

National News Notes

by David Stout . Q-Notes staff

Report looks at treatment of gay youth in juvenile court system

SAN FRANCISCO, Calif. — The Equity Project, a collaboration of the National Center for Lesbian Rights, Legal Services for Children and the National Juvenile Defender Center, has compiled *Hidden Injustice: Lesbian, Gay, Bisexual, and Transgender Youth in Juvenile Courts*. This groundbreaking new report, based on extensive surveys and interviews of juvenile justice professionals and youth, provides the first comprehensive examination of the treatment of LGBT youth in juvenile courts nationwide.

The report paints a sobering picture of the experiences of LGBT youth in delinquency courts. A significant percentage of youth in detention facilities, in some jurisdictions up to 13 percent, are LGBT, according to a recent study by Ceres Policy Research. Yet many juvenile justice professionals are simply unaware that LGBT youth exist, and are often treated unfairly in the system.

"The justice system has historically paid scant — if any — attention to the experiences of LGBT youth in the system. As a result, these adolescents are often misunderstood and mistreated by the very professionals who are responsible for protecting their rights, ensuring their safety, and promoting their rehabilitation," said Shannan Wilber, LSC executive director.

Hidden Injustice exposes the multiple ways in which LGBT youth experience bias, a

lack of understanding by juvenile court professionals, denial of due process rights and a lack of services. Additionally, the report details how these youth are targeted for being LGBT and subjected to unnecessary detention and incarceration and appalling emotional, physical and sexual abuse within detention and correctional facilities.

"Practitioners and policymakers simply cannot continue to ignore the serious injustices LGBT youth face," said Katayoon Majd, NJDC Senior Staff Attorney and co-author of the report. "Anyone who works in the system has a responsibility to protect the rights, and ensure the safety, of all court-involved youth, including LGBT youth."

The report contains extensive recommendations for judges, defense attorneys, prosecutors, probation officers, detention facility administrators, policy makers and advocates. In addition, the report makes 11 core recommendations about how the system can work more effectively with LGBT youth.

Hidden Injustice can be downloaded in PDF format at no cost at www.equityproject.org.

McCain still supports military ban

WASHINGTON, D.C. — National LGBT leaders were riled recently by former presidential contender Sen. John McCain (R-AZ) who voiced anew his support for the failed "Don't Ask, Don't Tell" military policy. During Dr. Clifford Stanley's Nov. 19 confirmation hearing for Undersecretary of Personnel and Readiness at the Department of Defense, McCain expressed his opposition to the repeal of DADT stating his belief that the policy is currently

working — despite evidence proving otherwise, including studies from military think tanks and official Pentagon publications.

"While Sen. McCain erroneously believes that the policy works well, I think the 13,000 American troops that have been discharged from the military under DADT, including more than 800 specialists with skills deemed mission critical by the U.S. military would disagree" said Human Rights Campaign President Joe Solmonese.

"Additionally, there are approximately 65,000 gay and lesbian Americans in uniform, including 36,000 gay and lesbian service members serving in active duty, and there are approximately 1 million gay and lesbian veterans. It is time for Congress to repeal this harmful and discriminatory law. It is disappointing that Sen. McCain has decided to stand in the way."

Court OKs marriage recognition

NEW YORK, N.Y. — On Nov. 19, the New York Court of Appeals ruled that the N.Y. State Department of Civil Service and Westchester County could extend government benefits to same-sex couples in out-of-state marriages. The ruling arose from cases in which Lambda Legal intervened on behalf of two married same-sex couples after the Alliance Defense Fund, an antigay legal group, tried to overturn New York law recognizing out-of-state marriages.

"This victory ensures that important spousal health coverage that same-sex couples need to protect their families will continue," said Susan Sommer, Director of Constitutional Litigation at Lambda Legal. "The ADF has

brought four different cases in New York against four different sets of government defendants. Twenty judges have ruled in those cases. All 20 have ruled against the ADF and in favor of the government and married same-sex couples."

House employment bill advances

WASHINGTON, D.C. — The U.S. House Committee on Oversight and Government Reform voted Nov. 18 in favor of the Domestic Partner Benefits and Obligations Act. If enacted, the measure would provide the same family benefits to gay federal civilian employees as are already provided to employees with opposite-sex spouses. The 23-12 vote moved the bill out of committee in preparation for future consideration by the full House of Representatives.

Jennifer Chrisler, executive director of the Family Equality Council, said, "At the foundation of a healthy family is economic security, which includes access to affordable healthcare, employer-based retirement savings accounts and tax-saving flexible spending accounts as well as a host of other benefits. The denial of these benefits to LGBT federal employees causes daily harm to their families and relegates them to second-class status."

The federal government is the nation's largest civilian employer. The proposed law would bring employment practices in the federal government in line with 59 percent of Fortune 500 companies, 22 states, the District of Columbia, and over 150 local governments who already provide benefits to LGBT workers and their partners. ▀

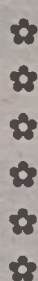
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