO PURSUE HEALTH AND HAPPINESS

### Access to Health Insurance

LGBT people are less likely than non-LGBT people to have health insurance coverage (15% of LGBT people lack health insurance compared to 12% of their peers).<sup>24</sup> LGBT people of color and low- and middle-income LGBT people are even less likely to have health insurance.<sup>25</sup> Furthermore, employment discrimination traps many LGBT people in lower-wage jobs that may not offer health insurance at all.<sup>26</sup>

**Transgender workers often face denials of coverage**, higher premiums, and exclusions for both basic and transition-related care. In fact, some insurers have refused to provide transgender people with health coverage entirely. These blanket exclusions are prohibited under the Affordable Care Act's nondiscrimination provisions, though those protections have been challenged in court and the Trump administration is working to rescind them. Additionally, 21 states, 2 territories, and the District of Columbia have passed laws prohibiting discrimination in health insurance based on sexual orientation and gender identity, as shown in *Figure 4* on the previous page.

### Physical and Mental Health

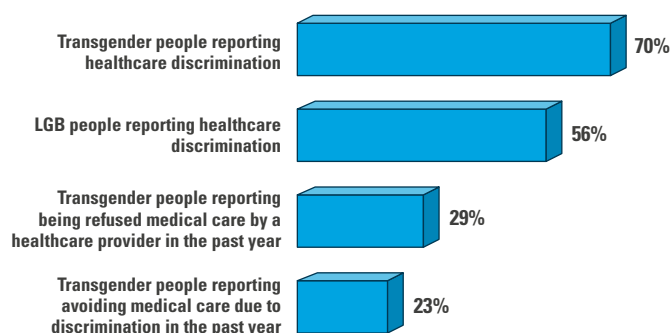
When lack of health insurance is coupled with the daily stress of discrimination, it is not surprising that **LGBT people have poorer health outcomes**, including higher risk of chronic illness, chronic physical conditions, HIV/AIDS, psychological distress and mental health disorders, and overall poorer health.<sup>27</sup> LGBT adults say they are more likely to delay medical care, in part because of a fear of discrimination or lack of understanding by healthcare providers.<sup>28</sup>

HIV-related healthcare remains costly, and securing adequate funding for care, prevention, and research is a constant challenge. Advocates are working to improve treatment and care services, especially for at-risk communities, including older adults, people in correctional facilities, people of color, and transgender people. In addition, **HIV criminalization statutes** and state laws that criminalize the transmission of HIV continue to **disproportionately punish HIV-positive people for potential exposure to the virus**. Sentences for those who are HIV-positive are often irrationally harsh and often ignore scientific fact regarding how and when the virus is transmitted.<sup>29</sup>

### Access to Competent and Welcoming Healthcare Providers

Even when LGBT people and their families can obtain health insurance, they may still face **inhospitable healthcare environments** (see *Figure 5* on the next page). **A recent survey found that 56% of lesbian, gay, and bisexual respondents and 70% of transgender or gender-nonconforming respondents had been discriminated against in a healthcare setting.**<sup>30</sup> Some professional healthcare staff, including physicians,

**Figure 5: LGBT People Report High Rates of Healthcare Discrimination**



Source: Lambda Legal, "When Health Care Isn't Caring: Lambda Legal's Survey of Discrimination Against LGBT People and People with HIV," 2010, <https://www.lambdalegal.org/publications/when-health-care-isnt-caring>; Sandy James et. al., "The Report of the 2015 U.S. Transgender Survey," National Center for Transgender Equality, 2017, <https://www.transequality.org/sites/default/files/docs/USTS-Full-Report-FINAL.PDF>; Shabab Ahmed Mirza and Caitlin Rooney, "Discrimination Prevents LGBTQ People from Accessing Health Care," Center for American Progress, 2018, <https://www.americanprogress.org/issues/lgbt/news/2018/01/18/445130/discrimination-prevents-lgbtq-people-accessing-health-care>.

counselors, and receptionists, are hostile or unwilling to work with LGBT people, while others are not trained to do so. Additionally, there are increasing efforts at both the state and federal efforts to expand the ability of healthcare providers to refuse to provide care for LGBT people, among others. And while federal regulations require hospitals participating in Medicare and Medicaid to prohibit discrimination in hospital visitation based on sexual orientation and gender identity, state laws and enforcement of federal regulations vary, and LGBT people still experience discrimination.

### Access to Identity Documents Needed for Daily Living

Transgender people face substantial obstacles in daily life because they may be unable to obtain identity documents that reflect their gender. Many **states make it difficult (or impossible) to obtain a new birth certificate, driver's license, or other identity documents** with a corrected gender (see *Figure 6* on the following page, updated in real time at [www.lgbtmap.org/equality-maps/identity\\_document\\_laws](http://www.lgbtmap.org/equality-maps/identity_document_laws)). Some states will only issue an obviously amended birth certificate, which can draw attention to changes. Additionally, states may require that transgender people have proof of surgery or a court order in order to obtain accurate documents, which presents costly and intrusive burdens. A revised birth certificate may be required to make changes to a driver's license or other

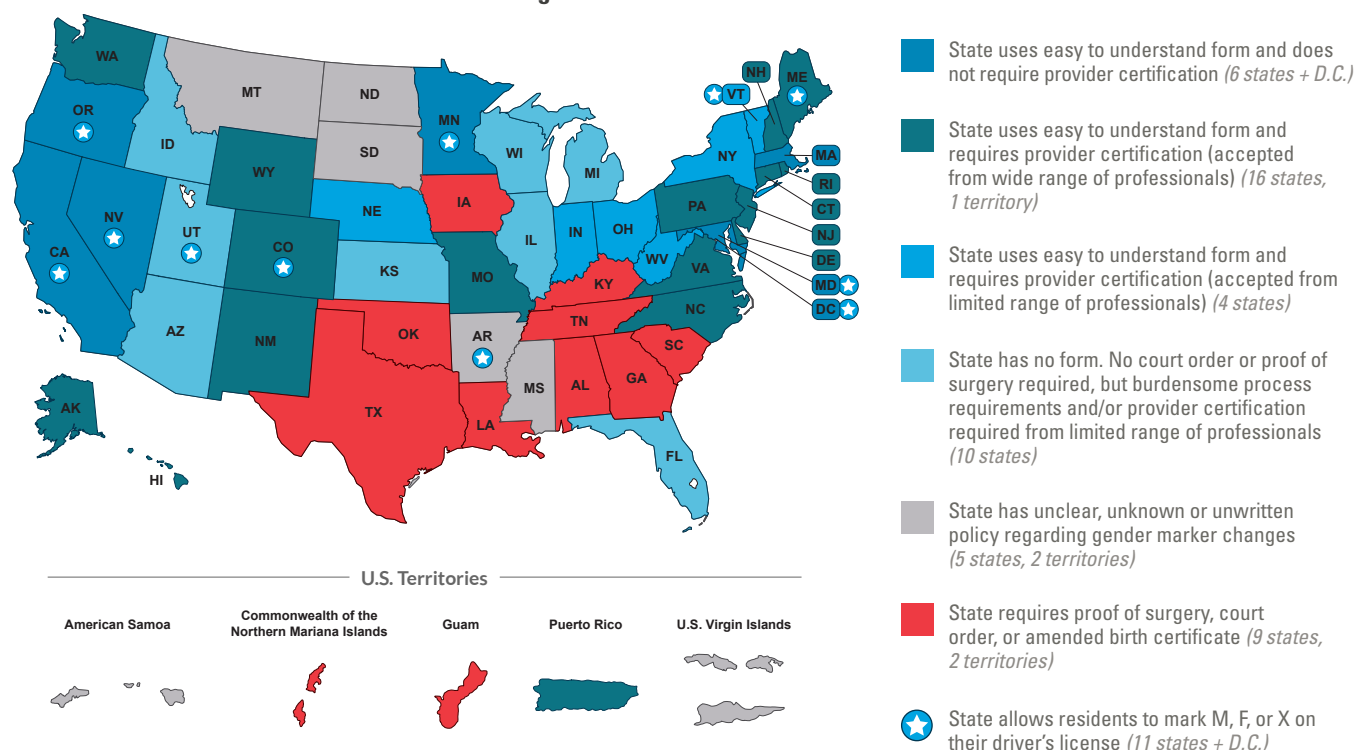
identity documents. When transgender people's identity documents, such as a driver's license, do not reflect their current gender—or when a birth certificate is amended rather than reissued—transgender people are at risk for being "outed." This can result in discrimination, physical violence, and denial of employment, housing, or public benefits. Advocates are working with states to modernize processes for obtaining accurate documents.

### Freedom from Discrimination

Many LGBT people experience discrimination when going about their daily activities, whether eating at a restaurant with their families or friends, trying to obtain safe, clean housing, or applying for a loan. One study found that in 16% of cases, same-sex couples encountered discrimination when trying to rent or buy a home, and another study found that 30% of transgender respondents had experienced housing discrimination in the past year because of their gender identity or expression.<sup>31</sup> Under federal law, **LGBT people are not explicitly protected from discrimination in housing, public accommodations, credit, or employment** (discussed above). However, in 2012 the Department of Housing and Urban Development (HUD) issued the Equal Access to Housing rule, which ensures that HUD programs, including public housing, loans, and federally-funded shelters are open to all people regardless of sexual orientation, gender identity, or marital status. Similar to the ways in which courts have ruled that the prohibition on sex discrimination in federal employment law includes discrimination based on sexual orientation and gender identity, courts have issued similar rulings in the context of housing, education, and credit. Advocates are working to pass both federal and state nondiscrimination laws that would protect LGBT people from discrimination when seeking housing, accessing public accommodations (such as restaurants and hotels), or when applying for loans. A 2018 poll found that 69% of Americans support laws prohibiting discrimination against LGBT people in employment, housing, and public accommodations.<sup>32</sup>

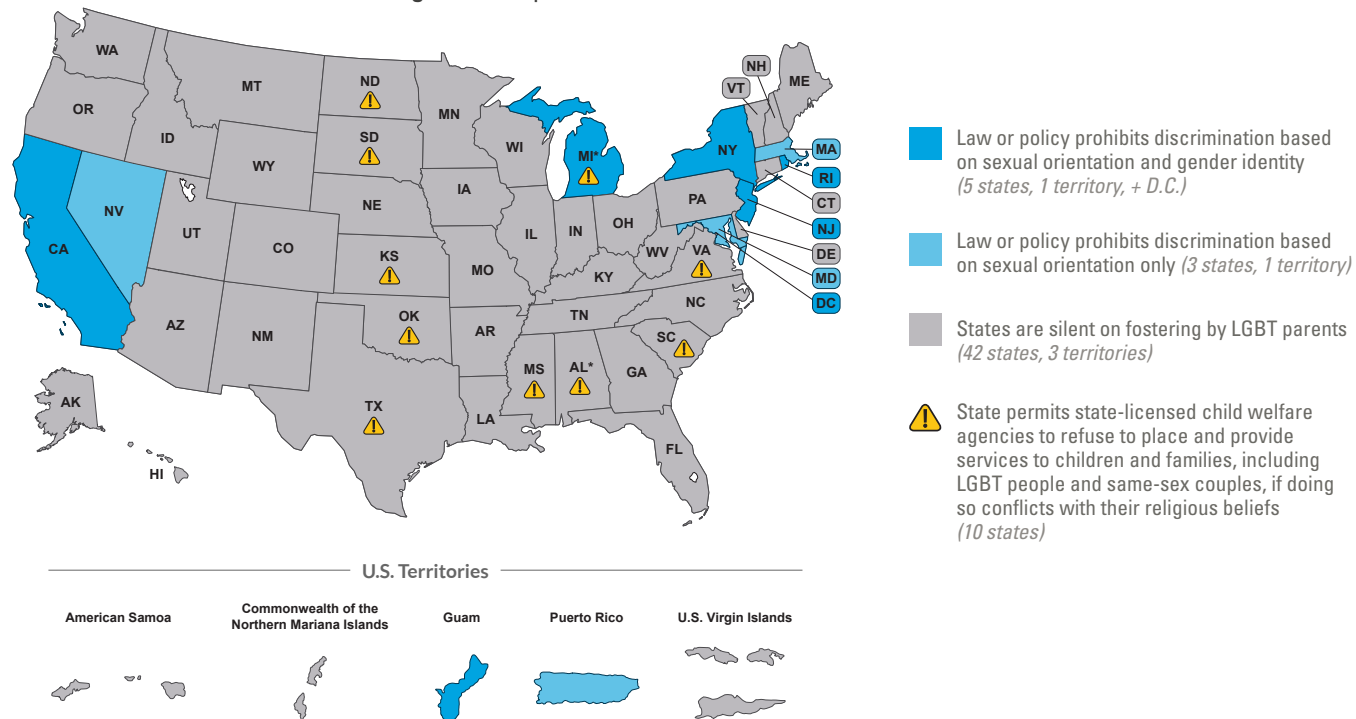
Adding to the challenges facing LGBT people in daily life, businesses are newly emboldened to deny service to LGBT people. Claiming "religious or moral" objections, businesses have sought exemptions to state nondiscrimination laws that ensure that all people are treated fairly in places of public accommodations. Almost six in ten (57%) of Americans oppose allowing small business owners to refuse products or services to gay or lesbian customers.<sup>33</sup>

Figure 6: Driver's License Laws



\*Note that New York City has its own policy in place  
Source: Movement Advancement Project, "LGBT Equality Maps: Identity Document Laws."

Figure 7: Adoption Nondiscrimination Laws for Parents



\*Note: Alabama and Michigan permit discrimination only by child service agencies that do not receive government funding.  
Source: Movement Advancement Project, "LGBT Equality Maps: Foster and Adoption Laws."



## THE ABILITY TO TAKE CARE OF THE ONES WE LOVE

### Building and Protecting Our Families

A recent survey found that 63% of LGBTQ people ages 18-35 are considering expanding their families—either becoming new parents or having more children.<sup>34</sup> And while marriage equality has vastly expanded the ability of LGBT people to secure legal ties with the children they are parenting, there remain challenges for LGBT people and their families.

First, many LGBT people foster or adopt children through the child welfare system. In fact, research finds that same-sex couples are more likely to be foster and adoptive parents than are different-sex couples.<sup>35</sup> And yet a growing number of states permit state-contracted and taxpayer-funded child welfare agencies to refuse to consider qualified LGBT people, same-sex couples, interfaith couples, single people, or people of minority faiths, as shown in *Figure 7* on the previous page. In 2019, the Trump administration expressed support for these exemptions and indicated they would seek to permit federally-funded agencies to discriminate. At the same time, child welfare and LGBT advocates are working to increase the number of states that prohibit discrimination in the child welfare system based on sexual orientation and gender identity. Advocates are also working to pass federal legislation that would ensure all families and youth in the system are treated fairly.

Second, some LGBT families form using assisted reproductive technology, which may include using a sperm or egg donor, a surrogate, or both. Parental recognition for parents who create families in these ways continues to evolve in ways that allow all parents who are parenting children to be legally recognized as parents. Yet, there remain challenges, particularly as some states strictly limit surrogacy, some states require that couples be legally married to both be recognized to a child born to them, and other states limit recognition to just two parents.

### Caring for a Sick Family Member

Current federal law allows most workers to take unpaid, job-protected leave to care for a spouse, parent, or child. The lack of paid leave and the limitations on which employers are covered by federal law has led a growing number of states to pass medical and family leave laws.

These laws are particularly important for LGBT people for several reasons. First, LGBT people may or may not have legal connections to people for whom they are responsible. It may be that an LGBT parent is not legally recognized as a parent or that an LGBT person is providing care for a member of their “chosen family.” A survey from the Center for American Progress found that 42% of LGBT people reported taking leave to care for a member of their chosen family, as did 32% of all people in the United States.<sup>36</sup>

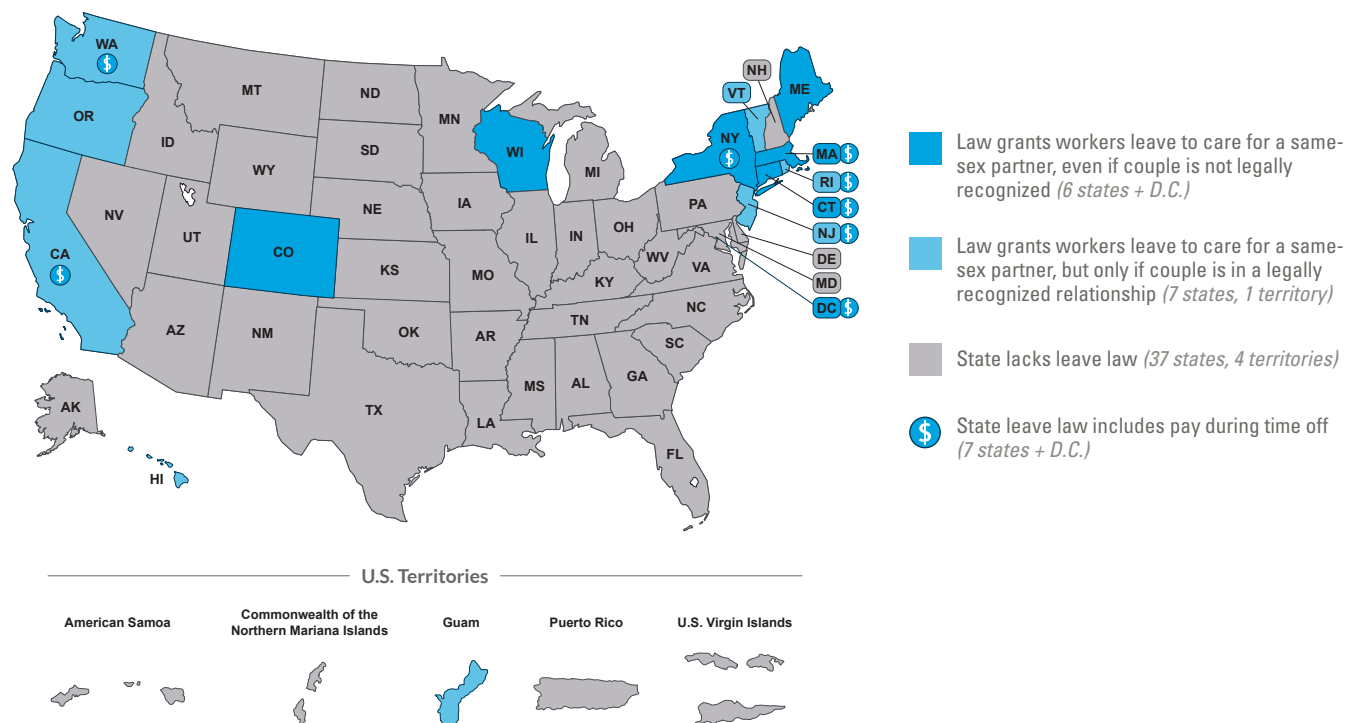
Second, paid leave is critical for all people. Yet, given higher rates of economic insecurity for LGBT people, access to paid leave means that LGBT people won’t be placed in a situation of choosing between work and caregiving.

A growing number of states have adopted expansive definitions of family that reflect today’s families and programs that make paid leave a reality. Additionally, advocates continue to push for federal legislation that would allow for paid leave. As shown in *Figures 8* and *9* on the next page (updated in real-time at [www.lgbtmap.org/equality-maps/fmla\\_laws](http://www.lgbtmap.org/equality-maps/fmla_laws)), 13 states, the District of Columbia, and Puerto Rico have state-level medical leave laws that are inclusive of same-sex couples, and nine states, the District of Columbia, and Guam allow workers to take leave for a child whom the worker is parenting, even if the worker lacks a legal or biological relationship to the child.

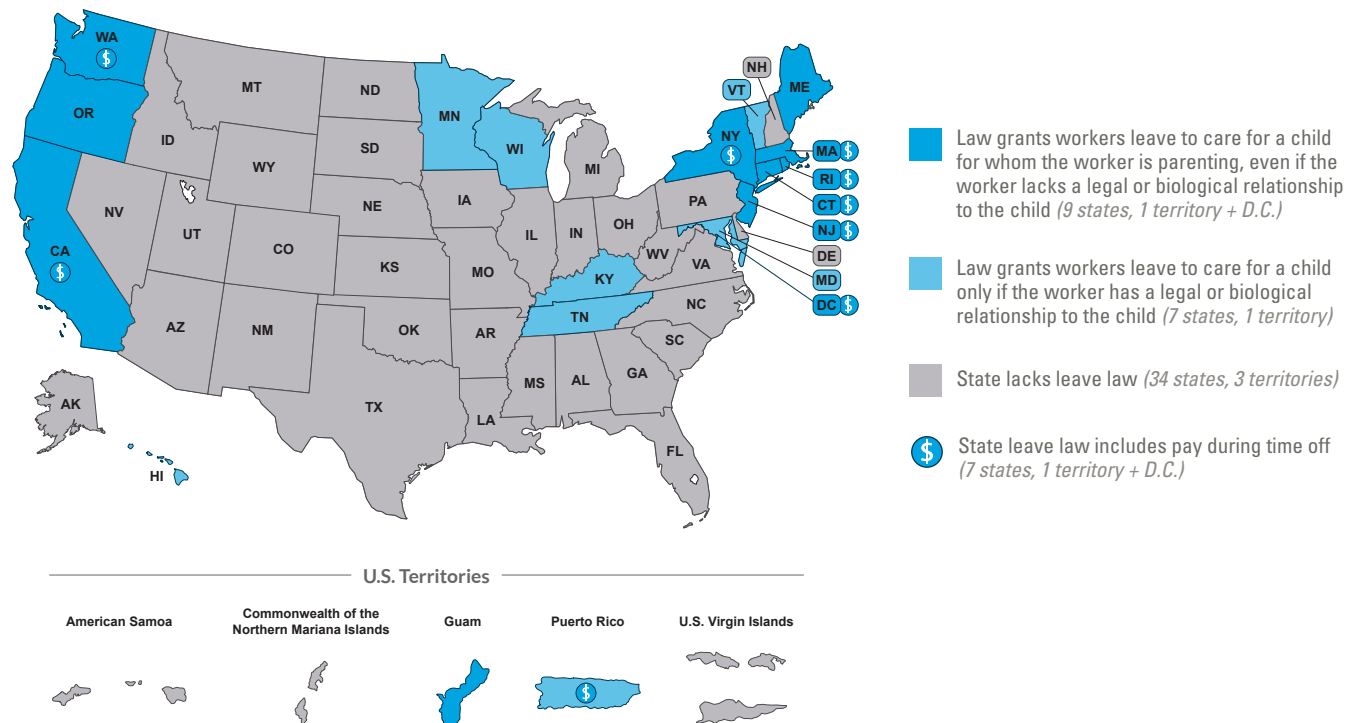
### Immigration

Living in the United States, LGBT immigrants, whether documented or not, are more likely to come into contact with law enforcement officials. The frequency of these interactions is likely increased by quotas set by Congress to detain a certain number of immigrants each day. Additionally, an increasing number of LGBT people, particularly transgender women from Central America, have come to the United States seeking asylum. Once detained, LGBT immigrants are especially vulnerable to discrimination and mistreatment. Often held in prison-like conditions, LGBT immigrants, including asylees, face sexual assault, denial of medical care, physical and mental abuse, and placement in solitary confinement.<sup>37</sup>

Without comprehensive immigration reform, the estimated 904,000 LGBT adult immigrants in the United States today will continue to face heightened risk and discrimination.<sup>38</sup>

**Figure 8: State Family Leave Laws: Spouse/Partner**

Source: Movement Advancement Project, "LGBT Equality Maps: Family Leave."

**Figure 9: State Family Leave Laws: Children**

Source: Movement Advancement Project, "LGBT Equality Maps: Family Leave."





## THE ABILITY TO BE SAFE IN OUR COMMUNITIES

### Inclusive Hate Crime Laws

Recent statistics from the Federal Bureau of Investigation (FBI) and the National Coalition of Anti-Violence Programs (NCAVP) show that **crimes against LGBT people** remain a serious problem. According to the FBI, 16% of reported hate crimes in 2017 included some form of sexual orientation bias,<sup>39</sup> while 2% were motivated by gender identity bias. The latest NCAVP report found a record number of hate violence homicides in 2017, with transgender or gender nonconforming people and people of color most often being the victims.<sup>40</sup>

Laws exist to prosecute perpetrators of crimes motivated by anti-LGBT bias. The **Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act of 2009** gives the Department of Justice the ability to investigate and prosecute crimes when an individual is targeted because of actual or perceived gender, sexual orientation, or gender identity, along with a number of other categories. Twenty states, two territories, and the District of Columbia have **state hate crimes laws** that apply to individuals who are targeted because of their

sexual orientation and/or gender identity. An additional thirteen states have laws that cover only sexual orientation (see *Figure 10* on the next page, updated in real-time at [www.lgbtmap.org/equality-maps/hate\\_crime\\_laws](http://www.lgbtmap.org/equality-maps/hate_crime_laws)). Advocates are working to ensure that all states have fully inclusive hate crimes laws, based on the idea that such laws send a message that violence against LGBT people is unacceptable.

### Safe Schools

News coverage of bullying and violence against youth known or believed to be LGBT has spurred unprecedented discussion about **bullying and harassment**. Currently, however, **safe schools laws** protect students from bullying based on sexual orientation and gender identity in only 21 states, two territories, and the District of Columbia (see *Figure 11* on the following page, updated in real-time at [www.lgbtmap.org/equality-maps/safe\\_school\\_laws/bullying](http://www.lgbtmap.org/equality-maps/safe_school_laws/bullying)). Fourteen states, one territory, and the District of Columbia prohibit discrimination in schools based on sexual orientation and gender identity (see *Figure 12* on page 12, updated in real-time at [www.lgbtmap.org/equality-maps/safe\\_school\\_laws/discrimination](http://www.lgbtmap.org/equality-maps/safe_school_laws/discrimination)). Advocates continue to work for passage of stronger policies and additional state-level laws, but they are also advocating for passage of the federal **Student Non-Discrimination Act** and **Safe Schools Improvement Act**

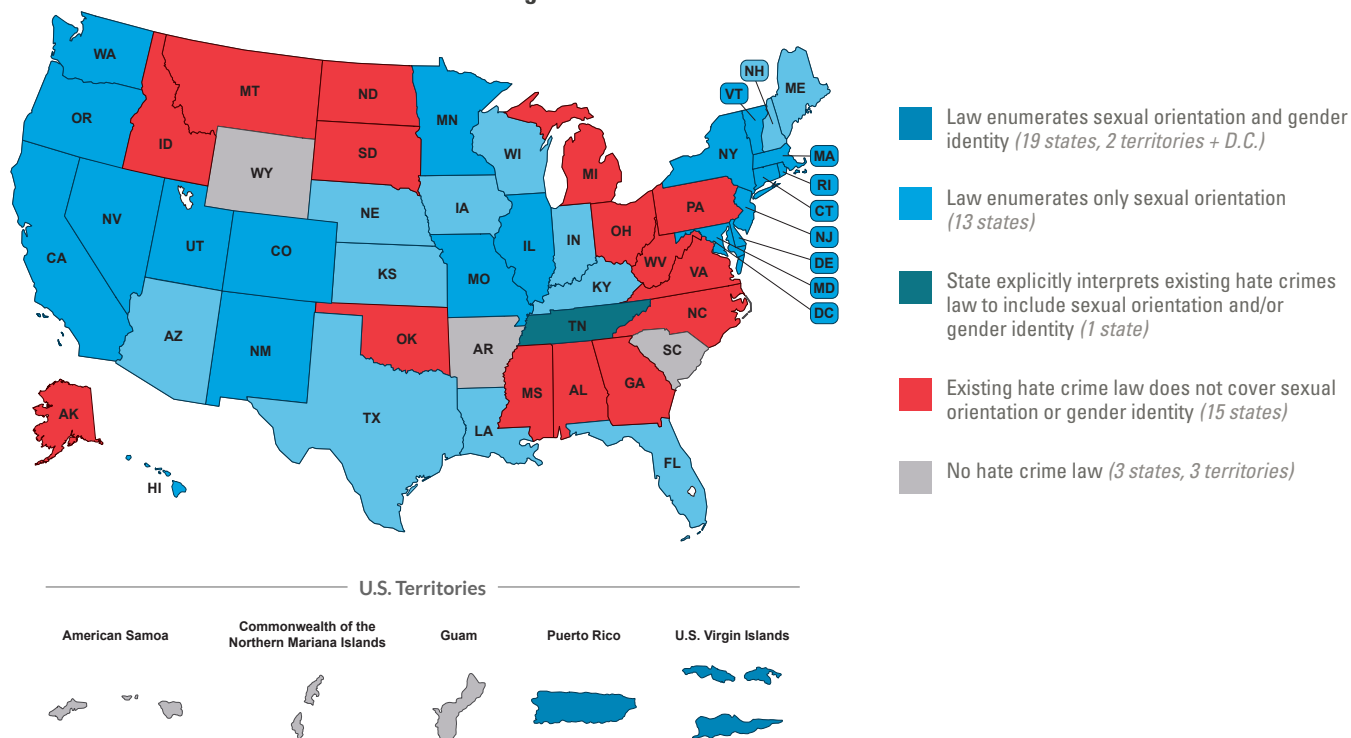
### Why Don't LGBT People Just Move?

Given the vastly different legal protections available to LGBT people across the states, and even between rural and urban communities within a state, LGBT people are sometimes asked, "Why don't you just move?" The answer for many LGBT people is the same as it is for other people: this is where they grew up, where they have family or are raising a family, and where they choose to live and build a community.

According to Williams Institute demographer Gary J. Gates, nearly 60% of people who identify as lesbian, gay, or bisexual say they live in the same state they lived in when they were 16 years old. Of this group, two-thirds still live in the same town. Compared to heterosexual-identified adults, the numbers are roughly the same. Gates explains, "This doesn't mean that LGBT people don't try to move to more progressive neighborhoods within their communities, but those who live in more conservative areas are there, like their neighbors, because it's the best option for them in terms of employment, affordability, and for some, schools and child-oriented amenities."<sup>a</sup> Indeed, MAP's own research on LGBT people in rural communities and states with fewer LGBT protections shows that LGBT people live in rural areas or states for many of the same reasons as others who live there: the proximity to family, their connections to the local community, and more. LGBT people, like any other marginalized group, shouldn't have to choose between the place they call home and basic rights and protections. This is why state and federal policy that protects LGBT people is critically important.

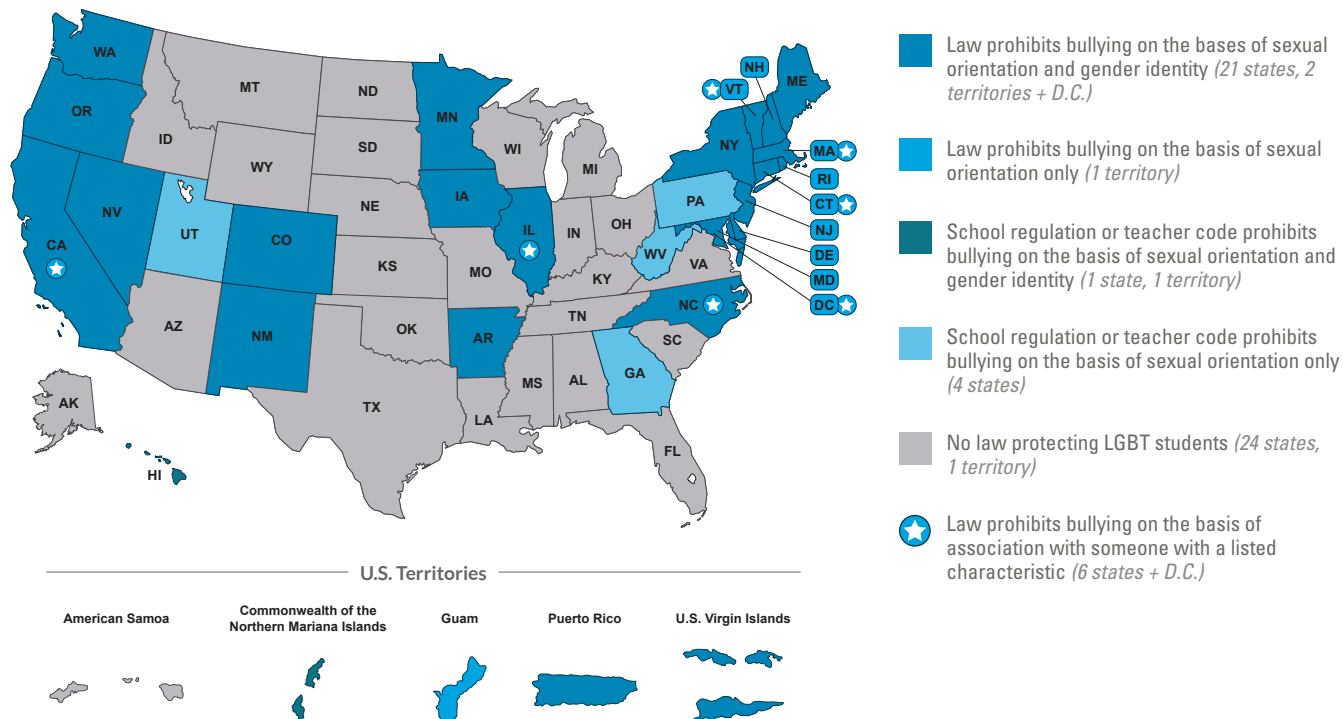
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Figure 10: State Hate Crime Laws



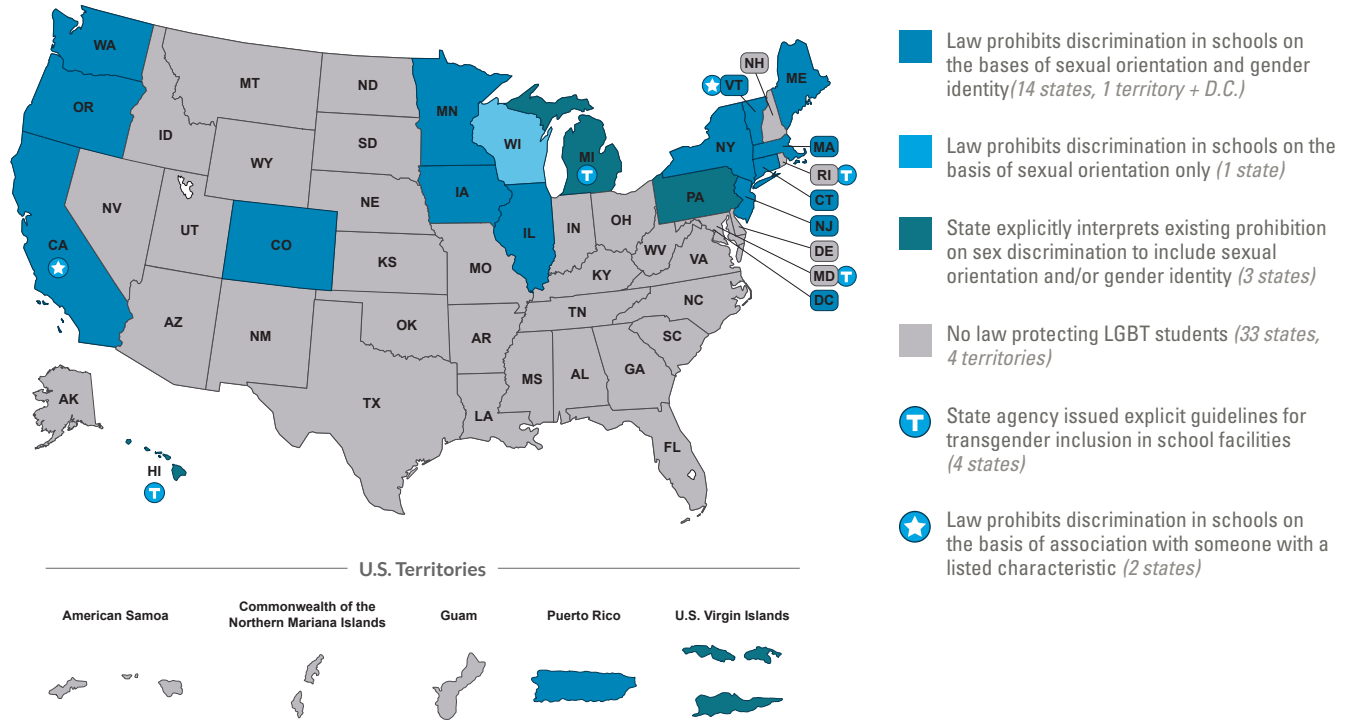
Note: The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act is a federal law that amended federal hate crimes law to include gender, sexual orientation, gender identity, and disability.  
Source: Movement Advancement Project, "LGBT Equality Maps: Hate Crimes."

Figure 11: Anti-Bullying Laws



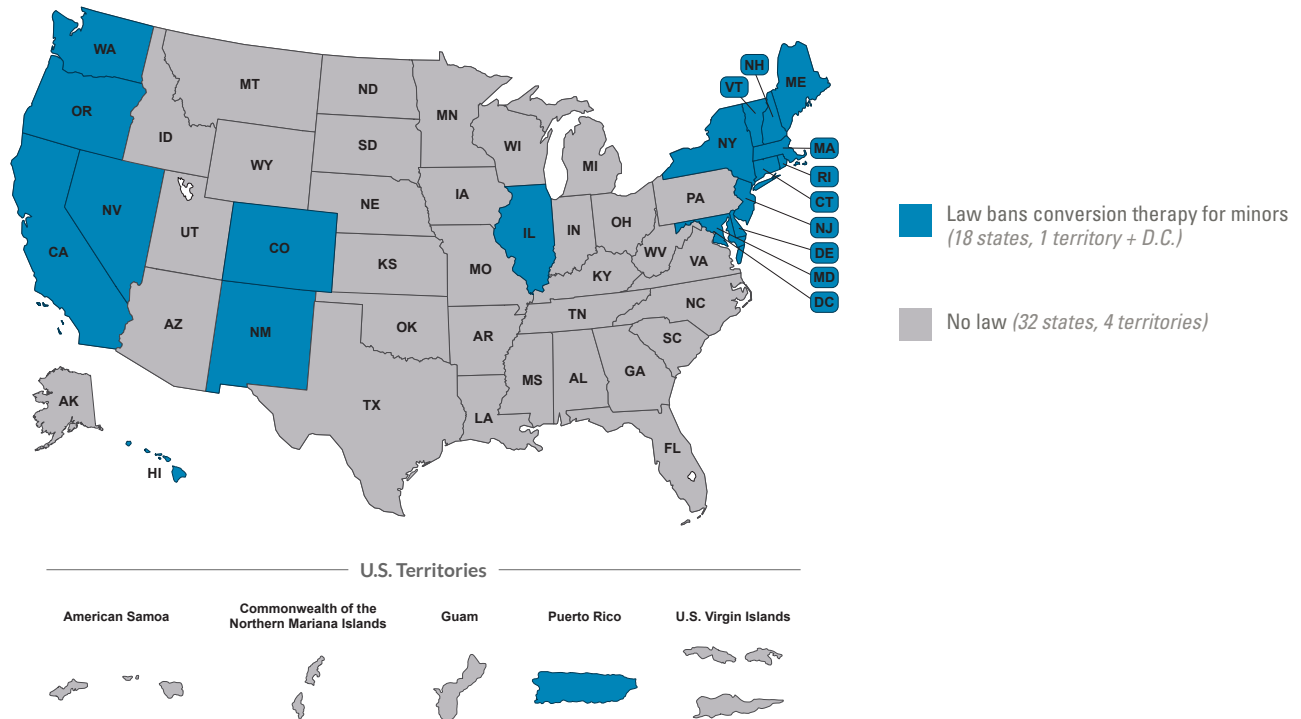
Source: Movement Advancement Project, "LGBT Equality Maps: Anti-Bullying Laws."

Figure 12: Schools Nondiscrimination Laws



Source: Movement Advancement Project, "LGBT Equality Maps: School Nondiscrimination Laws."

Figure 13: Conversion Therapy Laws



Source: Movement Advancement Project, "LGBT Equality Maps: Conversion Therapy Laws."

(which would provide protections against discrimination and bullying in public schools, respectively) and the **Tyler Clementi Higher Education Anti-Harassment Act** (which would similarly protect college students).

## Homelessness

**LGBT people are disproportionately likely to be homeless, as are LGBT youth.** An estimated 20% to 40% of homeless youth in the United States identify as LGBT or believe they may be LGBT<sup>41</sup> compared to an estimated 5% to 7% of youth who identify as LGBT.<sup>42</sup> While the reasons why people end up homeless vary, a lack of housing for LGBT people can be the result of discrimination and mistreatment in any number of areas. For example, LGBT people facing employment or housing discrimination often are left without the financial means to afford housing or the ability to find stable housing. And, for LGBT youth, family rejection because of their sexual orientation or gender identity/ expression forces many out of their homes.<sup>43</sup> In addition, transgender people may be unable to stay in a shelter that matches their gender identity (as opposed to their sex assigned at birth), making them less likely to seek shelter altogether.<sup>44</sup> One-quarter of transgender people experiencing homelessness reported they'd avoided staying in a shelter because they feared being mistreated because of their gender identity.<sup>45</sup>

The safety net designed to support homeless people in this country, LGBT and non-LGBT alike, has failed. Policy change is needed to improve the resources available to homeless LGBT people and to provide protections in housing, employment, and other areas to help prevent homelessness.

## Family Acceptance

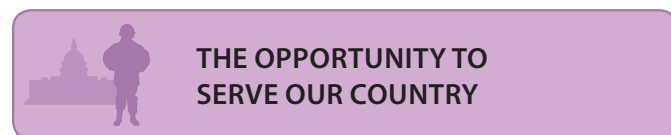
A welcoming family is crucial to the health and well-being of LGBT youth. Unfortunately, research shows that up to 30% of families reject their children when they learn they are LGBT.<sup>46</sup> Among transgender youth who responded to a recent survey, 27% reported that their families were very accepting of LGBT people, while more than a third (33%) reported that their families were not accepting.<sup>47</sup> LGBT young adults who reported higher levels of family rejection were over eight times more likely to attempt suicide and almost six times more likely to report high levels of depression.<sup>48</sup> Conversely, **family acceptance can protect youth from many threats to well-being**, including health risks like

depression, drug use, and suicide risk.<sup>49</sup> Advocates are working to provide families and youth with more resources to promote acceptance.

One area where advocates have had increasing success is in stopping the harmful practice of conversion therapy, which seeks to “change” someone’s sexual orientation or gender identity. In a survey of more than 34,000 youth, two in three reported that someone tried to convince them to change their sexual orientation or gender identity, and 5% of all youth reported undergoing conversion therapy.<sup>50</sup> As shown in *Figure 13* on the previous page, 18 states, Puerto Rico, and the District of Columbia, as well as cities in six other states, have banned this harmful and discredited practice on minors.

## Welcoming Faith Communities

For many LGBT people, finding supportive and affirming faith communities is important and meaningful. Yet many LGBT people have experienced alienation and disapproval within and from faith communities. A number of **religious denominations explicitly support LGBT people**—whether by ordaining openly LGBT clergy members, officiating weddings for same-sex couples, or by publicly supporting LGBT equality.<sup>51</sup> And recent polls show that majorities of people in every major religious group have grown more supportive of transgender people over the past five years.<sup>52</sup>



## Military Service

Many LGBT people serve America with honor and integrity. Since September 2011, gay, lesbian, and bisexual people have been able to serve openly in the military following the **repeal of the “Don’t Ask, Don’t Tell” law**, which prohibited service by openly gay, lesbian, and bisexual service members. However, military service for transgender people remains complicated. A 2019 policy constitutes a ban on enlisting by anyone who is medically transitioning or has medically transitioned. This policy comes despite the fact that transgender people report high levels of military service; 18% of respondents to the largest transgender survey to date indicated they had served in the military.<sup>53</sup>

## Public Service

LGBT people, like many others, want to contribute to society through public service and volunteerism. Historically, there have been extremely few openly LGBT elected officials, and indeed in 2019 only 0.14% of all elected seats in the United States are held by LGBT people, according to the Victory Institute.<sup>54</sup> However, despite this underrepresentation, the number of LGBT people in elected office has steadily increased in recent years, from 448 (2017) to 529 (2018) to a record 704 today (2019). In 2019, these 704 LGBT elected officials include two governors, 10 federal Congress people, 147 state legislators, nearly 400 local-level officials, and more.

Transgender elected officials remain less common than LGB elected officials. To date, only two states (New Hampshire and Virginia) have had openly transgender elected officials in the state legislature, and no state has yet elected an openly transgender person to the federal Congress. In 2017, Danica Roem of Virginia became the first openly transgender person to be elected and seated in a state legislature, after she defeated a thirty-year Republican incumbent noted for his opposition to LGBT rights. At the local level, more and more transgender people are running for and being elected to local offices: for example, in 2017, Andrea Jenkins became the first Black and openly transgender woman to be elected to U.S. office, and Phillipe Cunningham became the first openly Black transgender man elected to U.S. office. Both were elected to the Minneapolis City Council on the same night.

Given that elected officials make and vote on policy, being underrepresented in the formal halls of government means having less of a voice in the creation of policy that directly affects LGBT people's lives. The progress that has been made toward representation is encouraging, but further progress is needed.



## PROGRESS TOWARD EQUALITY

The social and political climate for LGBT people in the United States remains mixed. On the one hand, LGBT people have remarkable visibility and support from the public. And with respect to advances on issues of marriage equality and parenting, great strides have been made. At the same time, there remain key challenges. Both in terms of backlash and anti-progress sentiment that has manifested in efforts to insert religious exemptions into existing nondiscrimination protections or attacks on transgender people's ability to go to school, to serve in the military, or to even use the restroom. And much of the regulatory and administrative progress that was made at the federal level during the Obama administration has been threatened under the current administration.

Much work remains, and there are key questions before voters, lawmakers, and the courts about topics ranging from employment protections to updating our nation's civil rights laws to the ability of businesses and healthcare providers to turn away LGBT people.

There are many local, state, and national organizations working to make things better for LGBT people, and change is happening every day. For more detailed information about the challenges experienced by LGBT people, visit [www.lgbtmap.org/understanding-lgbt-issues](http://www.lgbtmap.org/understanding-lgbt-issues). For ways to talk to others about these issues or about LGBT people more generally, see the *Talking About LGBT Issues* series at: [www.lgbtmap.org/effective-messaging/talking-about-lgbt-issues-series](http://www.lgbtmap.org/effective-messaging/talking-about-lgbt-issues-series).

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