

LGBT PEOPLE WITH DISABILITIES

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July 26th marks the 29th anniversary of the Americans with Disabilities Act (ADA). The ADA is a civil rights law that protects people with physical or mental impairments that substantially limit major life activities from discrimination in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public. People living with HIV are also protected from discrimination by the ADA. Research shows that LGBT people are more likely than the general population to have a disability and face systemic challenges finding employment, community, and more. Even 29 years after the passage of the ADA, more work is needed to ensure that people with disabilities, including LGBT people with disabilities, have full and equal access in American society.

AN ESTIMATED 3-5 MILLION LGBT PEOPLE HAVE DISABILITIES



2 in 5
transgender adults¹



1 in 4
LGB adults²
in California

40% of bisexual men

36% of lesbian women

36% of bisexual women

26% of gay men³
in Washington

reported having a disability

...compared to **27.2%**
of the general population⁴



Note: current estimates suggest there are between 9-11 million LGBT adults in the United States. Assuming that approximately one in four have a disability, we estimate there are between 3-5 million LGBT people with a disability.

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UNIQUE CHALLENGES FOR LGBT PEOPLE WITH DISABILITIES

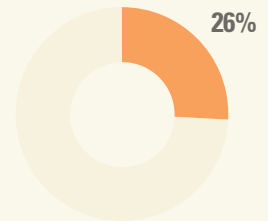


Limited access to LGBT-inclusive and fully accessible services. Accessing affordable, accessible, and inclusive health care, community services, and more is challenging for LGBT people with disabilities. This is particularly true for people in rural communities. Not only are people living in rural areas more likely to have disabilities,⁵ but the distances needed to travel to find LGBT-competent and fully accessible service providers, community programming, and more placed LGBT people with disabilities in rural communities at a greater risk for isolation and increased discrimination.



Bullying and exclusion for LGBTQ youth with disabilities. LGBTQ youth with disabilities report high rates of harassment and are more likely to be bullied or harassed than students without disabilities.⁶ LGBTQ students with disabilities are more likely to be disciplined in school and to drop out of school, compared to LGBTQ students without disabilities.⁷

Percent of LGBTQ Students Who Were Bullied or Harassed at School Because of an Actual or Perceived Disability



Added barriers to employment. People with disabilities report incredibly high rates of employment discrimination and unemployment. In 2017, only 36% of adults with a disability were employed compared to 77% of those without a disability.⁸ This discrimination compounded by the discrimination based on sexual orientation and gender identity, as well as racial and ethnic discrimination, means that LGBT people with disabilities may struggle to find and keep jobs, and to access support services like unemployment benefits, leaving them and their families economically insecure.⁹

LGBTQ People Who Receive Unemployment



Overrepresented in the juvenile and criminal justice systems. Emerging research finds that LGBTQ and gender nonconforming youth and LGBT people are greatly overrepresented in the criminal and juvenile justice systems, as are people with disabilities and people of color. For example, over 40% of incarcerated women and nearly 60% of girls in juvenile justice facilities are sexual minorities,¹⁰ with as many as 85% of LGBTQ youth being youth of color.¹¹ And recent estimates show that 32% of people in prison and 40% of those in jails have at least one disability.¹² Given these high rates, it is likely that LGBT people and LGBTQ youth with disabilities comprise a large share of populations in the nation's prisons, jails, and juvenile detention facilities.



40%

of incarcerated women are sexual minorities



49%

of women in jail reported a disability



85%

of detained LGBTQ youth are youth of color

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UNIQUE CHALLENGES FOR LGBT PEOPLE WITH DISABILITIES *(continued)*

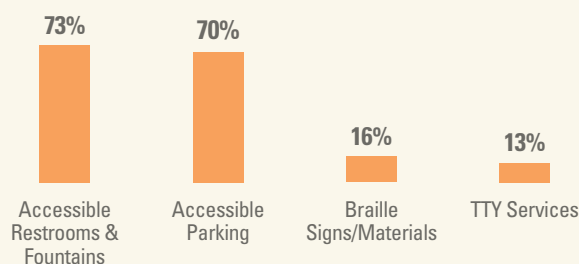


Invisibility within both communities. LGBT people with disabilities often report that it is challenging to have their identities fully recognized. In spaces focused on disability, their unique experiences as LGBT people may not be recognized. And in LGBT spaces, services and facilities may not be inclusive or accessible, including having accessible buildings or restrooms, ASL interpretation and/or CART captioning for deaf or hard of hearing people, and more.¹³



LGBT people are more likely to experience mental health conditions that can impact daily life. Mental health conditions can potentially impact a person's daily life to such an extent that it is a disability in the eyes of the law, medical professionals, and/or the individual living with that condition. Research finds that LGBT people are more likely to have a mental health disorder in their lifetimes, including mood disorders such as depression, anxiety, and substance use disorders.¹⁴ A growing body of research links experiences of discrimination based on sexual orientation, gender identity, as well as race, ethnicity, and disability status, prejudice, barriers to competent health care, lower rates of health insurance, poverty, experiences of violence, and more to these health disparities.¹⁵

Percent of LGBT Community Centers That Have:



ENDNOTES

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RECOMMENDATIONS FOR ADVANCING EQUALITY & OPPORTUNITY FOR LGBT PEOPLE WITH DISABILITIES

- ✓ **Fulfilling the promise of the law.** This means improving access to good jobs, to accessible housing, to inclusive and competent medical care, and to public spaces through enforcement of and education about existing laws such as the ADA and state nondiscrimination laws. Raising the wages paid to people with disabilities is also critical to improving the economic opportunity for people with disabilities.
- ✓ **Advancing legal equality for LGBT people with disabilities.** Explicit protections against discrimination based on sexual orientation and gender identity are needed in all areas of life including employment, housing, education, public accommodations, and credit. Legislation such as the Equality Act would update our federal laws to prohibit such discrimination, just as the ADA did for discrimination based on disability and HIV status.
- ✓ **Improving accessibility of LGBT spaces and inclusion of LGBT people with disabilities in LGBT communities.** LGBT community centers, health centers, websites, and other spaces must be accessible to people with disabilities. And explicit efforts to include and center LGBT people with disabilities in community meetings, in LGBT organizations, and in decision making about community needs are needed.
- ✓ **Providing paid time family and sick leave.** People with disabilities, LGBT people, and LGBT people with disabilities are more likely to take time off from work to care for a loved one,^a so paid family and sick leave with an expansive definition of family is a critical issue.
- ✓ **Expanding data collection and reporting to center the experiences of LGBT people of color with disabilities and others.** With limited data about the experiences of both LGBT people of color and people of color with disabilities—let alone LGBT people of color with disabilities, more and improved data collection and analyses are needed. Advocates, researchers, and policymakers should expand their notions of who are people living with disabilities and center the experiences of those who are often left out.
- ✓ **Reducing policing of communities of color and improving training for law enforcement engagement with people with disabilities, including LGBT people and people of color.** People with disabilities and people of color, and especially people of color with disabilities, are particularly at risk for violence by police. And research finds that LGBT people, particularly LGBT people of color, are more likely to have negative interactions with police. Law enforcement need training with skills to de-escalate situations and to improve connections with mental health professionals.

^a Robbins, C. G., Durso, L.E., Bewkes, F.J., & Schultz, E. (2017). People Need Paid Leave Policies That Cover Chosen Family. Center for American Progress.