

CRIME OUT

LGBTQs and the Criminal Legal System

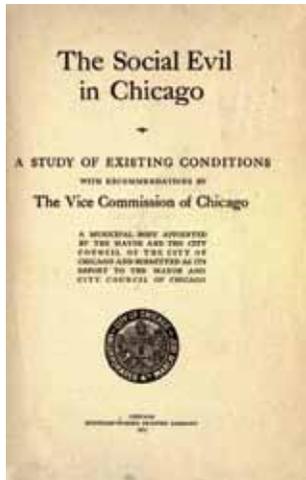
When we talk about LGBTQ people and the courts today, we're often referring to the seemingly endless stream of LGBTQ victories coming out of judicial systems across the country.

But in the criminal courts, LGBTQ people have long faced a different reality. Perhaps nowhere has that been more visible than in Cook County,

historically a model for criminal legal systems throughout the country.

In the next four weeks, Windy City Times will take readers through that structure today as we look at how LGBTQ people get caught in the system and the challenges they face once there.

A Windy City Times Special Investigative Series



Left to right: 1911 Chicago Vice Commission report. Chicagoan Henry Gerber, who was arrested in the 1920s after starting a homosexual rights group. Clarence Darrow defends the high-profile murderers Leopold and Loeb, a case sensationalized based on the relationship between the two young men. At right: Two men or two women dancing together as well as cross-dressing were banned in gay bars until the 1970s, but some people risked arrest to be themselves. Images this section from the Chicago History Museum, M. Kuda Archives and Windy City Times archives

With Malice Aforethought: LGBTQs and the criminal justice system

BY TRACY BAIM

The legal definition of malice aforethought includes "an intent willfully to act in callous and wanton disregard of the consequences to human life."

Throughout much of U.S. legal history, this would be an apt description of the legal system's approach to people beyond the traditional definitions of sexuality and gender identity.

The ways the system has harmed the LGBTQ community are many, but here are a few key historical problems:

— Sodomy and related sex laws. They primarily targeted gay men. Illinois was the first state to get rid of its sodomy law, in 1961, and the U.S. Supreme Court finally banned such laws in *Lawrence v. Texas* in 2003.

— Targeting "vice." These commissions and police squads go after any illegal activity, including prostitution. But many over-eager departments have also targeted gay men having consensual sex (without prostitution), and police have had handsome decoys pose as gay men in order to entrap victims in public spaces. Police even placed ads in gay papers' personals and massage sections seeking to entrap men.

— Cross-dressing laws. Many states and cities had laws that barred people from wearing items traditionally linked to the opposite sex. These laws allowed for police harassment and arrests. It took Chicago until the 1970s (first through legal rulings and later through City Council action) to eliminate the cross-dressing law.

— Dancing queens. While it was technically not illegal, police often harassed and arrested people for dancing with a partner of the same sex. Until the early 1970s, most Chicago-area gay bars banned same-partner dancing to avoid additional police scrutiny.

— Official harassment. LGBTQ bars, especially prior to 1980, were targets of police shake-downs, and were often also harassed by the Mafia. The police harassment created a large level of distrust in seeking help from authorities when the businesses experienced other problems, and owners often turned to the Mob for pseudo-protection. Police cooperated with media to provide names of those arrested—resulting in lost jobs and even suicides.

— Fear of authorities. Because of this fear, including potential arrest, many gays did not report crimes, including shakedowns by men impersonating police officers, or blackmail from other criminals. This in turn allowed criminals to flourish. Even today, community organizations often document higher anti-LGBT crime numbers than police do, because of this fear of reporting to authorities.

— Institutionalized bias. Past exclusion of known sexual-minority persons from law licenses, police employment and other jobs meant openly LGBT people did not have a seat at the table in creating policies and enforcing laws.

— Gay panic. This is a common "defense" used by those charged with violent gay attacks and murders, and it has often been successful.

— Ignoring violence. Neighborhoods perceived as "gay" have often been targeted by gay-bashers and serial killers. In the past, because police ignored the crimes or often treated them with little seriousness, LGBTQs organized their own street patrols and response, including a whistle-blowing campaign in 1970s Chicago, and a 1980s Pink Angels group. Ignoring violence has gone beyond ignoring neighborhood gay-bashing to ignoring or belittling individual complaints of crime or to inadequate investigations of homicides. Some serial killers likely were able to continue their trade longer because of a lack of police attention to their attacks, and their victims. (John Wayne Gacy, Larry Eyler and Jeffrey Dahmer are three such examples.)

— Criminalization of HIV and AIDS. Gay men have been targeted for their sexuality based on the consequences of these types of laws, many of them still on the books. And new HIV/AIDS transmission laws are also being passed with regressive language.

— Intimate-partner violence. Police and authorities have had a difficult time handling domestic-violence cases involving people of the same gender, or gender non-conforming people. The police ask "who is the man" or "who is the woman" because they do not have the training to understand how LGBT relationships work.

— Mishandling transgender cases. The police across the U.S. have had difficulty with transgender survivors of attacks, and with solving the large number of transgender murder cases.

Victims are often treated with shocking levels of ignorance and transphobia.

— Prison problems. Discriminatory denial of prison rights or privileges, derogation, and the debatable issue of segregation, which has sometimes seemed to benefit sexual-minority prisoners but can lead to more discrimination or harassment by guards.

— Criminalization of sex work. Transgender people, who face employment discrimination and lack of access to extremely expensive (often life-saving) gender-related medical care, are disproportionately engaged in sex work. But even those who are not are frequently arrested as sex workers by police simply for "walking while trans."

These are just a few of the problems related to LGBTQs and the criminal justice system. There are many more problems related to the civil courts. In the civil courts, LGBTQs have lost custody of children, lost their homes after a partner dies, been refused adoptions and encountered many other biased decisions based on their sexuality or gender identity.

Many of these problems have decreased in recent decades, solved in part by pressure from activists, help from allies, and the coming out of LGBTQ police officers, lawyers, judges and elected officials.

But this recent history of harassment and abuse by law enforcement and the courts still has a residual impact, causing mistrust of the system, and in some cases appearing on people's criminal records still today. For example, an adult man arrested for supposedly public consensual sex with another adult man may have to register as a sex offender.

In this special Windy City Times series, we will look in depth at the criminal legal system and the LGBTQ community in Cook County. Our reporters spent several months researching the archives, looking into public records, interviewing authorities, visiting county facilities and talking to people who have an up-close view of the criminal justice system.

In many ways, the problems LGBTQs face with the prison industrial complex are a reflection of the larger societal problem with incarceration and of a society that would spend \$50,000 incarcerating someone for smoking marijuana or for stealing \$100, rather than take a realistic approach to drugs and survival crimes. But perhaps by investigating further this one area of the system, we can see alternative solutions for a system desperately in need of being fixed.



Tony Midnite was a popular female impersonator, including in Chicago. This image is from 1953. Cross-dressing was banned in the city until the 1970s.

Teacher, 1 of 8 Seized in Vice Raid, Quits

One of eight suburban teachers arrested in a vice raid early yesterday morning at the Fun lounge, a tavern at 2740 N. Mannheim rd., Leyden twp., resigned yesterday afternoon.

Norris Angel, 24, of 2603 Pine av., Des Plaines, a teacher in Lincoln Junior High school in Park Ridge, quit, altho he denied any wrongdoing. Blair Plimpton, district superintendent, said Angel's resignation would be accepted.

Arrests Being Investigated

Cook and Du Page county school superintendents' offices said that the cases of seven other suburban teachers arrested along with 65 (48 men and 17 women) in the raid by sheriff's police would be investigated.

Roy DeShazo, Du Page county superintendent, said that local school districts would investigate the charges. If proved, he said, procedures for revoking the certification of the teachers would be initiated.

Many of the men arrested carried powder puffs and lipsticks and some of them wore wigs, according to Richard Cain, the sheriff's investigator.

Marijuana Is Seized

Among those arrested by a squad led by Cain were a civilian employe of the Chicago police department, a deputy clerk assigned to the Chicago board of election commissioners, and an employe of the

Robert Levy, manager of lounge, to be appeared in Criminal Courts building.

Lincoln Gauger (left), proprietor, and Herbert Schiele, associate of Fun-lounge.

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Chicago Tribune April 26, 1964 report on a raid of the Fun Lounge, a suburban Chicago gay club.



Gay bars were among those pulled into a federal investigation of police harassment, and a judge overturned the cross-dressing ban, The Gay Crusader September 1973.

The Gay Crusader December 1973 (left) and August 1973, reports on police reforms and a benefit for people injured in a devastating arson fire in New Orleans.

Mattachine Midwest report on an undercover cop entrapping gays, September 1969. From the M. Kuda Archives

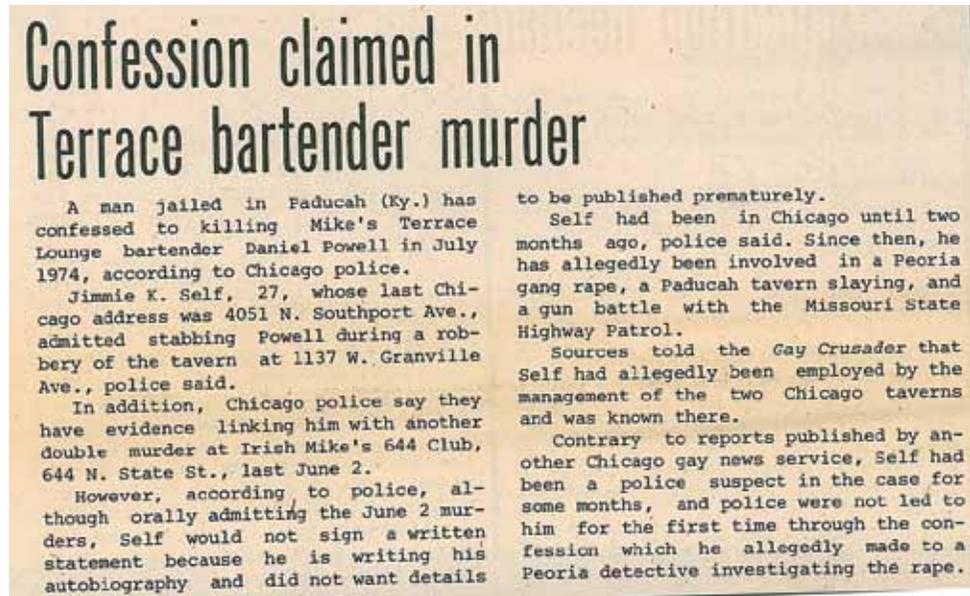


A report in a 1975 edition of The Gay Crusader noted that no arrests had been made in three of six gay-related murders.

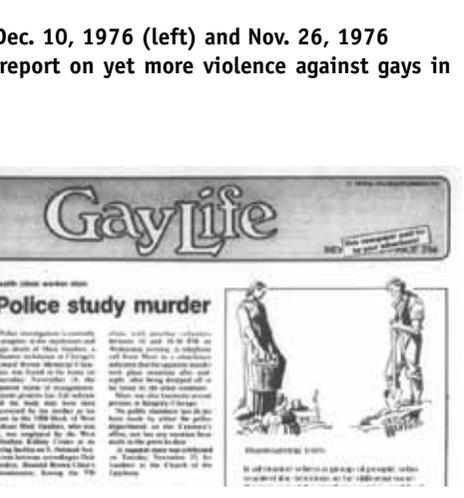
GayLife Aug. 29, 1975 report on muggings of gay men in Chicago.



Left: In 1975, The Chicago Gay Crusader alerted readers to attacks on gay men in public parks, as well as police arrests of gays. Right: Activists protested the police response to the murder of Donna Smith by her ex-husband. In GayLife Dec. 24, 1974.



A rare case of a murder of a gay person solved, through a confession reported in The Gay Crusader September 1975.



GayLife Dec. 10, 1976 (left) and Nov. 26, 1976 (below) report on yet more violence against gays in Chicago.



Left: GayLife Oct. 1, 1976 reported on a study showing most gay men are killed by heterosexuals, not other gays, and a report on the murder of Bijou's owner. Above: GayLife Feb. 4, 1976, stories about a double murder of two women, and a blackmail scheme.

Gay bartender murdered

Frank Rodde III, 29, was found dead of multiple stab wounds on Saturday, April 2. The time of death was set around 7 PM that same evening, and the body was discovered in a bathtub in his apartment at 3710 N. Pine Grove Ave., Chicago. His wallet was reported to be missing.

Rodde, entombed at St. Joseph Mausoleum, is survived by both of his parents and a grandmother, and is remembered by many as a "wonderful guy." CBS radio carried the story of his murder most of Sunday, April 3, repeating it hourly.

GayLife April 4, 1977 reported on the murder of gay bartender Frank Rodde III, 29; his murder was never solved. His name was used for a Tavern Guild gay fund and a gay community center.

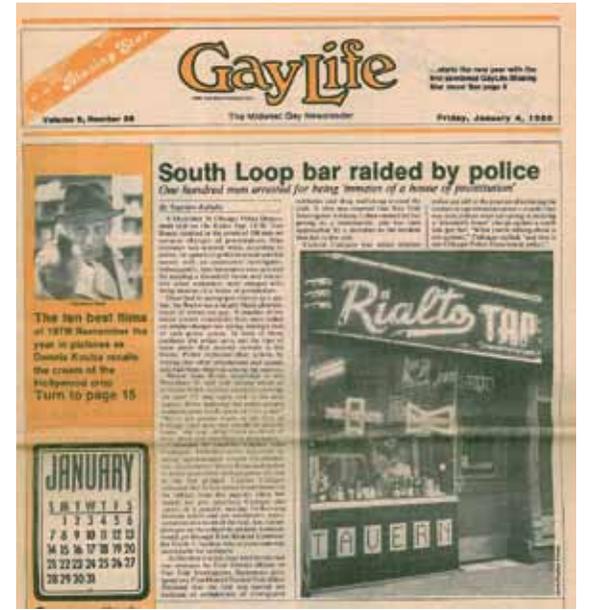
Rodde, better known as "Punkin," was a bartender at Carol's in Exile, 3510 N. Broadway. Fellow bartenders acted as pallbearers on Wednesday, April 6, as Rodde was buried from St. Francis Xavier Church. He had previously worked at Mother's Other and the Annex. Carol, Rodde's employer for five years, told GayLife that police were investigating and "have a couple of suspects." He also related leaving Rodde's company fifteen hours before his violent death, and said that "Frank was in good spirits at that time." At press time police had not yet questioned Carol of his other employees, nor any of the tavern's regular patrons.



Vandalism at the Rogers Park gay Center, reported in GayLife Aug. 5, 1977.



GayLife Oct. 14, 1977 looks at the blackmail threat to gays.



GayLife Jan. 4, 1980 reported on the police raid of the South Loop Rialto Tap. One hundred men were arrested at the bar, which catered mostly to African American gay men.



Above: Nov. 14, 1980 GayLife coverage of the murder of popular Chicago personality Stephen "Wanda Lust" Jones. Below: Dec. 12, 1980 GayLife on the murder of Beverly "Tom" Woolard, a bartender.



Alyn Toler (left) founded the Pink Angels in 1991 as a response to anti-gay violence. Curtis Sliwa of the Guardian Angels is pictured middle. Photo by Tracy Baim



GayLife from Aug. 23, 1984 and Aug. 30, 1984, including coverage of anti-gay violence nationally, and Larry Eyler's murder of multiple young men and boys.



GayLife Aug. 11, 1983 coverage of gay murders in Illinois and Indiana.



GayLife May 10, 1984 coverage of a triple murder on Chicago's West Side.



June 14, 1984, coverage of a suspect in bombs planted at 24 gay bars.



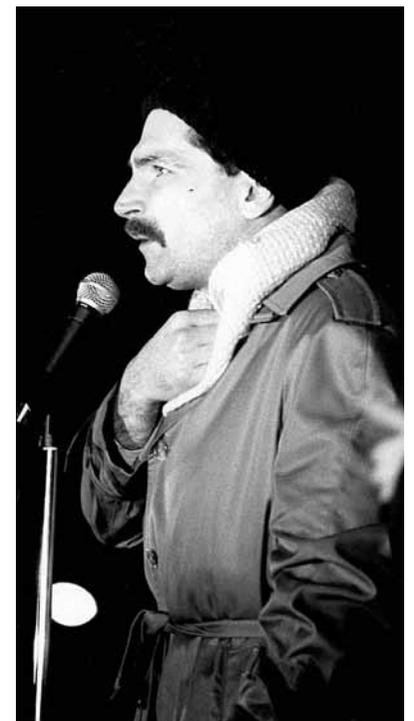
More coverage of Larry Eyler, and one of his victims, Danny Bridges, who was killed after Eyler had been let out of jail because evidence was ruled inadmissible against Eyler. GayLife, Sept. 6, 1984.



Baton Show Lounge owner Jim Flint was among gay bar owners forced to testify in a case against mob shakedowns on the North Side. From GayLife Oct. 4, 1984.



Windy City Times reported Dec. 18, 1986 on a \$15 million lawsuit filed against officers of the Northwestern Metropolitan Enforcement Group from a Sept. 12, 1985 raid on the gay bar Carol's Speakeasy.



Ron Cayot was shot in 1992 while coming out of a gay bar on Halsted. He lost the ability to speak normally from the assault. Photo by Tracy Baim



A Queer Nation anti-violence march in Chicago, August 1991. Photo by Genyphyr Novak

When Cruising Goes Bad:

The private aspects of public indecency

BY MATT SIMONETTE

Every place with a gay presence has had a place where men have gone to trick—the Ramble in New York City, Dolores Park in San Francisco and Union Station in Los Angeles are just a few.

Chicago is no exception. Numerous locations around the city—the restrooms in the old Marshall Field & Co. building and the Palmer House—hotel on State Street, the Lawson YMCA and secluded parts of Lincoln Park—were legendary among gay men looking for relatively quick and easy sex. The Montrose Point Bird Sanctuary and Cook County forest preserves are current hangouts.

Frequenting these spots has always carried an element of risk, be it from police or gay-bashers. But for some men, the risks are worth it.

“Paul”—not his real name—is an Edgewater man in his early 50s. He cruises near the bird sanctuary. While he said he doesn’t consider himself an exhibitionist, he does get a rush from cruising in public.

“There’s an element of ‘hanging out’ that’s exciting,” Paul admitted.

Men who have been caught cruising have found themselves up against local or state public indecency laws—whether they actually were thought to have had sex in an arguably public place or, as is sometimes the case, were merely there seeking partners to take home for sex but were victimized by a perjurer who said they were actually having sex there.. The Chicago city ordinance says that any person appearing in specified public places with the person’s private areas “exposed to public view” is subject to a fine of between \$100 and \$500. The Illinois statute defines public indecency as an act of penetration or sexual conduct in public, as well as a “lewd exposure of the body done with the intent to arouse or to satisfy the sexual desire of the person.” The law defines “public” spaces as those where the conduct can reasonably be expected to be viewed by others.

Attorney Jon Erickson, who has defended a number of individuals against public indecency charges, pointed out a conundrum at the heart of some cases.

“There has to be an expectation that you’d be viewed if you are accused of public indecency,” Erickson said. “But that expectation is not there if you are hiding in the bushes trying to make sure nobody sees you.”

The history of cruising in Chicago

Attorney Ed Mogul has also represented gay men arrested for public indecency. He said public cruising in Chicago largely grew from some gay men’s reluctance to set foot in gay bars, which for many years were regularly raided by city and county police.

“Back when the law against homosexuality [the sodomy law] was eliminated in Illinois (in 1961), a lot of people thought that Illinois—and Chicago in particular—would become a mecca for homosexuals—and they were right,” said Mogul. At the same time, police were aggressively watching over gay bars for signs of lewd behavior.

“If you were caught in one of the raids, your name and address were published in the newspaper; many lives were ruined,” Mogul added. “It was safer for guys to go looking for sex in public places than it was to be in the bars.”

Attorney and activist William B. Kelley described numerous ways bars diligently worked to avoid having their patrons arrested and having their liquor license revoked decades ago. Some forbade patrons from buying each other drinks, lest anyone be charged with prostitution. Patrons were also discouraged from close contact and same-sex dancing, he said.

It was difficult for bar owners to get around

the harassment. In 1969, a bar called The Trip had its licenses revoked after authorities claimed the management had “overlooked indecency” on the premises.

“The bar had taken steps to protect itself and its patrons by closing on Sunday nights and organizing a private club,” Kelley said. “You could get a membership card, come in, and use the dance floor. Police got hold of a membership card by stopping someone on the sidewalk and seizing it. Then they came in and made arrests.”

Ultimately, The Trip won its case. But the arrests were “a police harassment tactic—there wasn’t anything going on,” Kelley said. “They wouldn’t allow people to kiss or even get close to each other in an intimate way,” except for the Sunday-night dancing.

“Those CPD [Chicago Police Department] busts in bars literally drove gay men looking for sex into the streets,” added Mogul.

People who were afraid to be seen going into bars, Kelley said, “were not afraid to be seen going into Marshall Field’s.” But he was not convinced that the bar raids were the sole reason gays gravitated toward cruising spots.

“I’ve always thought they did it because of a preference for variety,” Kelley said.

Numerous public spots sprung up on Chicago’s lakefront. “There was an area just off Lake Shore Drive ... between Lawrence and Foster,” according to Mogul. “People would go in and just disappear behind these huge bushes—it was a mixture of straight and gay men looking for blow jobs.”

“Oak Street Beach—the retaining wall along Lake Shore Drive—used to be a lineup of guys looking for sex at night,” added Kelley.

Getting gay-bashed was an enormous risk. Thugs would beat and/or rob men, often counting on their victims’ being too embarrassed to report the attack. One of Mogul’s first cases stemming from a cruising incident involved helping a man who had been viciously beaten by a group of young men wielding broken-off car antennas, for example. But police could be equally violent.

“The younger officers were especially vicious,” Mogul said. “They seemed to be having some issues. The real police were interested in fighting crime. What police are interested in arresting prostitutes and homosexuals?”

In 1969, a 63-year-old man named Delizon Bush was arrested by CPD Officer John Manley on a charge of public indecency. Manley contended that Bush had tried to attack him, and Bush was acquitted of the public indecency charge but found guilty of resisting arrest.

But Bush was much smaller than Manley and had suffered numerous injuries.

“That got reversed on appeal. The judges obviously didn’t believe Manley, because Manley was so much bigger and younger,” Kelley said.

Police were going into parks and arresting men on the grounds that they were committing sexual acts. “Many times they were, but they were doing it in seclusion, and many times the police were interrupting them in ways they would never bother doing in an equivalent heterosexual situation,” Kelley said.

The arrests weren’t just taking place on the lakefront. A number occurred in various parts of the Cook County forest preserves, where county officials had established a so-called “lifestyle enforcement unit.”

“It was mostly suburban homosexuals—most of them would leave their car in the preserve and go looking for sex,” Mogul said. “The forest preserve would seize the car, too, and they would have to pay an impound fee, so it was basically a revenue raiser.”

Cruising spots today

The preserves are still used for cruising—Paul

said he visits occasionally: “It seems to be mostly married men or ‘straight’ men looking to get their cocks sucked or suck cocks themselves.”

In 2010, Erickson defended a man who’d been arrested on a public indecency charge in the forest preserves but had the charges dismissed when a judge agreed that the county Forest Preserve District’s public indecency law was antiquated.

The law read, “No person shall appear in any forest preserve in a state of nudity, or in a dress not properly belonging to his or her sex, or in an indecent or lewd manner, and no person shall make any indecent exposure of his or her person or be guilty of any lewd or indecent act or behavior in any forest preserve, or while in any vehicle within the Forest Preserve District.”

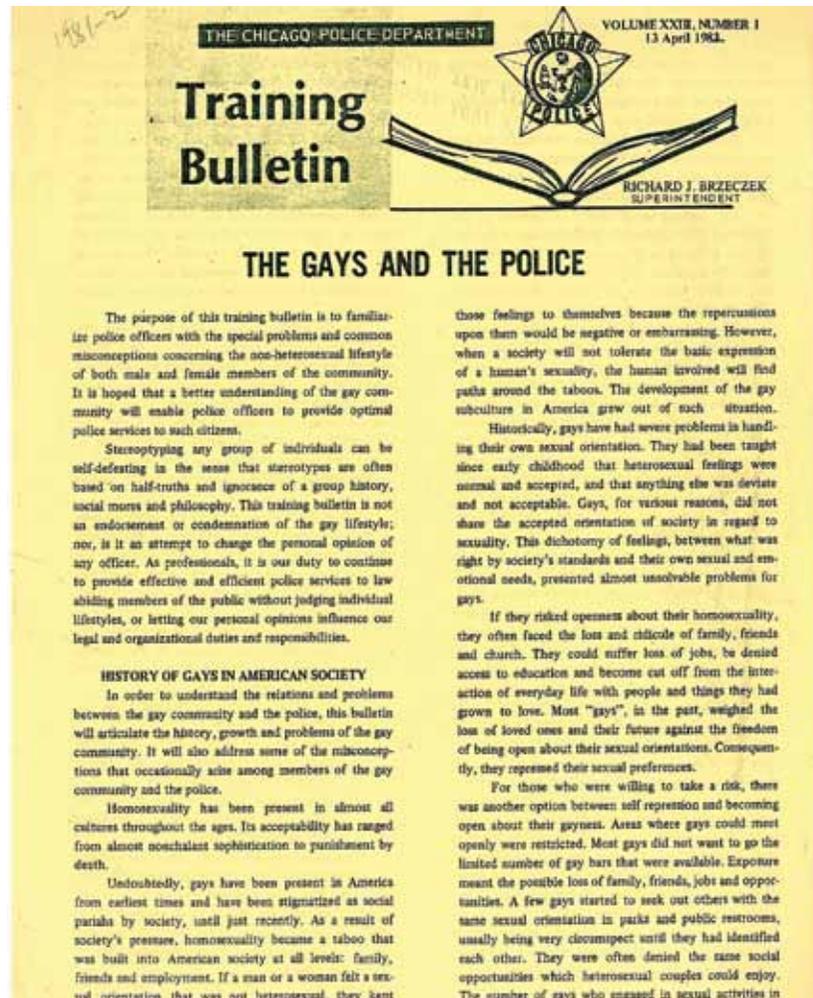
He argued that the ordinance, which would also, for example, ban trans people from using the forest preserves, was unconstitutional. Additionally, the word “lewd” was problematic,

“It seems to be politically motivated—someone in the bird sanctuary complains, usually a birdwatcher—so the police cast a wide net and sweep up people who should not be swept up,” Erickson said. The police have sent out “more-than-good-looking officers to lure gay men—if they were straight men, it would be like they were sending out Christy Turlington.” (Chicago Police Department officials did not return calls for comment by press time.)

He added that the arrests, however infrequent, are “a tool of harassment” against the community. “They don’t arrest straights for doing the same thing out in the open at the beach.”

Paul said he has only actually seen one person getting arrested in the sanctuary.

“From what I could see, they were someone who seemed ‘off’—they were calling attention to themselves. I think by keeping your eyes and ears open and conducting yourselves quietly, you can stay out of trouble.”



In 1982, the Chicago Police Department, under Superintendent Richard J. Brzeczek, issued this Training Bulletin for officers. Despite this bulletin, undercover arrests continued for many years in parks and bars. Courtesy of the M. Kuda Archives

having been out of favor with the courts for decades.

“It’s so vague and open to interpretation,” Erickson said, adding that the possibility of arrest depended on the mindset of the arresting officer. “‘Lewd’ means one thing to a police officer who’s a Christian fundamentalist and something else to one who was a former San Francisco hippie.”

The county promised to look into the wording of the law after the 2010 case.

“I checked and they kept their word,” Erickson said. “It still says ‘lewd’ in the Illinois public indecency law, but its terms are more concretely defined.”

Erickson said that a number of judges have been concerned with the constitutionality of public indecency laws, adding, “It’s unfortunate because so many men that this happens to are embarrassed by it, so they just go in and plead guilty in order to get it over with.”

He gets a public indecency case about every three months or so.

“They’re not as common as they used to be, but they’re still too frequent,” he said, estimating that about 25 percent are from the forest preserves, while the other 75 percent usually are from the bird sanctuary.

He has been stopped by a police officer only once. Paul was beginning to fool around with another man in a parked car when the officer asked what they were doing. “I answered, ‘Just chatting,’ and he fortunately just said to take it home, which we did.”

It’s easy to spot the guys in the sanctuary for cruising, he added. Most are dressed either in clothes not cut out for an afternoon in the park, such as a suit, or wearing items that can be pulled off or opened up easily. In his experience, most of the guys in the sanctuary are usually looking to give or receive oral sex, though he’s occasionally engaged in anal sex there. Paul is a top and insists on using a condom; some of his partners have protested, going so far as to refuse to engage in sex with him.

He has cruised in many places—the gym, adult bookstores, the mall. He knows he is not the only one who finds it exciting, and he doesn’t foresee himself changing.

“After [U.S. Sen.] Larry Craig was busted, gay rights people went on television to say that he was doing that because he was closeted, and that this sort of thing would stop if everyone could live openly as gay,” Paul said. “I don’t think so—for a lot of guys this is just human nature.”

Bars For Life:

LGBTQs and sex offender registries

BY YASMIN NAIR

In 1977, Anita Bryant launched her crusade against a recently passed Dade County, Fla., ordinance that banned discrimination on the basis of sexual orientation. As the leader of a coalition named "Save Our Children," Bryant and her supporters tapped into an old perception of gays as sexual predators of children.

In a now-famous statement, she declared, "As a mother, I know that homosexuals cannot biologically reproduce children; therefore, they must recruit our children." Bryant's campaign led to the repeal of the ordinance but paradoxically also became the beginning of the end of her career, alienating her from some conservatives and liberals alike.

In the years since Bryant's campaign, there has been a palpable shift in cultural responses to gay and lesbian issues, with several polls indicating greater support for issues such as marriage equality. But the figure of the gay man in particular as a sexual predator still haunts culture and continues to re-emerge.

In 1955, Boise, Idaho, erupted in a sex scandal where nearly 1,500 men were questioned about allegedly having coerced underage young men into sexual acts. There was no such sex ring, but countless lives were scarred forever.

This April, as the gay marriage debate reached the U.S. Supreme Court, two married gay men in Connecticut, George Harasz and Douglas Wirth, decided to fight charges that they had sexually abused children in their care. In a sign of how differently such cases are still treated in the mainstream press, the website Gay Star News' headline stated, "Gay couple accused of child abuse go to trial to clear their names." New York's Daily New headline ran, "Gay Connecticut couple accused of raping adopted children will face trial."

Since 1977, sex offender registries (SORs) have been instituted in every U.S. state, ostensibly to prevent sexual abuse of minors and others by tracking everyone convicted of sexual abuse.

But according to a growing number of critics across the political spectrum, SORs have also increased so much in scope, by including even acts like public urination in the category of sex crime, that they've become virtually meaningless. In addition, SORs place so many residential and vocational restrictions on offenders that larger numbers are unable to return to society with places to live and stable systems of support.

In Illinois, registered sex offenders cannot live within 500 feet of any school buildings or have trade licenses. Illinois also mandated in 2011 that the licenses of medical and health professionals convicted of sex offenses can be permanently revoked without a hearing. Increasingly, many offenders across the country simply end up homeless.

The term "sex offender" is rarely uttered at gay and lesbian public events, raising as it does an old and timeworn stereotype that still causes fear because of its automatic association with terms such as "pedophile" and "sodomite." To date, none of the major gay and lesbian organizations has explicitly taken a position on issues concerning sex offender registries.

But there are in fact gay sex offenders on the registry, and there have always been widely sensationalized cases of alleged and real sexual abuse of children by men who also identify as gay.

Tracing the specific effects of sex offender registries on LGBTQ people reveals that both terms, "LGBTQ" and "sex offender," are fraught with multiple tensions and definitions. For instance, not all people convicted for sex offenses

are LGBTQ, but the sexual acts, such as oral and anal sex, which place them on the registries are defined as "crimes against nature" in certain states.

The circumstances in which LGBTQs find themselves on sex offender registries both challenge the applications of such terms and hark back to older and still-prevalent ideas about sexual minorities.

The fact both sex offenses and sex offenders fall into such diverse and disparate categories also explains why it has been hard to mobilize a concerted political movement against the prevalence of SORs.

U.S. sex offender registries: A brief history

In 1989, 11-year-old Jacob Wetterling was abducted from his hometown of St. Joseph, Minn. Wetterling was never found, but his disappearance prompted concern that there was, at the time, no verifiable database of sex offenders.

The Jacob Wetterling Act of 1994 was designed to create a registry that could enable easier tracking of sex offenders. Megan's Law, an amendment to the Wetterling Act, was named for Megan Kanka, raped and murdered by a neighbor and convicted pedophile in 1994. The amendment created the Community Notification System, which requires all convicted sex offenders to register whenever they move and on a periodic basis.

The federal Adam Walsh Act, or AWA, was passed in 1994 and named for a six-year-old abducted from a Florida mall in 1981 who was later found decapitated. States are expected to comply fully with the AWA or incur penalties for noncompliance.

As this goes to print, an Illinois bill, SB 1643, which with proposed amendments would bring Illinois into full compliance with the AWA, is under review and has just been listed as "postponed," but it is widely expected to pass. With the proposed amendments, the bill would change current laws to make stricter requirements that place greater financial and social burdens on offenders and make it harder for them to reintegrate. Provisions include forcing "sexual predators" to register every 90 days for life, and persons convicted of misdemeanor offenses to register annually for 15 years.

In 2007, Human Rights Watch, an international nongovernmental organization which researches and advocates on human rights issues, issued a 146-page critical paper, "No Easy Answers."

The HRW paper called for a massive overhaul of the AWA, including terminating public access to information about sex offenders' places of residence, information that has been used by people in search of vigilante justice to intimidate and even kill sex offenders.

In June 2012 in Washington state, a man named Patrick Drum shot and killed two convicted sex offenders; the first was his roommate. When police tracked him down, he admitted that he had planned to kill sex offenders until he was caught.

The HRW piece acknowledges the need to prevent sexual abuse but questions whether the AWA's reach and stringency help or hinder the quest for justice. The AWA contains sweeping and detailed provisions, including those targeting juvenile sex offenders, and places conditions and restrictions stricter or more costly than what states might want or can afford to enact—such as expensive GPS monitoring systems.

So far some states are refusing to comply with the AWA, usually because of the high costs. California, for instance, has decided that the non-compliance penalty of \$5.6 million annually is less than the costs of implementing the AWA,

\$32 million a year.

In 2002, U.S. Justice Department statistics indicated that recidivism among sex offenders is much lower than originally projected, about 5.3 percent, and studies indicate that most child sexual abuse occurs at the hands of family members or people known to victims.

According to HRW, the U.S. has the most punitive and wide-ranging set of laws for sex offenders, and South Korea is the only other country that has community notification laws.

For LGBTQ people on the registry, registration can mean a shame and stigma that many worked to overcome on account of their sexuality or that others may have understood only as a historical fact. For those living in already small communities, it can mean a drastic shrinking of their worlds and a heightened sense of danger as they fear retaliation based on a combination of their sexuality and their recorded offenses.

Time spent in prison, where gays and child molesters are considered fair targets, can be especially dangerous for LGBTQ offenders, and more so in a culture that already naturalizes prison rape as inevitable.

LGBTQs on the registry

The presence of LGBTQ people on sex offender registries is hard to detect, since demographic information says nothing about victims except their ages.

The details provided include criminal legal categories (such as "sexual predator" or "murderer"), the legal terms for their crimes ("aggravated criminal sexual abuse" or "murder with intent to kill"), and their ages at the times of the crimes.

Jeff Haugh, a gay man, recalled the morning of March 14, 2002, when he was awakened by FBI agents who interrogated and arrested him on the charge of having received child pornography the prior year.

Haugh would later find out that he was swept up in the Candyman sting, set up under U.S. Attorney General John Ashcroft in 2002 and named for a Yahoo.com porn e-group. The operation resulted in the arrests of 40 men across 20 states.

The controversial image was of a man and a little girl, and he told the FBI, "I'm gay, this isn't even something I'm interested in." Haugh had been sent the website link by someone and, he said, he immediately deleted it: "But they arrested me on the street five hours after they showed up, for something I'd seen on the Internet a year before."

Haugh, who is now 64, owned the house he lived in, but when he came out of his five-month sentence and a stint in an Indianapolis halfway house, he found the residence had been "vandalized and torn to shreds."

He currently lives on the \$800 he gets in Social Security, after a lifetime of travel and work. Prison was difficult because, he said, "people figured out I was gay. They think you're a child molester automatically if you're gay."

Although Haugh was never charged with physically harming anyone, and although his crime is listed as "child pornography/film/photos," his online registry information records a victim of the age of 13, and him as a "sexual predator."

The term "sexual predator" is defined by a wide range of actions, including possessing child pornography and sexual assault. It can also include "public indecency" for a third or subsequent conviction. Public indecency can also include urinating in public, and there have been several recorded instances of people registered as sex offenders for that act.

"Brett," who asked to use a pseudonym, was also, like Haugh, swept up in the Candyman sting.

He said he didn't remember joining that particular group, but had "downloaded thousands of pictures" from other places. Of these, 33 were deemed to be of minors under the age of 18.

For Brett, the arrest, which sent him to the Butner Correctional Complex in North Carolina and into a sex offender treatment program, meant an immediate end to medical school.

He was also part of the controversial study which emerged from Butner, stating that as many as 85 percent of convicted Internet offenders had committed acts of sexual abuse against minors.

"I felt like I had to give them what they wanted, because I didn't want to get kicked out of the program," he said.

In comparison to what many LGBTQ sex offenders report going through, Brett felt insulated and somewhat protected because he was in a special program. But, "for me, it was still prison, and it was difficult being away from my family."

Brett had not been very out as a gay man prior to his arrest, and the end of his prison sentence left him wanting more connection to the gay community.

"I would probably try to be more active in the gay community but for my conviction. If I didn't have that, I'd want to be more of an activist," he said.

Brett has found a job as a paralegal, but he



These two GayLife stories from July 10, 1981 show that arrests used to be very common at gay bars and in public spaces, and these arrests may still be on the records of some people today.

feels the daily weight of the restrictions on his mobility. Once an avid tennis player, he has stopped playing, because most courts are in parks.

For these Illinois men, the restrictions, which tie them down in terms of both physical and social mobility, are the hardest aspects of the registry. Brett also added that Illinois especially overuses the term "predator," which can make people seem more dangerous than they are: "If you go online, over 50 percent are listed as predators. Nobody in Illinois wants to get rid of [the word] 'predator' [as a legal category]." Brett and others feel that the term is applied too loosely, and only increases the stigma for those who may not fit the stereotype. Echoing the thoughts of many, he also said, "The registries have lost their intended purpose anyway—if you register everyone for everything."

In 1997, Richard Hunt of Massachusetts was arrested for what he described as an "offense against an 11-year-old boy."

"I was 20, I should have known better," he said. But Hunt also said, "It wasn't a Lifetime movie. It was not what people think, the rape of a child. It was not brutal but also not innocuous, not what people want to imagine."

Hunt likens being on the registry to having a chronic illness.

"It informs every decision you make in your life and how you go about your daily business when you think about it," he said. "People hate you; they want you to die and go away."

He describes getting a job and housing as impossible. He managed to put himself through four years of state college and then two years of graduate work at Brandeis University, before notification requirements made that difficult.

Today, Hunt cobbles together a living working for an older gay couple whose house and gardens he looks after. He considers himself fortunate.

nate in having a connection with the older gay community, which has been, according to him, more supportive than many young people in the community.

Frustrated with a lack of online resources and help in navigating the system, he set up a blog, [<http://masexoffenderresource.blogspot.com/>] which he hopes to turn into a resource book.

There are fewer women than men on SORs, but the effects are as far-ranging.

Rebecca Curtis, of Luray, Va., was 21 when she, as she put it, fell in love with a 12-year-old girl who was also the daughter of the man drywalling her home in 2004. Today, the two are married.

Curtis said that the girl's mother neglected her and told her she could have her daughter move in with her for \$500, claiming she needed the money for bills and rent. (Curtis also said that the woman offered to sign over full guardianship for \$5,000 but that she refused.)

Over the next few years, Curtis and the young girl developed a sexual relationship while they lived together, until the mother filed charges against her—Curtis claimed this was an attempt to deflect attention from having left her 4-1/2-year-old son unattended for two hours.

Curtis was convicted as a nonviolent sex offender in 2007, but when Virginia laws changed to comply with the AWA, she was recategorized as a violent sex offender.

The relationship continued, and they eventually married in Washington, D.C.; Curtis' wife is currently five months pregnant.

Being parents will not be simple for Curtis and her wife, since Curtis will be banned from gatherings that include children.

Such cases represent a range of ways in which LGBTQs can find themselves placed on sex offender registries. Both Haugh and Brett were targeted in the kind of chat rooms in which gay men in particular often find themselves. Intergenerational sex and the issue of consent between adults and minors are still topics that the gay community has never fully reconciled satisfactorily, and the conversations are gendered very differently. For women, who feel more at threat from sexual violence because of what many call "rape culture," and from a general cultural reluctance to think of women's sexual agency in terms of desire, the question of sex between minors and adults is a more fraught one. Intergenerational sex has a longer cultural history among gay men, where the issue has been more of a topic of conversation, until relatively recently.

Neither Hunt nor Curtis is likely to find many sympathetic audiences in the younger gay community. As Hunt put it, the work of Wilhelm von Gloeden, the German photographer famous for his nude studies of young Sicilian farm boys, graces the walls of many gay homes, but the subject of man-boy sex is still a forbidden one.

Patty Wetterling, mother of the child after whom the Wetterling Act was named, has been outspoken about the problems she now sees with SORs. "We need to keep sight of the goal: no more victims," she said. "We need to be realistic. Not all sex offenders are the same. We need to ask tougher questions: What can we do to help those who have offended so that they will not do it again? What are the social factors contributing to sexual violence and how can we turn things around?"

Currently, it's not just parents such as Wetterling but even organizations in support of SORs that echo similar questions about how far they have been extended. On its website, the group, Parents for Megan's Law, fully supports SORs and the need for "arrests for non-compliance and increased accuracy of registry information." However, it has also posted a letter from its director, Laura Ahearn, pointing out that residency restrictions may have gone too far: "Enacting ill conceived politically correct in the moment laws may lead to a constitutional challenge, bringing invited attention to the lawmaker but seriously compromising existing laws. More importantly,

Corey Rayburn Yung, a law professor at the University of Kansas, pointed out that it was difficult to gauge how many people who committed sodomy crimes before *Lawrence v. Texas* might still be on sex offender registries. "But there certainly are people who engaged in consensual sodomy and are on the registry," Yung said. "Given that so many of our sex laws have overwhelmingly been used to target sexual minorities, it's not surprising that there's going to be a lot of people left over from that era and continuing criminal laws that are in LGBTQ communities."

it will lead to a greater number of homeless and non-compliant sex offenders—exacerbating their tracking, monitoring and supervision—ultimately placing our children at greater risk for victimization."

Scholars and activists have differing opinions about how SORs became what they are, and what needs to change, but they're united in opposing the current state of things.

'They Need to Go'

Corey Rayburn Yung, a law professor at the University of Kansas, has studied the rise of SORs. Yung argues that there is a war on sex offenders as much as there was and still is a war on drugs.

Speaking to Windy City Times, Yung said, "Within the next couple of years, we're going to have a million sex offenders, people found guilty or who plead guilty. That's an enormous population we're going to isolate from mainstream society."

Yung expanded on the similarities between the war on drugs and the war on sex offenders: "In some African-American communities in places like California, under the war on drugs, half of African-American males between the ages of 18 to 26, are either currently in the prison system or the criminal justice system more broadly, or were in the past. You have communities where the men in particular are now tagged as criminals and have their employment options diminished and are left to fend for themselves. That same phenomenon occurs with sex offenders."

A lesser-known aspect of sex offender registries is that sodomy statutes can still play a role in ensnaring people in them. Some states still have sodomy laws on the books, and those are all states that had them in 2003 as well. The U.S. Supreme Court case of *Lawrence v. Texas* in 2003 addressed sodomy as a private, consensual act between adults, but that means that commercial acts of sex, such as prostitution, and perhaps anal and oral sex between minors can still be prosecuted.

Yung said that "crime against nature" statutes include sodomy and bestiality: "In those states in particular, they've not removed these statutes from the books, because, as they argue, bestiality is still a crime. But then it turns out they've done a lot of targeting of gay and trans communities in some cases, using these laws that were thought to be struck down in *Lawrence v. Texas*."

In some prostitution cases, undercover police officers target gay male prostitutes for acts involving oral or anal sex, defined as sodomy—and which brings longer prison sentences and sex offender registration. Yung also spoke of a Virginia case involving minors, 14 or 15 years old, prosecuted for sodomy, where the courts declared *Lawrence v. Texas* couldn't apply because they weren't consenting adults.

Yung pointed out that it was difficult to gauge how many people who committed sodomy crimes before *Lawrence v. Texas* might still be on sex of-

fender registries. "But there certainly are people who engaged in consensual sodomy and are on the registry," Yung said. "Given that so many of our sex laws have overwhelmingly been used to target sexual minorities, it's not surprising that there's going to be a lot of people left over from that era and continuing criminal laws that are in LGBTQ communities."

For Yung, moving forward and away from overreaching sex offender registries means using more resources "in terms of imprisonment and also in terms of police investigation for the more heinous of our sex crimes, rape and child molestation." He pointed out that, "right now, rape continues to be one of the most underprosecuted crimes" and that his own work on SORs had come about because of his interest in studying how to combat sexual violence in particular.

The issue of sexual violence strikes close to home for Jason Lydon, a founder of Black and Pink, an organization of LGBTQ prisoners and allies on the outside.

Lydon spent six months in federal prison for civil disobedience against the U.S. Army School of the Americas (now the Army's Western Hemisphere Institute for Security Cooperation). His experience in prison, where he says he was sexually assaulted, did not change his politics regarding prison abolition. Like many queer radical prison activists, including Angela Davis, Lydon believes that the prison system—which activists refer to as the "prison industrial complex"—serves no purpose other than to make profits for the state and private companies.

Lydon's appraisal of sex offender registries comes from what he calls "a critique of the idea that the state can protect people and create authentic safety."

"My immediate response [to SORs] is as an abolitionist: This is not going to bring us forward to transformative justice," Lydon said. "They need to go."

Lydon said that his experience with sex offender registries comes from his past work as a Unitarian Universalist minister, in which he spoke openly about the need to have frank conversations about adult-minor sexual relations, as well as from knowing several friends on SORs.

Aware of his views, a member of his congregation approached him to talk about the member's own sexual desire for children. Lydon said that, "as a minister and mandated reporter, I had to think about what information I could and couldn't hear, how I could be supportive of him and what that would mean, I was able to gather that he wasn't in physical contact with children. So we talked about his support and got him in to see a counselor."

Lydon wants to see more conversations about the age of consent.

"I do have a value judgment if someone is under puberty, I don't believe there can be consent with an adult," he said. "I think that young people's sexuality with other young people can be mutually fulfilling and doesn't need to be policed by adults. But I do think we need to have

open and honest conversations about what consent looks like and where age and power dynamics play into that, how alcohol and drugs play into that."

Alan Mills, legal director of the Uptown People's Law Center in Chicago, works with clients on sex offender registries and sees no value in those registries.

"I think they should be scratched, but I don't think that's politically possible," he said. "[They] should be brought back to where they started, which is to list pedophiles. The realistic solution is to work with victim advocate communities to try to work on the 'smart on crime' rhetoric. Unfortunately, it's far too easy for politicians to be 'tough on crime.' If you talk to them off the record, most of the legislators in Springfield will admit that what we're doing with sex offenders makes no sense whatsoever."

Mills does not think the critical conversation on SORs has made its way into the general public.

"Registries seem to be the in thing now," he said. "It's easy, cheap, and it gets votes."

Erica Meiners, a professor at Northeastern Illinois University in Chicago, is also a co-founder of St. Leonard's Adult High School, an alternative high school for formerly incarcerated men and women.

She's also the author of several books and articles that address the intersection of LGBTQ politics, the prison industrial complex, and public education. She has, in both her research and activism, encountered people trying to get back to normal life after prison and while on the registry.

When asked if sex offender laws might deliberately or inadvertently target LGBTQs in particular, as in gay chat rooms, Meiners pointed out they're not the only ones affected by the law's relationship to sexual identity.

"The people I interact with may or may not identify as non-heterosexual but may engage in non-heterosexual or non-gender-conforming sexual practices, including sex work that then makes them more vulnerable towards being picked up by police, being under surveillance, where they can live or move, how their bodies are seen in particular locations in the city," Meiners said. "So that's in addition to gay men being targeted in chat sites or the idea of gay male sexuality as predatory being recirculated." For Meiners, it's important to consider how sex offender laws are set up to target the most vulnerable among us.

Meiners spoke about a need to do two things at once. The first is to develop ways for people harmed by sexual violence to recover from the trauma. The second is to make sure that those who inflicted the violence are held accountable without society's resorting to harsh and long-lasting measures such as sex offender registries.

"There's no evidence that registries are successful in preventing sexual assault or transforming our larger culture or that they stop sexual violence," she said "And people who have to lodge complaints often find themselves violated by the system itself."

Meiners called SORs "the ideological scaffolding" that has pushed prison expansion in the past decade.

"That expansion has happened with such little critical interrogation from the general public and also queers as we march towards assimilation," she said. "Now is a politically important moment for LGBTQ people to interrogate these claims of protection being made, who benefits from them, who doesn't. Because decades ago, those claims were being leveled against us."

WCT contacted groups strongly in favor of sex offender registries, but they were not able to respond in time for publication. A later piece, on sex offender registries and HIV-disclosure laws, will return to this topic.

The crime series continues in next week's Windy City Times.

CRIME

LGBTQs and the Criminal Legal System

OUT

When we talk about LGBTQ people and the courts today, we're often referring to the seemingly endless stream of LGBTQ victories coming out of judicial systems across the country.

But in the criminal courts, LGBTQ people have long faced a different reality. Perhaps nowhere has that been more visible than in Cook County,

historically a model for criminal legal systems throughout the country.

In the next three weeks, Windy City Times will take readers through that structure today as we look at how LGBTQ people get caught in the system and the challenges they face once there.

A Windy City Times Special Investigative Series: Week Two

Stranger danger: Pickup crimes in the gay community

BY ERICA DEMAREST

On April 15, 2010, a well-known Washington, D.C., school principal named Brian Betts was found murdered in his home.

In the weeks that followed, investigators learned that Betts, 42, had arranged a meeting with his attacker through a sex chat line a few hours before the murder.

Betts agreed to leave a door to his house unlocked so that 19-year-old Alante Saunders could enter discreetly, news reports said. But when the teen arrived, he brought along three other men. The group proceeded to rob Betts, kill him and steal his SUV.

ficer Jose Rios, the Chicago Police Department's LGBT liaison.

Many of the men arranging anonymous hookups are in the closet. Others have called escort services or used recreational drugs with their attackers and are fearful they'll be charged if they contact the police. Still others are crippled by shame.

"They feel like, 'I was doing something wrong in the first place,'" said Charles Nelson, a member of the Chicago Black Gay Men's Caucus. "They feel like, 'I shouldn't have been in the park looking for some kind of a sexual relationship.' They're afraid of what's going to happen and how the police are going to respond to

This includes older men, African-American and Latino men, transgender people, closeted men, undocumented immigrants and people from lower-ranked socioeconomic groups.

"Definitely, the people who are victimized are the last people who should be victimized," Nelson said. "They already don't have anything. They don't have the resources, or they don't have the knowledge of the resources."

In African-American and Latino communities, where homophobia is often pervasive and many men are still in the closet, pickup crime is a major problem, activists said.

"On the South Side of Chicago, most gay men can't just walk into any venue, see another gay

pened to you, not because of you. But a lot of them are ashamed."

Undocumented immigrants face a particularly high risk, Rodriguez said. Many fled their native countries because of homophobic violence. In several Latin American nations, it's common for LGBT citizens to be murdered.

"The police department is probably more threatening to you [if you're undocumented] than it is to the perpetrator of the crime," Rodriguez said. "That person might get some time in jail—or a slap on the wrist or a court date. But for someone who is undocumented, it might actually mean you could start deportation proceedings."

Rodriguez estimates one-third of the city's Latino male population is in the U.S. illegally.

"If they call the police, the first thing they're going to say is, 'Where are you from? Where are your papers?'" Rodriguez said. "You're going to be victimized multiple times for something that wasn't even your fault."

GayLife Section X/Thursday, March 21, 1985 X7

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GayLife from March 31, 1985.

The brutal slaying sent shockwaves through D.C.'s gay community. Many believed Betts was the victim of a pickup crime—one of the least-discussed and least-reported types of crime that affect the gay community.

Pickup crime occurs when someone meets a potential date or sexual partner and is then victimized as a result, said Lisa Gilmore, director of education and victim advocacy at the Center on Halsted. Gay men are most likely to be targeted, and pickups can occur online, in bars, on the street or through phone lines.

"People will pretend that they want to hook up or go on a date with somebody in order to perpetrate some kind of crime or violence," Gilmore said.

Once a meeting is arranged or the victim is drawn away from a crowded environment, crimes committed can range from robbery to battery or sexual assault to—in extreme cases—murder.

While police, activists and victim advocates across the United States are aware that pickup crime exists, it is impossible to pinpoint exact data. When crimes are reported, Gilmore said, they're often filed under categories like "aggravated battery" or "sexual assault"—not "pickup crime."

But mostly, pickup victims simply don't report. "A lot of people are embarrassed because they feel like they should've known better," said Of-

them."

Rios said he has known about pickup crime for years but, in the first quarter of 2013, has seen only one set of incidents described.

In April 2013, five separate men called Rios—who is based in the Lakeview neighborhood's 19th (Town Hall) District but operates citywide in his liaison capacity—to talk about being victims of pickup crime.

Three of the men met their attackers in bars. Two were online hookups. All five said they were robbed, and one man claimed he had also been beaten for initially resisting the robbery. But none of the men filed official reports.

"Out of the five, four of them would not give me their names," Rios said. The men simply wanted to make Rios aware they had been targeted.

"If there's no [official] report, technically, it didn't happen," Rios said. "The problem is: There's not much we can do unless there's a report ... If you make a report to me, then that report gets assigned to a detective. That detective is going to investigate it."

The last people who should be victimized'

Those least likely to report pickup crimes are those most likely to be targeted, activists said.

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Mattachine Midwest newsletter from December 1973.

man, and be comfortable to socialize with him without fear of someone identifying them as gay," Nelson said. "It's hard for Black men to meet someone—period—because of the social stigma. You may not have as many social outlets."

As a result, many men turn to phone lines or online services such as Craigslist, Adam4Adam, Grindr, Black Gay Chat or even Facebook. While many of the users on these sites are legitimate, predators find it just as easy to create a profile.

Some of the predators are gay themselves and committing crimes of opportunity. Others are straight and actively targeting gay men—either out of homophobia or because it's easy.

"It's like you're in a store, and you know you want to steal something, but you don't know what," said Julio Rodríguez, board president of the Association of Latino Men for Action, or ALMA. "And all of a sudden something falls off a shelf and hits you in the head. That's sort of what the gay community has done for [predators]."

Because being closeted, fearful or ashamed is so pervasive in racial minority communities, Rodríguez said, attackers bank on the fact their crimes won't be reported.

"[The victims] think, 'OK, if I make an official report, then it's out there in the world [that I'm gay]," Rios said. "This is something that hap-

Ageism also comes into play, and the image-conscious nature of many in the gay male community could hurt men who aren't stereotypically attractive.

"In the gay community, as men age, they're no longer seen as worthy," Nelson said. "They learn: [These anonymous hookups] are the only way I can find intimacy."

Rios said most of the men who talk to him about pickup crime are "older gentlemen" who have been targeted by men in their 20s. The perpetrators span every race and come from the North, South and West sides. Many of the meetups are arranged online.

"We have an aging population that feels like, 'I'm too old to go to the bars,'" Nelson said. "They don't have many outlets to socialize. They've probably lost friends due to multiple reasons. They feel this is the only way they can socialize too."

'You knew he brought the wrong trade home'

Though the Internet has created novel opportunities for predators, pickup crime is far from new.

"This is something that's been going on as long as gay men and women have been in the city of Chicago," Nelson said.

A longtime Chicagoan, Nelson recalled numerous Hubbard Street beatings and Bronzeville attacks ("Before there was Boystown, there was Bronzeville") in the 1950s and 1960s. Men would cruise near the city's few gay bars, looking for people to target. And male sex workers often worried whether clients were legitimate.

"There was a time before HIV and AIDS that whenever you heard about any gay man dying, you knew he brought the wrong 'trade' home," Nelson said.

In the 1970s and 1980s or later, ads in gay publications such as GayLife offered "full body massage" or the chance to "stroke together." Though some ads led to safe encounters, others were ploys to isolate and attack gay men.

Phone lines were also targeted. "They were very dangerous," Nelson said. "Men of all ages would go on, and they would get stuck up [robbed]—or sometimes worse. We know a lot of men who have met men off the phone lines and died. And you just don't hear about it."

The Internet created countless opportunities for gay men to connect, but it has also given criminals unprecedented access to victims. Predators often create fake profiles on gay dating sites. References to "poppers" or other party drugs all but ensure victims won't report the crime, since calling the cops would be tantamount to admitting drug use.

"It's such an easy way to troll for people," Rodriguez said, shaking his head. "It doesn't take a lot of effort. You just have to sit and wait."

Gangs have noticed, the Center on Halsted's Gilmore added.

"They figure out what will make someone vulnerable," she said. Social networking sites and "down-low" hookup spots such as parks or non-descript bars are popular.

Rodriguez has heard reports of gang-related pickup crime in the neighborhoods of Humboldt Park, Little Village, Pilsen and South Chicago. Small Latino bars are hit hard because "the last thing anyone wants in a 'down-low' bar is the cops," he said.

"Gangs are sophisticated. They can push their homophobia aside because they're opportunistic by nature. Why try to break in, if one of 10 doors will be open?" Rodriguez said. "[These guys] know they're attractive ... They're like wolves. They know to pull somebody out of the [another] pack."

Nelson, who works as the MSM (men who have sex with men) project director for the South Side Help Center, has heard about similar incidents in parks across the South Side.

"For some of the initiations for certain gang members—why, I don't understand—they say, 'Go over there and rob or victimize these gay men,'" Nelson said. "They feel they own the area, and they don't want you there."

'Very little recourse'

When pickup crime happens, resources are limited.

Gilmore, who oversees the Center on Halsted's anti-violence project, recommends calling the center's 24-hour crisis hotline at 773-871-CARE. When asked about other resources, those interviewed drew a blank.

"[These victims] actually have, unfortunately, very little recourse," Rodriguez said. Many feel that calling the police will be futile, and the fear of law enforcement is widespread in the LGBT community.

"I think a lot of that is passed down culturally," Rios said. "You know: 'I had a bad experience with the police 10 years ago, so now every

police experience is bad.' But the Police Department from 20, 15 or 10 years ago is not the Police Department that's here now."

Rios, an out gay man, said he trains new cadets to leave their prejudices at home. Victims may also call him personally at 312-744-0615, even if they don't want to make an official report.

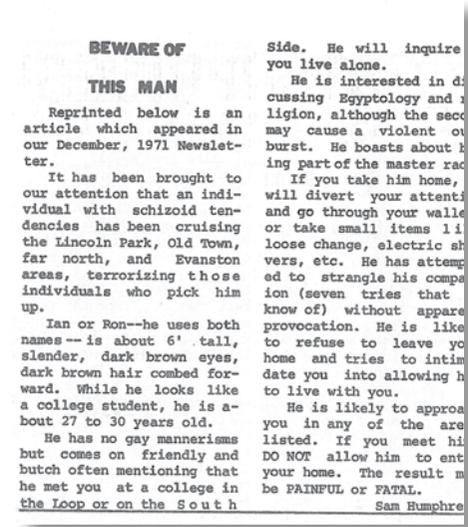
How police treat LGBT victims "depends on what district you're in," Nelson said. "In districts where there isn't a big gay presence, [the officers] have their own internalized homophobia. They use their badge as a form of dealing with that they think is wrong."

Ultimately, Gilmore said, it all comes back to shame.

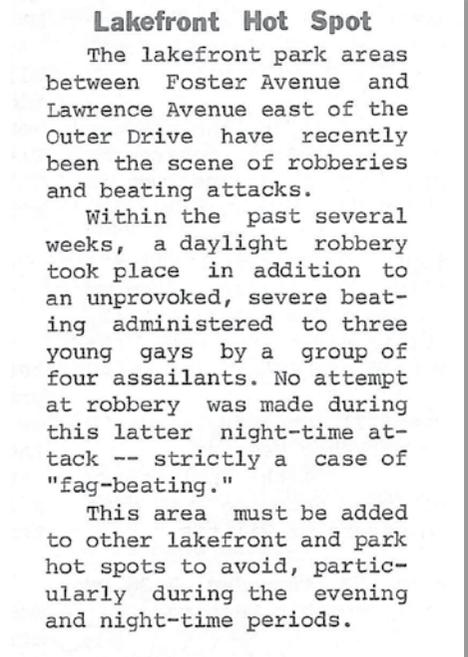
"There can be a lot of stigma related to hooking up for some people," she said. "They're ashamed of having sexual relationships or sexual activity with people they're not in a relationship with for some length of time."

More cultural competency among police and first responders would help, Gilmore said.

"But I wonder how much we might not want to talk about [pickup crime] because of how related it is to our LGBT identities," she said. "Particularly with online formats—[this type of crime] is directly related to how people are exploring or expressing their sexuality."

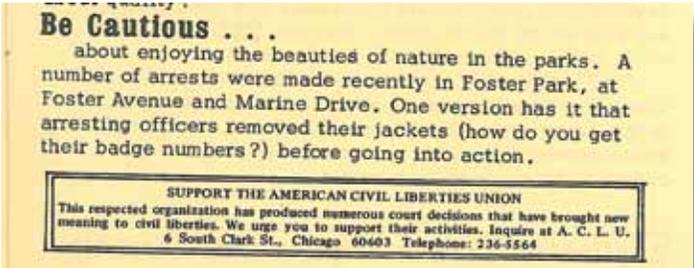


Mattachine Midwest newsletter August 1972.



Mattachine Midwest newsletter September 1972

Mattachine Midwest newsletter October 1968.



Dejon, 23. At right, Dejon is pictured in the hospital after being attacked in Boystown. Photos courtesy of Dejon.

Bruises left on Chicago's LGBTQ community by violence

BY MELISSA WASSERMAN

In March 2011, Dejon said good night to his friends and headed home from an evening out in Boystown. As he was walking down the sidewalk, a man wearing a ski mask got out of his car and charged toward him, screaming. Dejon was robbed, stabbed and left almost dead. He called for an ambulance.

"Having it happen to me then was really that eye-opener to change situations," Dejon, 23, said. "I feel like I was a very naïve child, walking through life with no care in the world and that situation opened my eyes that there's more going on out here and I have to be proactive and have to try and help change it. I take every situation as an inspiring situation, so if I can't learn a lesson or I can't help people learn from a situation, then I don't feel like it's a worthy situation."

Not long after Dejon's attack, four of his close friends were murdered because of their sexual orientation in a span of six months on the South Side, he said.

Those violent incidents were more difficult for Dejon as he realized he could have been the person in the casket and another number in the death count among LGBTQ youth. He also recounts numerous violent encounters he has seen at LGBTQ clubs.

"This was the major wake-up call for me," said Dejon. "These are intense things that happen to people, and for me to have experienced that and be able to see it happen to someone else and they didn't come out with the same result, it makes me grateful that I was able to make it through that situation, but it still makes me hurt because I feel horrible they had to get that final result."

"It gets to a point where I can't even watch the news because I see it happen so often. If there are no mortalities, then it's not a regular day. It's really tough, but the best way to make it through is to see that silver lining. To say, 'This is what the problem is, let's start looking for a solution. Who do we need to talk to? What do we need to do?'"

TJ Williams, an African-American LGBTQ activist, is heavily involved in the church and committed to amplifying the voices of Black gay preachers who support LGBTQ equality. Currently, he is a Master of Divinity student at New York Theological Seminary and a member of the

Riverside Church in New York City. Williams is insistent that issues of justice are diverse, and he pushes LGBTQ leaders to see how those issues affect the city as a whole.

"I am concerned that we are in the midst of a genocide, not just within the African-American community, but also among our children," said Williams. "When the most innocent of us have been taken away from us, it should prompt all of us to act, including LGBT leadership, that we cannot be silent on violence in this nation."

Violence against LGBT people can also come in the form of verbal violence.

Tre'Shon Davis experienced such violence in his home when he came out as gay and began dating his boyfriend soon after. The 18-year-old's mother, with whom he had what he described as "the perfect relationship," began verbally abusing him, calling him names and remarking on his sexual orientation.

After about seven months, Davis felt there was no other choice but to move in with his grandmother. Eventually, the contact between him and his mother ended completely.

"It made me stronger, it taught me not to harp on things," said Davis. "I know things are going to get tough and there's going to come a time that I'm going to experience something that's way more extreme than what I have been through. No matter what hard times you've been through, you can't let that tear you down, or you can't let that stress you. You can only look at that as an obstacle you overcame and an obstacle that has made you stronger."

Both men volunteer for National Youth Pride Services in Chicago and live on the South Side.

Founded in 2003, NYPS has approximately 1,500 members in 32 states, ranging from 13 to 24 years old. The organization trains, educates and develops future leaders with the overall mission "to meet and exceed the needs of African-American LGBTQ youth and those who provide resources to them," adopting the day-to-day motto "youth at hope; not at risk."

NYPS President/CEO and Founder Frank Walker created the group as a result of frustrations he heard while volunteering with youth, about the lack of programs led by Black LGBTQ youth geared toward Black LGBTQ youth. He describes the group as being disciplined and structured,

State's Attorney's LGBTQ/hate crime specialist talks crime and justice

BY STEVEN CHAITMAN

Anyone who identifies as LGBTQ has good reason to be wary of the criminal justice system, but the Cook County state's attorney's office has stocked the ranks of its victim assistance program with at least one ally.

Alicia Oeser is the state's attorney's LGBTQ and hate crimes specialist. When a case opens that clearly falls under either umbrella, it finds her desk. Oeser offers victims support and resources and helps walk them through the complicated legal process of the felony courts.

Oeser stepped into the position in September, following in the footsteps of Anne Huffman, who held the job for nine years.

Oeser was a sociology graduate student at DePaul University. She ran the rape crisis hotline for the YWCA Metropolitan Chicago and worked simultaneously as the sexual violence support services coordinator at DePaul. Most recently, she worked for Family Rescue, a domestic violence agency on the South Side.

Windy City Times sat down with Oeser to talk about her role, its challenges and how she supports victims in the criminal legal system.

Windy City Times: How is it that you discovered this position and why did you pursue it?

Alicia Oeser: This position was kind of an accident. I didn't mean to get into this. I've been doing rape crisis counseling work and domestic violence work, and it's not necessarily what I wanted to do forever. So having the opportunity to take this position that allows me to be more active in what I consider to be my community, needing advocacy services and that kind of representation—that was really exciting for me.

WCT: What were some of the driving factors that made it feel like this was the right position whether personally or professionally?

AO: Personally, being in the LGBT community, you see it every day, how much of a struggle it is to be received, like legitimately, in your experiences in non-LGBT communities, whether it's the doctor's office, the legal system, domestic violence shelters. Wherever you're going, you have to really push to be treated in a way that feels respectful to you ... I feel very strongly that speaking up and being able to make a negative experience any more positive is what I want to be doing—taking someone who's having this horrible situation and being able to walk them through it in a way that's as painless as possible, where they're getting as much respect as possible, because they deserve it.

WCT: What is one of the key components of your role?

AO: Having access to the right language to make sure I'm not accidentally alienating somebody by using terms with the wrong gender pronouns or anything like that. So that's kind of

my job, to make sure those conversations are happening with victims in a way that is totally sensitive to them. And that's always been true for me, regardless of my work, is letting [the victim] lead the conversation. I don't need to address somebody in my language. You go ahead and set that tone and I'll use your language, and that's cool. To me, that's just being a good advocate.

WCT: Are you someone that victims have to specifically request?

AO: If you don't disclose that you are a member of the LGBTQ community, then no, you're not necessarily getting referred to me, and that's cool, because you don't have to have the LGBTQ advocate just because you're part of our community. I'm here as an option for people, to give them a choice to know that they do have me as a resource.

That's my job, to have LGBT-specific referrals to other parts of our community, whether it's entertainment, or counseling, or civil litigation services, health services. To some extent we do expect people to be their own advocate and ask for that if necessary. There are some cases where they don't have to. If it is clear in the case summary that this was a romantic relationship between two same-sex people, that's automatically coming to me. And I don't need to make that a big deal. That's not the conversation we have to have. The conversation is about you and whatever services you need to feel supported. Sometimes that's going to be LGBT-specific, and sometimes that's not.

WCT: Is lack of disclosure one of the bigger roadblocks in your job that's beyond your control?

AO: I would say so, because we can only pursue cases that people tell us about. So, if somebody doesn't report the case to law enforcement, it will never get to me. I will only see it once it's charged, but if they don't want to report it, it's not going to come up, because it can't come through the court system without first stopping at the police station.

There are people who live in communities where they might feel like they're engaging in an activity that is not going to be approved of by a police officer. So, I don't want to go forward about this crime that happened to me if I'm worried that they're going to be like "well, why were you doing that anyway?" or "you shouldn't have been doing that anyway" or possibly "I might arrest you, anyway." There are so many concerns about just that initial step that, yeah, I certainly feel a little powerless to be able to move that forward, because I can't control what their experience is like at that level.

WCT: Talk about the one-on-one dynamic you have with the people that you're helping.

AO: There are things that are common across

all of these. The No. 1 most important thing I can do for anyone is listen to them, being able to let someone sit across from me as long as they need to, give me as much or as little information as they want, and I'm going to be able to provide them that space, judgment-free. And I think that that's incredibly useful for people who are feeling unsafe and possibly unwelcome where they're at. I want to look at it holistically, not just how is the gay part of them feeling about this.

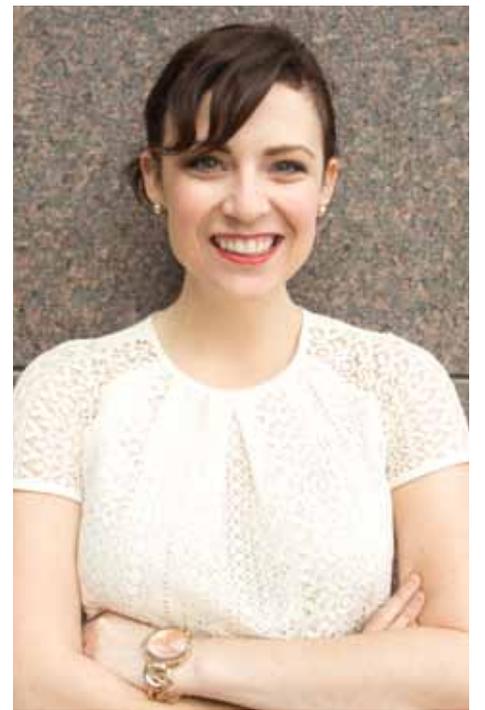
And then it's my job to give them options and say "here's what I hear you saying" and "I think this might be useful to you" and "would you be comfortable if I made this connection for you?" Giving them something, knowing that when they leave me they're not on their own, is my goal. But every situation ends up differently, because it really is based on what the person sitting across from me feels most comfortable with. Maybe today you don't want resources, but maybe in a couple weeks you will, and that's cool. I can check in with you, I can ask you, but at the end of the day I want it to be up to you, what you're getting out of this.

WCT: What are the biggest challenges that LGBTQ individuals face in the legal system?

AO: The legal system is going to be complicated for anyone, especially a victim of crime. I can't articulate how challenging it is to go through and not feel traumatized by your experience, not because people aren't doing a great job, that's not it at all. But the experience itself is daunting and you're kind of passed around all the way up the criminal justice system. So, that means you have to talk about what happened to you over and over again, and the way people respond to your story is not always going to be what feels best for you.

Then for people in the LGBTQ community, having to worry about—from the beginning all the way up—if people are going to take you seriously, if they're going to believe you, if they're going to harass you. What if they're homophobic? If you have to ask yourself all these questions, you're starting off feeling like, "I don't wanna be here." I can't blame anyone for coming in feeling like that, because at the end of the day, you shouldn't have to be here. This shouldn't have happened to you, period. And then to be passed from one person to the next to the next to the next, it continues to feel disempowering.

That's part of what I see my job to be, is being able to bring you back into this experience, so it's not just other people telling you what to do—it's up to you also. But I don't know that that's going to work for everyone. There are plenty of people who come in and aren't responsive, they don't want that. Because really, at the end of the day, I might just be another person they've been passed along to because



Alicia Oeser. Photo by Hayden Hinch

they didn't seek me out. I come to them, I say, "I'm here as an option." Some people will take me up on it and some people won't.

WCT: Has it been challenging for you to be part of a system that oftentimes doesn't work as it theoretically should?

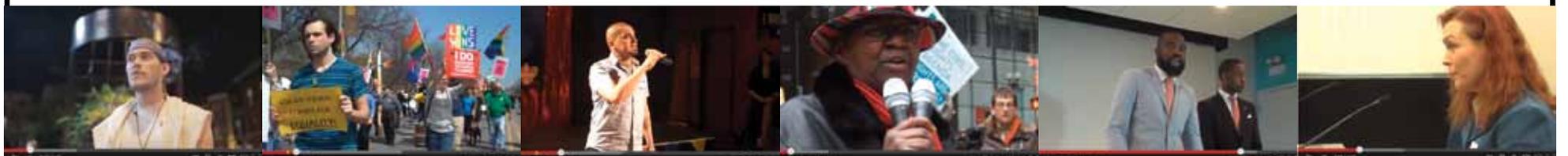
AO: Yes, that's absolutely challenging to me. I don't know of a perfect system at this point, so it's hard to say what would be preferable. There are lots of things that give me pause in terms of how are we treating people, whether there is enough restorative justice going on, I absolutely think those conversations should be happening and are happening. It's not necessarily helpful to just lock that person up and throw away the key. It's never going to get better if we don't talk to people, if we don't come to a mutual understanding about respect and about our humanity. But I think the position I'm in and the position that our office is in is a piece, and it's meant to be a piece. I don't think it's meant to be the end of the line. I do think that there's some element up to us as being members of the community to take it beyond that.

WCT: Other than knowing that you're available if something should happen, how else can people use you as a resource?

AO: I'm available for questions, too. If somebody has a question about what do I do and maybe they don't feel comfortable talking to law enforcement right away, they can call me. I may not absolutely have the answer but I might be able to direct them to someone who can that I trust to answer that question. I want people in our community to be able to use me as a resource beyond just "something horrible has happened to me and now I am in need of your immediate assistance."

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VIOLENCE from page 11

which reflects his own upbringing. "Everything was predominately on the North Side and predominately youth of color, but not run by people of color," said Walker. "So we decided there needed to be something that youth led and had a say in and closer to the neighborhood with people that looked more like them that they can relate to."

Currently, the Black LGBTQ community, Walker said, does not have an organized agenda. In his view, the agenda that is established among the mainstream LGBTQ community does not reflect

Cycle of Violence



A graphic used when the National Youth Pride Services TV channel was focusing partner violence from a Black LGBT perspective.

the needs of the non-mainstream and is not open to discussion.

"The powers that be in the LGBT community, they determine what the agenda is going to be. It usually does not actually reflect the actual immediate need of Black LGBT folks," said Walker. "So that's probably one of the biggest things that I have noticed as I travel from city to city. I believe people who are suffering daily to the point of death and suicide are more urgent than people who are not on the verge of death, or suicide, or depression. If we can save some lives, that should be the priority, in my opinion. I just believe you go by what's more dire now. That should be on the agenda."

Aisha Truss-Miller, program director of Affinity Community Services, sees various cases of violence that the Black female LGBTQ community faces, and not just interpersonal violence. She sees cases of self-inflicted personal violence, in which people inflict harm on themselves, and the structural violence that marginalizes people along with the violence imposed upon those people.

Self-harm, she explains, includes drug and tobacco use and failure to cope with mental and physical health issues because of lack of resources.

Alternatively, violence and discrimination among LGBTQ youth in particular come in the form of bullying from peers and teachers. Religious bullying is an issue that makes it difficult for people to find places to worship.

Additionally, she listed the trauma young people face in Chicago from community violence, in which she has seen young people who have been robbed, jumped and shot.

Among the Black LGBTQ youth he works with, Walker said the main forms of violence he sees are verbal abuse and physical abuse. Some of the

most common issues, such as lack of parental support, acceptance or basic rights, lead to violence. He is certain it develops from a combination of things that eventually boils over.

"I was always told growing up that hurt people hurt other people," said Walker. "I used to wonder why so many LGBTQ youth were fighting each other, and it's mainly because a lot of people—not all—who are always oppressed and have a lot of emotions don't know how to express it and they don't control their anger management, so they tend to go out and express that anger violently towards people they are around."

Truss-Miller believes that violence has not made much of an impact on Chicago's mainstream LGBTQ community, that it is not considered an LGBTQ issue as much as it is seen as a Black issue.

"I think violence in general within the LGBTQ community is on the back burner, and that is not a priority on the agenda," said Truss-Miller. "It also helps create conflict, which breaks down the LGBTQ community by class and by race because then different communities have different agendas."

She highlights what she sees as a difference in awareness of violence from the North Side to the South.

"The Black community is well aware of violence attacking their community," said Truss-Miller. "But we're at a point to where we are desensitized, and it's become a normal way of life for us, and these are normal actions or deemed as normal actions. We're also in mourning, so it's hard to address something and try to heal from it at the same time. You're angry that this issue isn't an important issue to other people who are reaching out to you and calling you community. It's a challenge, and I think we're well aware of what the violence is doing to us in our communities, but if I go into the Loop or cross downtown and go north, people are aware if they hear the news, but because it doesn't hit home for them it doesn't matter."

Dejon witnesses the difference, as he is a South Side resident who travels north to enjoy the nightlife.

"It's tough," he said. "Some people have to literally bring two separate clothing options. One for the travel to where they're going and the other for when they get there, because they can be who they are when they get to where they're going but on the way there, if they dress that way, they will not make it far. It doesn't sit well with me. I don't like that freedom of expression is limited [on the South Side]."

Truss-Miller insists the lack of a collective LGBT agenda or interest is the recipe for failure when it comes to issues of violence.

Williams wants to see national conversations between leaders after LGBTQ youth violence or deaths occur.

"If we get back to those old values that revolve around peace and justice, of children being able to be children and enjoy each other without visualizing blood and guts, we will begin to heal a next generation," said Williams. "We have got to stop glorifying violent crimes. There has to be a collective outcry to that."

Affinity aims to support survivors and victims of violence through speaking engagements, collaborating with other organizations and marginalized communities, and doing collective



Jadior Rodriguez, who died in 2012.

research.

The group has also pushed for anti-bullying legislation. The organization also supports the proposed Violence Against Women and Girls Act.

"Creating and sustaining safe spaces for community to develop and people to develop mentally, spiritually, emotionally, holistically—that's our primary focus at Affinity because these things can be addressed," said Truss-Miller. "It's a safe space to have these conversations."

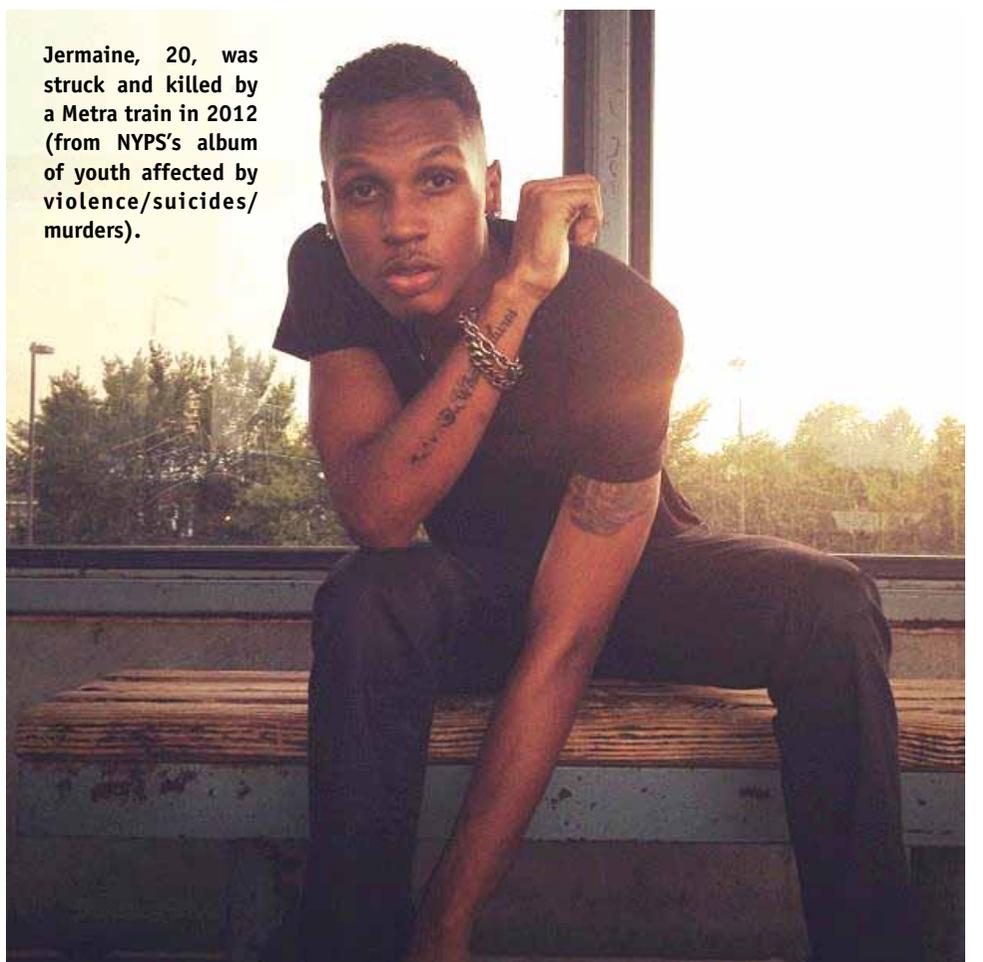
For Dejon, the violence he can encounter, and has seen head-on in the past, encourages him to try to be a model for other people.

"I feel I should be a great example for the homophobic, for the heterosexuals who have no understanding of our lifestyle or us as a people," said Dejon. "I try to inspire people and tell peo-

ple that change is coming and you don't have to stay in that mentality, and violence is not always the answer, especially in this situation."

Dejon channels his heartbreak into music as he writes it and sings. He volunteers at a performing arts school. He wants to help give youth positive outlets and better opportunities.

"Just like that life-changing situation happened to me, I feel like something big has to happen and people are literally going to see the situation and be moved by it," he said. "They're going to return back to humanity. I know it won't happen overnight. Until that big thing happens, I'd rather plant a lot of little seeds, especially in our youth to try and keep them growing in the right direction."



Jermaine, 20, was struck and killed by a Metra train in 2012 (from NYPS's album of youth affected by violence/suicides/murders).



Left: Image from NYPS's Facebook page. Right: NYPS's logo, which aids in encouraging people to increase visibility of the organization.



#blackgayyouth
CREATE SOME CHANGE. USE THE HASHTAG ON TWITTER AND GAIN VISIBILITY!

For justice or profit? The challenge for U.S. prisons

BY CLARK BAIM

What is prison for?

Even if you've never visited a prison—voluntarily or otherwise—you're likely to have an image of what prison is. You might have an image of bars, watchtowers, guards and clanging gates. Inmates, too, are stereotyped: tattooed, pumping iron, and razor-wire dangerous; a great mass of the bad, the mad and the risky to know.

When you work in prisons, you get a chance to meet people up close, to meet the person beneath the mask, so to speak. You also get the opportunity to ask the basic questions but in a more informed way—questions like, What is prison for? Are we making the best use of our time, money and ingenuity? What good can come of this?

Within its overarching mission of protecting and preserving a just society, prison is meant to serve five functions: to contain; to punish; to deter potential offenders; to rehabilitate; and to implement community restitution. Since the 1970s, America has added its own, sixth function: to make a profit; the amount of subsidized cheap labor now being exploited in American prisons challenges the reputation of Soviet gulags.

The rehabilitative function of prisons is the least understood and usually the first to go when prisons are overcrowded and budgets are tight. In the U.S., with far and away the highest rates of incarceration in the world (more than six times the per capita rate of Canada and three times the rate of Mexico, for example), the focus is on warehousing and containing inmates and, in private prisons, making a profit from them.

Prison resources are so stretched by the sheer volume of humanity they encounter that rehabilitation programs and creative approaches to restitution for victims and for communities fall by the wayside. For the majority of inmates, prison is a lonely, dangerous place that usually makes people worse. And there is increasing concern about the traumatic effects on other individuals, families, children and communities when you lock up whole sections of the population. The havoc wrought by America's wasteful overuse of prison is not just shocking, it's insane, and it undermines our national strength—not to mention our financial resources. As a society, we can do so much better.

Prison practices internationally vary a lot. In the U.K., where I live and work, prisons are at capacity but can still afford the "luxury" of rehabilitation programs—although these are under constant threat of erosion and cancellation. The statistics aren't great, and there are still major concerns that prison may be a university of crime. But much positive work is being done, and rehabilitation is still seen as a central goal.

We need to understand how we got here and to



Clark Baim (left) at a Johannesburg, South Africa prison in 2006, where he did a psychodrama training for prisoners and staff. Photo by Tracy Baim

find a way out. While prison is often necessary for violent and sexual offenders, dealing with drug offenses and nonviolent offenses without using prison is an important place to start. When nonviolent criminals are offered community-based interventions, this often serves as a much more cost-effective—and overall effective—way to give a sanction/punishment and also insist that the offender make restitution to the community. It can also involve attending rehabilitation programs such as drug-treatment, work-skills and behavioral-treatment programs. Then the costliest interventions, and the most resources, can be focused on the people who need them most and who pose the greatest risk to society. And how costly is costly? The average price for keeping a prisoner inside an American jail is \$31,000 per year, and in some states it is double that amount. What if you could get a better result for half the amount if you worked smarter?

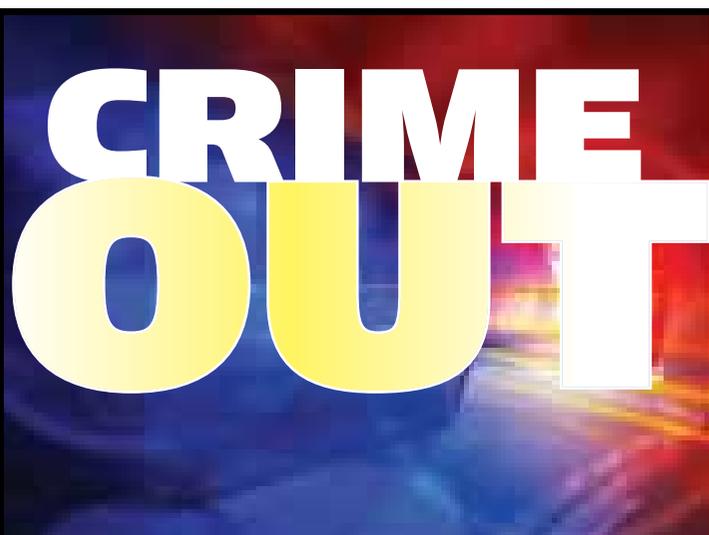
As long as more people behind bars equals more votes and more profit for private corporations, we will continue down this insane route. Or maybe we will choose a different path and tell our elected officials that we want our criminal justice systems to be smart and changing systems, not just human warehouses, forced-labor camps and universities of crime.

So, where do we need to start? My sense, after working in the criminal justice field for 25 years, is to suggest, as with so many human problems, that we start with ourselves. When each of us acknowledges our own human complexity, the struggles we face internally and with others, when we can learn to accept that we share a common humanity—strengths, hopes, flaws and all—with all "criminals," then we may be less tempted to see offenders as carrying all the bad elements of the human psyche, those aspects of the self that we would prefer to deny. The

opportunity to reflect brings the opportunity to change one's mind, to see new possibilities and to change direction.

The reality is that you could lock up half the human population and you would still have crime. Our criminal justice system needs to draw from research and modernize, learning what works and what doesn't.

Clark Baim is from Chicago and now lives and works in the U.K. as a psychotherapist in prisons, probation settings and private practice. His most recent book, co-written with Tony Morrison, is *Attachment-Based Practice With Adults: Understanding Strategies and Promoting Positive Change*, published in Brighton, England, by Pavilion Publishers. He is the brother of Windy City Times Publisher Tracy Baim.



**For the Windy City Times
Crime Out series, see
articles posted here:**

www.windycitymediagroup.com/gaynewsarticles.php?k=Crime

CRIME

LGBTQs and the Criminal Legal System

OUT

When we talk about LGBTQ people and the courts today, we're often referring to the seemingly endless stream of LGBTQ victories coming out of judicial systems across the country.

But in the criminal courts, LGBTQ people have long faced a different reality. Perhaps nowhere has that been more visible than in Cook County,

historically a model for criminal legal systems throughout the country.

In the coming weeks, Windy City Times will take readers through that structure today as we look at how LGBTQ people get caught in the system and the challenges they face once there.

Additional editing provided by William B. Kelley.

A Windy City Times Special Investigative Series: Week Three

Cook County Jail works on transgender policies

Cook County Jail has quietly expanded its transgender policies and services in recent months, opening a protective unit for transgender women and bringing in local advocates to work with detainees and staff

BY KATE SOSIN

The women file in all at once, in a fit of laughter and hugs, turning a quiet, empty room into a reunion.

Bonnie Wade and Channyn Lynne Parker from Chicago House are here today, and some of the women know them from the outside.

Nastasha Valentino, 38, rushes to hug Parker. Parker and Valentino have been friends for more than 20 years, and Valentino is proud to see Parker doing good work, the kind of work she was destined to do, Valentino says.

Today, Parker's work involves meeting with transgender women detained at Cook County Jail. She is the first out transgender person to work in the Cook County Department of Corrections, a role she fills as part of her job as the Connect to Care program coordinator for Chicago House.

Chicago House, an HIV and transgender housing service agency, has recently formed a partnership with the jail to provide services to transgender detainees.

It has been just three weeks since the protective custody tier for transgender inmates opened in Division 6, and the room is full of cautious optimism about the new programs that come along with it.

She started doing sex work in 1973, at age 14. It's been 16 years since she stopped. Today, as a peer specialist for the Cook County Sheriff's Office's Human Trafficking Team, she tries to steer others away from sex work. She wears street clothes—jeans, a white-and-pink top and gym shoes.

Myers-Powell is celebrating an anniversary today, she tells the room. Forty years ago, she started doing sex work. She celebrates this day, Good Friday, because she has since stopped, she says.

A few of the women respond with an "amen."

The meeting room looks much like a middle-school classroom—milk-colored tiles and chalk-yellow walls bathed in fluorescent lighting. A couple of posters hang from the cinder-block walls, most of them with inspirational sayings. A black-and-white sign shouts, "NO PROFANITY PLEASE!!" Another lists off the rules for a barbershop, suggesting the room has multiple uses. An anatomy poster hangs in the corner. Otherwise the walls are bare.

Twelve white plastic chairs are assembled in front of an old metal desk. The detainees sit in the chairs. They appear to range from the late teens to middle age. Almost all of them are people of color.

Most of the women wear the same type of blue



Officer Erica Rosas (left), Nastasha Valentino (center) and another detainee listen to Miss Brenda's talk. All photos by Kate Sosin.

she says. "I knew I was."

Myers-Powell talks a lot about self-respect and self-preservation. She'll be 100 percent, regardless of a man—regardless of her husband, even.

"People told you that you ain't shit for so long that you bit into it," she says.

This message resonates with the room.

"We feel like we need somebody to love and live our life," says one of the women. "But we don't even love ourself first. You know what I'm saying?"

Still, many are not sold on the idea of giving up sex work, and they tell Myers-Powell this.

transgender detainees, and he responded that jail staff should follow the existing policy.

"I just saw blank stares across the room," he told Windy City Times in 2011. "I said, 'Are you trying to tell me there is no policy?'"

The only policy dealing with transgender detainees dated back to 1984. The "Transsexual Treatment Protocol" detailed guidelines for prescribing hormone therapy, but it did not address gendered housing, clothing or staff training..

As instructed in the new 2011 document, corrections officers were to use preferred names and pronouns for transgender detainees. A committee would meet to determine the needs of each transgender person in detention. Perhaps most



Above: The entrance to Division 6, home of the jail's protective custody tier for transgender inmates. Right: Brenda Myers-Powell and Channyn Lynne Parker talk to a group of 12 women in Myers-Powell's "Prostitutes Anonymous" support group. The group meets once a week.



On today's schedule is a group meeting on sex work. Brenda Myers-Powell, better known as "Ms. Brenda," runs the "Prostitutes Anonymous" support group for trans women. She also runs a similar group in Division 11 that primarily serves non-transgender women.

Myers-Powell is not transgender, but her history makes her easily relatable, easy to talk to. It's likely one of the reasons her journey away from sex work has been the subject of much media coverage over the years.

slip-on shoes, but a couple sport tattered flip-flops. Some of their socks are mismatched or spotted with holes. A few have come carrying personal items—a comb with most of the teeth missing, a container of what looks like lip balm.

Behind the desk sits a chair, but Myers-Powell sits on the desk itself.

She tells the group about the time she "dated herself." What she means is that she devoted her energy to her own needs and happiness.

"I didn't need nobody to tell me I was fine,"

Trans policy at Cook County Jail

Before March 2011, Cook County Jail had no official rule for placing transgender detainees together. That year, it became one of the first jails in the country to implement such a measure.

The seven-page order had come at the urging of Cook County Sheriff Tom Dart after he discovered a lack of uniformity in policy. A jail employee had asked him what to do about placing

significantly, gender identity was to be a major determinant of housing.

The policy made national headlines, and some hailed it as a victory for transgender rights. Others lamented that it had been adopted without consulting local transgender leaders. But for the most part, local advocates waited and watched to see how the policy would play out and if it would be followed.

Reports on its success have since varied. While the policy aims to keep trans detainees safer



Left: An electronic monitoring device is affixed to one of the women's ankles. Center: Most of the women wear the same blue slip-on shoes, but a couple sport tattered flip-flops and appear to be in need of new socks. Right: A detainee holds a comb with most of the teeth missing.

from their peers in detention, the majority of anecdotal complaints seem to be about corrections officers, not inmates.

In 2012, Monica Scott, a transgender woman, was detained in Cook County Jail on a forgery charge.

Scott, 40, spent four days in a men's lockup with the general population before a staffer approached her about moving to Division 17,

where she would be housed with women, she said.

"They made it sound really, really sweet," said Scott.

Scott, who entered the jail with a drug problem, would have access to programs and resources that would both affirm her identity and help break her addiction, she was told. She would be housed with women instead of men. Still, she

didn't want to go to Division 17.

Scott had already been locked up with the men. Moving to a women's facility was bound to cause a stir, not just with other detainees but with corrections staff.

In the end, Scott said, she was right.

"When I got there with the women, it was crazy," she said. "I was assaulted by one of the officers."

Scott had been promised confidentiality, she said. But in Division 17, corrections officers knew she was transgender, and they taunted her because of it. Other detainees had also been told about her gender identity, making Scott a target for harassment.

In the showers, other detainees would corner her to study her body, she said.

She also alleges that she was beaten in front of other women by a corrections officer.

And the harassment followed her once she was released, she said, as the same officer tracked her down on the outside.

Keisha Allen, another transgender woman who entered the jail in November 2012, reported similar harassment when she was jailed in a men's lockup, Division 9.

"To me, my experience was horrible," said Allen. "I didn't really have no problems with men. I mostly had issues with the security guards. I felt like, for me, it was torture, waking up like, 'What is this officer going to say about me tomorrow?'"

Allen alleges that despite having a gender marker of "female" on her ID, she was housed with men.

Allen's story and Scott's resemble many coming out of not just Cook County Jail in past years but also jails and prisons throughout the country, where detainees are often confronted by anti-LGBT bias daily.

One Cook County Jail employee, who spoke on condition of anonymity for fear of reprisal, said that anti-trans verbal abuse at the jail has been part of the culture there. He has seen it regularly, he said.

"I've heard them called 'faggot' to their face," he said. "I've heard professional people, who are supposed to be professional people, in there like, 'I don't want to deal with this he-she. I don't want to deal with this it. Get this thing out of my office.' I've heard that. I've witnessed that. I've heard like, 'That thing should not be allowed to walk around.' I've heard that 'there's no way in hell I want to deal with that shit.' I've heard all kind of stuff. This is overt. This is what is allowed. It openly exists, and people laugh, and they giggle ... I've heard people say, 'I will not recognize you as a woman,' or, 'I will not recognize you as this person, because you were born this way, and that's the way you are going to be addressed.'"

According to the sheriff's office, the Cook County Department of Corrections has a zero-tolerance policy for verbal and physical abuse against inmates.

"We do have training procedures for staff regarding gender identity and discrimination," said the sheriff's office in a statement. "The Sheriff's Office of Professional Review objectively investigates all allegations against its employees. A new policy is being written to co-

ordinate services with CCSO (The Cook County Sheriff's Office) and Cermak [Health Services, at the jail] to provide appropriate accommodations for all subjects in its custody who identify as transgender or who are identified by Cermak as transgender. CCSO and Cermak strive to uphold the respect and dignity of all subjects in CCSO custody."

The protective-custody tier that houses transgender detainees and the addition of staff training are intended to address some of those issues.

Cook County Jail is one of a few in the country to draft a transgender policy that allows for self-identification. It is rarer still that jails offer several, if any, trans-specific accommodations. In many cases, Cook County is operating without other examples of how to house transgender inmates. Much of the strategy on that work has developed within the Gender Identity Committee with the backing of Sheriff Dart.

While the Division 6 tier is new, many trans women were previously housed in Division 11, where they had access to similar programs for trans women. Still, not all trans women are being held in Division 6; some remain in other parts of the jail for various reasons, including the charges they face.

Officer Erica Rosas

Among those who began work with the Gender Identity Committee early on was Officer Erica Rosas, a representative from Assistant Executive Director Martha J. Salazar's office.

Rosas had not worked with transgender people previously, but she fell into the role quickly and



Monroe, a 26-year-old detainee, sits next to Officer Erica Rosas. For Monroe, being transgender in jail is not so different from being transgender on the outside.

took over as chair of the committee about a year ago.

As chair of the committee, Rosas spent a lot of her off days visiting trans detainees at the jail. It took a long time to build rapport with the women. But in time, she feels she has started to gain trust.

Rosas appears quiet and serious but warm. Her attire is business-casual rather than the uniform that many jail employees sport. A large badge around her neck identifies her as an officer.

Chicago House partnering with jail on transgender programs

BY KATE SOSIN

HIV service agency Chicago House has been making headlines the past two years for a massive expansion into transgender housing, employment, medical services, programs and legal support.

Now, the organization is taking that work into Cook County Jail.

The Cook County Sheriff's Office has announced a new partnership with Chicago House in a Windy City Times exclusive.

"This is the right thing to do," said Bonnie Wade, director of the TransLife Center at Chicago House. "We have to go where the need is, and it just makes sense to start this partnership."

Chicago House will provide services to transgender detainees as well as those being released from the jail. The organization will also be conducting trainings and support for jail staff.

Officer Erica Rosas is chair of the jail's Gender Identity Committee, which oversees transgender housing and programs at the jail. She sought out Chicago House in an effort to improve transgender services at the jail, she said.

"It's a no-brainer," Rosas said.

The announcement comes in the wake of a large expansion of services at Chicago House, which has long been a HIV housing service provider. Chicago House is in the process of opening its TransLife Center, a North Side transitional living house for transgender people. The organization has been steadily adding services to that project under the directorship of Wade, a long-time LGBTQ housing advocate.

Advocates have noted that few resources are available for transgender women upon release from jail. Sometimes, they are released in the middle of the night without housing, money, employment or other resources.

Chicago House hopes to change that by connecting trans detainees to the organization's TransLife Center before release.

Through Chicago House, transgender detainees will have access to a support group in the jail, one-on-one support with Chicago House staff, legal assistance and planning services before being discharged.

Channyn Lynne Parker, connect to care coordinator for Chicago House, has already started meeting with detainees, running a weekly support group in the jail for transgender people.

Parker is believed to be the first out transgender person to work in Cook County Jail.

"[The jail] sought the help of someone who has walked in [the trans detainees'] shoes," said Parker. "I was a stone's throw from being there. It could have been me."

Chicago House will work with those released on securing housing and employment. The organization said it hopes to cut down on recidivism at the jail.

Asked if a partnership with the jail, historically seen as an unsafe place for LGBT people, would be complicated for Chicago House, both Parker and Wade said the move would allow Chicago House to support the community's most marginalized.

"We go to where the need is, and it just makes sense to start this partnership," Wade said.



Brenda Myers-Powell and Bonnie Wade walk through the halls of Cook County Jail's Division 6 together.

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In Ms. Brenda's group, Rosas observes silently in the background as Parker and "Ms. Brenda" Myers-Powell talk self-esteem. She pipes up toward the end to encourage the women to seize the moment and turn things around for themselves.

More than anyone, Rosas is charged with seeing to it that trans detainees are safe and are able to express their gender. She meets with each known trans detainee individually when they enter the jail and reports back to the committee. She also does wellness checks on the women.

Challenges range from securing appropriate clothing, underwear and toiletries to making sure that medical care is in order. And then there is the issue of staffing.

"I've become very overprotective," says Rosas, who acknowledges that there have been issues with corrections staff when it comes to transgender detainees.

Under Rosas, the role of the Gender Identity Committee has expanded significantly.

In March, the jail updated its transgender policy, adding more detailed guidelines for corrections staff and more oversight by the committee on the policy's implementation.

Under the current policy, detainees are asked if they self-identify as transgender once they enter the jail's booking area.

Those who self-identify are offered protective custody and are interviewed by Rosas or someone else from the committee. It is also possible for detainees to be classified as transgender by



Left: Nastasha Valentino, 40, takes a moment for the camera. She says that Cook County Jail has made vast improvements over the last decade when she was last detained. Right: Nastasha Valentino and Monroe talk about their experiences in the jail's new protective custody tier for transgender inmates. Below: The Gender Identity Committee meets on Friday afternoon to discuss the 18 known transgender detainees in the jail.

were harassed by peers. That same study found that 16 percent of trans detainees reported physical assault behind bars. Another 15 percent reported sexual assault.

Among Black transgender people who had interacted with police, 38 percent reported harassment. Fifty-one percent said they were uncomfortable seeking police assistance.

Of those who had been in prison or jail, 29 percent of Black respondents reported physical assault in custody, and 32 percent reported sexual assault.

Employment discrimination coupled with lack



Dr. Kenya Key (Left) and Assistant Executive Director Martha J. Salazar listen as Officer Erica Rosas reviews the files of transgender detainees at the jail during a Gender Identity Committee Meeting.

jail staff and placed into protective custody without self-identifying, the sheriff's office confirms.

After meeting with Rosas or another committee member, a detainee is assigned an accommodation plan. The plan includes information about the detainee's needs—from toiletries and underwear to hormones and other medications.

Many of the trans women who enter the jail receive a care package of feminine toiletries, bras and panties, among other things. The packages are donated either by Myers-Powell or the sheriff's Women's Justice Program. Part of the reason for this, Rosas notes, is that many of the trans detainees who enter the jail don't have money to purchase such things in the commissary.

Special accommodations have also been made for showers in Division 6, according to Rosas. Transgender women are given their own allotted time to shower.

Conspicuously absent from the discussion is anything about transgender men or transgender people who do not identify as strictly male or female. The Division 6 tier, Rosas says, is for transgender women alone. The sheriff's office states that the same services and accommodations are available to transgender men but does not go into specifics.

Trans and locked up

The statistics about transgender people behind bars, particularly transgender women of color, are staggering.

A widely cited 2011 survey by the National Center for Transgender Equality and the National Gay and Lesbian Task Force found that 37 percent of transgender people experienced harassment by correctional officers, and 35 percent

of access to gender-related medical care leaves sex work as one of few options for many—even though people engage in sex work for myriad reasons. For many trans women, who would otherwise go without the surgeries and/or hormones they need in order to live, sex work has become the fastest and most economical option.

That fact, among other things, is a reason for pause about programs such as the "Prostitutes Anonymous" support group at Cook County Jail, say some advocates.

Cassandra Avenatti, a social worker and executive board member for Sex Workers Outreach Project Chicago, said that programs that aim to convince people to leave the trade can be shaming instead of helpful.

"They tend to not allow for sex workers to have any sort of agency or draw a more comprehensive picture of sex workers as a population and honor the fact that some folks do choose to engage in the sex trade, and some folks do feel empowered," Avenatti said. "Not everyone identifies or feels like a victim."

Avenatti also points out that the "Prostitutes Anonymous" support group assumes that all of the trans detainees in the tier are engaged in sex work. The sheriff's office confirmed that the tier attends Myers-Powell's meetings as a group, but added that other topics are open for discussion in the group.

Many trans women not engaged in sex work in Cook County report being charged with prostitution because police profile trans women as sex workers. So common and widespread is that occurrence in the U.S. that trans people have come to refer to it as "walking while trans."

Some trans women also get arrested on purpose, said the jail employee. Some trans people, he said, commit crimes so they can enter the jail because they can't afford medical care on the

outside.

"I've heard detainees say this. They do just enough to come in [to the jail] because they need that medical care. That's the only way they can afford to get that medical treatment," he said. "I've heard detainees say, 'You know, I'm in here because I need to get my hormones, and the only way I can get this is to do something on the outside.' And that's sad."

The Gender Identity Committee

On a Friday afternoon, the Gender Identity Committee convenes to review the files of new detainees.

The conference room is small, warm and out of date, lit by the same fluorescent glare as Myers-Powell's classroom.

Around the linoleum table sit George J. Vournazos, assistant general counsel to the sheriff; Scott Bratlen, superintendent in Division 6; Myers-Powell; Rosas; Salazar; and Dr. Kenya Key. Parker and Wade from Chicago House are also present.

Rosas hands each committee member a stack of papers. There are just a handful of new detainees this week, so things proceed quickly.

Rosas reads the name of each detainee, detailing what the woman has and what she needs. For the most part, the committee discusses two things: how a detainee is faring at the jail and whether or not her basic needs as a trans person are being met.

Rosas reports that one of the women needs a brassiere, while she notes that another has received a care package of feminine hygiene products.

In total, Rosas reports that there are 18 transgender people detained at the jail.

The jail employee said he thinks that number is far higher.

A change at the jail

Some of the trans women in custody report that a change in the overall culture at the jail has also changed what it means to be detained there. That's in part because the jail has increasingly focused on rehabilitation over punishment, employees say.

Valentino has been locked up since September. It's her first time being detained at the jail in a decade, she says.

"The Cook County Jail from when I was here 10 years ago was nowhere near close to the same,"

Valentino says.

In her eyes, things have changed dramatically and for the better.

There are days now, she says, when Cook County Jail doesn't exactly feel like jail.

You can come and go between activities without handcuffs. There are programs here, people to talk to, friends you know from the outside. On good days, the jail feels like a place with resources and opportunities, she says.

"You can get your hair cut," she says. "You can get your hair done. You can get a job here."

But there are other days when the reality of detention hits you, days when the place morphs. It's the mood, Valentino says. You walk through the halls and you feel it—today you are in jail. Yesterday, this was a different place.

Not everyone in the tier is thrilled to be there. In fact, many feel they have been unnecessarily segregated. A 26-year-old trans detainee who asks to be identified only as Monroe was among them.

"At first, I thought the transgender committee was segregating you," Monroe said.

In Division 6, the women are picked out of the general population and placed in protective custody, a designation for detainees deemed vulnerable by corrections staff.

When the jail's Gender Identity Committee meets to talk about the new tier, Dr. Kenya Key reports that several of the women are requesting psychiatric evaluations in an attempt to have their gender-identity status changed to get out of the tier.

Part of the challenge has been that the women have been plucked out of men's lockups but have yet to see a benefit in the transgender tier, Rosas notes.

Chicago House services at the jail are just beginning. Without those services, some women feel they have been unnecessarily singled out, outing them to the rest of the jail and putting them at risk of ridicule and harassment. Others would rather be in close proximity to men, Valentino notes.

Rosas hopes that the partnership with Chicago House will make the tier more appealing to detainees. Monroe says she is open to the possibility.

Valentino prefers protective custody. Being with the general population feels dangerous, she said. She remains hopeful but skeptical.

"At the end of the night, you're still in jail," she says.

Dear Brother Behind Bars: LGBTQ letter-writing campaigns to prisoners

BY MELISSA WASSERMAN

Ditching technology and the email that goes with it, men reach for pen and paper to write letters to their pen pals behind prison bars.

Brothers Behind Bars is a letter-writing campaign run through RFD (Radical Faerie Digest) magazine, a national quarterly publication geared toward gay, bisexual and transgender men.

Dating back to 1974, RFD is a reader-written journal, focused on country living and alternative lifestyles. The magazine aims to promote community-building and networking, among other things.

Myrlin is the editor for Brothers Behind Bars. He reads every single piece of mail.

Since 2002, he has been receiving letters from inmates requesting pen pals. With his database of about 1,600 prisons, he makes a list of all prisoners who would like to have correspondence and distributes the list to subscribers who request it.

The majority of the men writing in to participate are inmates rather than men outside prison, which makes Myrlin wonder if the gay community cares about inmates and inmate issues.

"It's mushroomed under my watch because I respond to everybody, and I try to do a good job," said Myrlin. "A lot of times I feel some people, they'll say to me, 'We know you can't guarantee us any results, but at least you give us hope that we might be able to find someone to write to and become friends with.'"

Myrlin also assembles the Prison Pages column featured in RFD magazine. The column is an outlet for inmates to communicate and share talents as they are able to send in material such as advertisements for pen pals, poems, short stories and artwork.

"I've known a lot of people who've been friends of mine who have gone to prison for various reasons, and when I got started in this, it was more that I was looking for friends," said Myrlin. "So, I was writing to people in RFD magazine when it used to be published in there, and I found some amazing pen friends who were inmates who helped me through some really tough times in my own life, when I needed someone to talk to."

Over the years, Myrlin has corresponded with many inmates, and with the number growing, he said it is sometimes difficult to juggle.

In 2004, Myrlin chose to write to a trans inmate named Trixi, who lived in a prison in California. The two became friends and over the years, a romantic relationship grew. The two now live in Tennessee together.

Gay inmates, Myrlin said, have no one with whom they can share their feelings, an emotionally straining experience. The letters provide a way for inmates to let out thoughts they would otherwise have to keep to themselves.

"It can be the world of difference if they survive in prison or not," said Myrlin. "You have no friends in prison. Trixi, my partner, says you don't trust anyone. You can't even trust the people who are closest to you in prison; you have to guard everything you do. Where with a pen friend, that you open up and trust, you can pour your heart out and not feel rejection. We all need that."

Andrew Deppe, a Chicago resident, has corresponded with his two current pen pals with two letters a month to each since 2007. He has even made a few trips to visit his pen pals at their respective prisons. One of his pen pals identifies as gay, and the other as bisexual. Deppe said having the LGBTQ male connection was largely why he was interested in Brothers Behind Bars.

"That's a big part of why they picked me, or

why I picked them to write to," said Deppe. "It's more isolating in prison. It's better than it used to be in terms of how the guards are trained and how the other prisoners interact with you, but it's certainly in the dark ages in terms of trans issues. I think for gay men it's still harder in prison because you're sort of a target or sexually more vulnerable as well."

Deppe came across a handful of descriptions of possible pen pals and picked randomly.

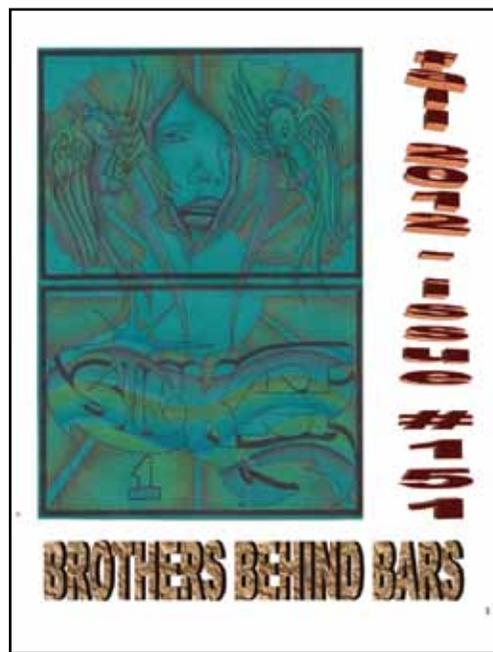
His pen pal relationships make him feel like part of somebody else's growth process. Writing is never repetitive, as each inmate has something different to say, whether it be different complaints, different things he is doing, or different things he reads.

"I feel kind of honored these people are willing to be so candid and honest and trusting of me," said Deppe. "I think they feel the same way. So, it's a mutuality of trust and affection and gratitude for the whole thing. It's rare. We live in a pretty hostile, angry world, and certainly they do inside the prison system in Illinois. There's just a lot of negative energy from the prison guards and other prisoners and so forth. There are sparks of light and nice little occasionally positive relationships. Just to share a little bit of love and positive energy and faith is a good thing for them and for me."

Photographs, Deppe said, are something his pen pals enjoy receiving, so he sends pictures of him and his partner, vacations, the lakefront in the summer and other subjects.

Aside from being targets as LGBT people, inmates have conveyed other concerns to Deppe. Access to job preparation or vocational programs for job opportunities once they are released is a significant worry.

"People are being punished, so when they get



Left: Cover of the Fall 2012 issue of Brothers Behind Bars. Below: Myrlin (left), editor of Brothers Behind Bars, with his partner Trixi.

out they're not prepared," said Deppe. "They've never seen a computer, or they don't know how to look for a job, and then they end up back in the same social situation that got them in the prison in the first place, whether it's gangs, or drugs, or screwed-up families."

For Deppe, being a source of trust for his pen pals is a privilege.

"The ability to extend myself and focus on making somebody else's life just a little bit better, sending them a book about Buddha, going to visit for an afternoon, or whatever, totally changes their whole perspective and their attitude and everything because their life is so bleak otherwise," he said. "It's not that much skin off my nose. I have a very privileged life Why not share a little bit of it? The messages I get in the mail are so full of appreciation and kindness and thoughtful energy, and it's so worth it."

For additional information on Brothers Behind Bars, visit rfdmag.org. To receive the pen pal list, write to P.O. Box 68, Liberty, TN 37095.



A letter from Andrew Deppe to Charles in prison, Sept. 17, 2012

Dear Charles:

Just checked my email and spent about an hour on the computer with the U.S. Chess Federation website, so I thought I'd compose a note to you at the keyboard this time. I got your letter of September 3 with the long list of legal websites to investigate. I thought I'd start with the Chess Federation, since you asked about that over the phone and mentioned it in your earlier letter of August 20.

What a project. I was able to submit an inquiry about correspondence chess, mentioning the name of Alex Dunne. However, their website and my printer don't seem to have a very good relationship. I enclose three barely readable pages: first is a copy of my inquiry submitted via their comments page; second is the main page under "correspondence chess"; and third is what came up under "more correspondence chess information." I was unable to find anything about algebraic notation.

Hope this helps. At some point, I'll get to the other list of websites. Meantime, tell me how you're doing with the paralegal course.

I've also gotten some phone messages of collect calls on my machine the last few days. I hope everything is all right. Sorry I'm so hard to reach by phone. If I come to visit in October, it will probably be in the first week (October 1-5 sometime). I'll either let you know or just show up!

I know you're in need of money, but it's pretty tight for me right now. I think I can scrape together \$40 and send it with this letter tomorrow. My clients are continuing to cancel at the last minute, reschedule multiple times, or just not show up for appointments. The sessions that I am doing are great - I just wish I had more of them, and that people weren't so inconsiderate. I lose a lot of business holding a spot for someone, telling others I'm not available, then facing last-minute cancellations. In any event, I hope this contribution will help somewhat.

I don't have much cash right now, but I'm raising a lot of money for AIDS Walk, which I've been doing every year for 12-15 years now. This year it's September 30—and I've raised over \$1,500 so far. I milked my 50th birthday for all it was worth, emailing lots of friends and family and telling them I wanted contributions to AIDS Walk as a birthday present this year. They're really coming through.

My birthday itself was great. My cousin Tom (son of my Uncle John who died in August) came to town with my Aunt Sue from Champaign/Urbana. His birthday is a day before mine. Stephen, my dad and I took him to a White Sox game (his favorite team), then my mother made a nice birthday lunch for the both of us the next day. That night, Stephen took my parents and me to a really fancy French restaurant for dinner. Lots of wine and fantastic, memorable food. Now I'm starting my second half-century.

Today is Rosh Hashana, so we went to services at Or Chadash (the mostly lesbian/gay synagogue where Stephen has been a member since 1978). It was a beautiful and meaningful service for the Jewish new year. I have plenty of new year's resolutions this time!

I'm still swimming in Lake Michigan every other morning or so, but the water temperature has started to drop. It's now about 72, after hovering around 79 or 80 for several weeks. We'll see how long I last! At least the indoor Park District pool is two blocks away, so I can start going back there when the lake has really cooled off.

I hope I get to see you in a couple of weeks. Meantime, hope the \$40 is at least some help. I'm also planning to send \$25 to Michael Williams, since I got another letter explaining his situation and what he needs. Love and blessings to you,

Andrew Deppe



Andrew Deppe.

Beth Richie on race, gender and the 'prison nation'

BY YASMIN NAIR

Beth Richie is professor of African American Studies, criminology, law and justice at the University of Illinois at Chicago and director of the university's Institute for Research on Race and Public Policy.

One of the most cited scholars on the intersection of race, gender and prisons, Richie also has a long and illustrious history as a feminist activist and was a co-founder of INCITE!, a national organization of activist women of color working on violence.

Her new book, *Arrested Justice: Black Women, Violence, and America's Prison Nation* (New York University Press, 2012), is a critical examination and re-examination of several of the issues Richie has been writing about and working on for many years: prisons, the criminal legal/justice system, and the particular vulnerabilities of women and African-American women in particular as they operate at the intersection of what Richie and many other scholars point to as a profoundly racist and misogynistic system.

Richie cut her activist teeth within the anti-violence movement, where LGBTQ and feminist activists (often the same people) have found a place to both articulate and resist the violence done to them. So, it might surprise many that her latest work is critical of the anti-violence movement for two main reasons: the fact that it contributes to what Richie calls "the prison nation" by uncritically invoking and strengthening a law-and-order system that expands incarceration, and its inability to consider both gender and race inequality. At the same time, Richie contends, Black mainstream political figures and organizations ignore those whose bodies and lives fall outside the neat categories of race and gender.

As an example, Richie considers, among others, the case of the New Jersey 4 (also known as the NJ4). Seven Black lesbian young women were walking in Greenwich Village one evening in 2006 when they were attacked by a man who began abusing them verbally and threatening them physically, while hurling anti-gay epithets. In the confrontation that followed, one of the women used a knife on the man, who was hospitalized with a lacerated liver. The resulting trial, where the women claimed self-defense, became a media sensation with the press using terms such as "lesbian wolf-pack" to describe them. Out of all the women, Patreese Johnson is the last one remaining in prison. According to Richie and many other commentators, the only people who eventually came to the women's aid, organizing funds and support, was a nationwide network of queer radical grassroots activists.

Richie spoke to Windy City Times in her Hyde Park home about the complex underpinnings of the NJ4 case, what it revealed about race, sexuality and gentrification, women and prison, her own history in the anti-violence movement and why she felt compelled to turn a critical eye upon it.

Windy City Times: Most people writing critically about the criminal legal system, as you do, refer to or focus on what they term "the prison industrial complex." You focus on what you call the "prison nation." What do you mean by that term?

Beth Richie: When I use the term "prison nation," I'm referring both to the actual existence and control exerted through the prisons, jails, prisons, detention centers, secured halfway houses, the actual buildings and the ideology. So, it's both a literal meaning and a metaphorical meaning. The literal meaning is of course the 7 million people who are detained, the disproportionate number of people of color, the harsh conditions, the distance from communities, the money that's poured into that, operating those buildings instead of funding other things. I critique that practice.

But I'm also trying to critique the ways that



Author Beth Richie.

we think about social problems as problems related to lawbreaking, and how we exercise a punitive or criminalized approach to solving problems like mental illness, pregnancy, sex, violence, drug addiction.

This came home to me when I was reading about the decarceration rates, or the rates of imprisonment going down, especially for women, especially for Black women in a new study that came out. And first I thought, Oh, this is great news, I can now write about gardening or something [laughs].

And then I realized that in some ways the closing of the buildings doesn't change all that much, because as we close more buildings, we put more people in ankle bracelets, under house arrest, or make their probation longer.

WCT: We expand sex offender registries.

BR: The registries, the registries ... I mean, that's a prison nation without a prison. We might have fewer buildings but we haven't changed the fundamental ideological position that says we need to control people, keep them under surveillance, make sure that their freedom and mobility are constrained, and their options are taken away from them. That's a prison nation.

WCT: In light of all that, what do you think of hate-crime legislation, which is so popular, especially in the LGBTQ community?

BR: There again, I would start out by saying, just like I would about all violence, that violence ruins lives, it serves to threaten not just the people who are directly harmed but groups of people associated with that. Violence has a symbolic meaning as well as a concrete meaning, and we need to find ways, serious ways, that can be sustained over time, to stop it.

[Hate-crime legislation] empowers the state that has articulated an interest in making non-citizens out of queer people—to turn to that state to protect queer people is illogical. It's illogical at best, and naive and dangerous. It means that we will somehow trust or give authority to the state to not mess up [laughs] the part of its job which is to protect people from harm, when in fact it exerts such harm. It would worry me to report a hate crime in a place where we have aggressive sex offender registries, for example, because all that does is give more information about who's queer and who's not to

tionate targeting of queer youth who live on the street, the lack of protection inside the facilities, for queer people, the inability of a school to accept gender-non-normative students: It's all of that. And yet, we're going to say, "We're hurt, help us."

WCT: The book is focused on women. A lot of the work around the prison nation or the prison industrial complex focuses on African-American men given, for instance, the disproportionate numbers of them in prison. But your book barely mentions such issues, and there isn't even a gestural motion towards the issues facing men in prison. What was behind that decision?

BR: I intentionally use the term "male violence," to push the notion of a patriarchal state versus interpersonal violence inflicted upon women by men. But whenever you say "male violence," people think about a male batterer, a husband battering a wife, a boyfriend battering a girlfriend. One of the things I'm trying to do here is discuss the larger structural violence that is inherent in patriarchy which, for me, can account for things like violence, can account for police brutality, can account for media images that are degrading, without reducing it to the kind of sexual assault and domestic violence that typically gets all of the attention.

Men are implicated in the patriarchal state in particular ways because of their privilege, but the book is about more than just individual male violence.

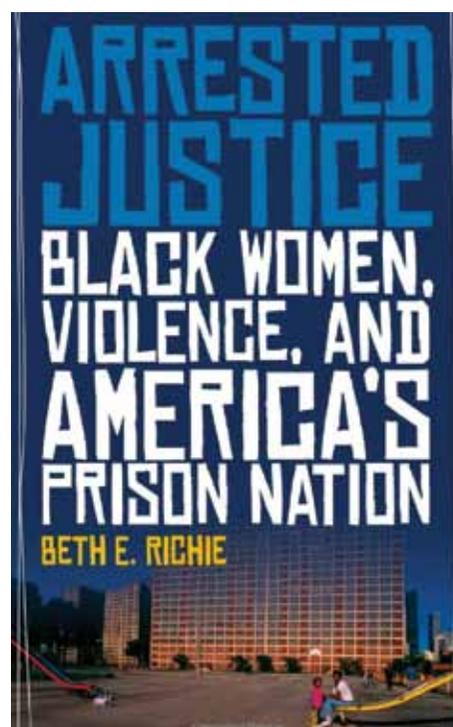
In the question of African-Americans or Black violence and state violence and incarceration: On the one hand the field, including activism in the field, has been appropriately preoccupied with the overrepresentation of Black men and incarceration. I think that has allowed for a narrowing of an understanding of what the real problem of a prison nation is. Because it's focused on the number of Black bodies and the gender of those Black bodies inside the walls. [Centralizing the] prison nation allows us to discuss something much bigger that, for better or worse, has equal effects in terms of its impact on men and women.

If you're a woman, things are much worse, because our communities don't attend to the ways that we're under the control of the prison nation. That doesn't rise up to a community priority. The prison nation is much worse for women because we're left with the burden of both the political and personal or intimate sphere of life—we've got to do everything in our communities, we're burdened because we are the primary care providers of prisoners we visit, we send money, make phone calls, go to court. There's disproportionate labor involved for Black women.

Most activists, even queer women of color who are in leadership positions as prison abolitionists ... are working without a clear gender analysis.

WCT: In your critique of the anti-violence movement and what you see as its failure to address key issues facing Black and queer women in particular, you point to some harrowing examples, including the backlash against the New Jersey 4. You point out that both the mainstream African-American community and the mainstream gay and lesbian community abandoned these women, and it was left to grassroots radical organizers to mount a campaign for their support. Why do you think the New Jersey 4 were ignored by the people who might seem like the ones with the most at stake in helping them?

BR: I think they made it too complicated. The Black civil rights self-appointed leadership that sees race as the master narrative to explain everything needs to hold very tight to that narrative to make it work. So [it resists] anything that complicates its agenda, be it sexuality, class, even age to some extent. They're arguing in many ways on a platform of Black respectabil-



the state, when they're going after us in other kinds of ways.

WCT: Can you expand on the part about making queer people non-citizens?

BR: The prison nation is a metaphor as well as a place, and there are lots of examples where the state has said that our rights as queer people aren't the same as other people's. People have a right to marry—not that I think that's a right worth all of the effort that we're involved in—but it's a right. Our partnerships, our ability to have children, our ability to do the same kinds of things, join the military, all of those places where there is a prohibition of gay citizenship being exercised, however people choose to do that, means that the state hasn't fully recognized us as full citizens. And it's when the state recognizes you as a full citizen that you can access the benefits of the state, including the benefit of protection.

What we've said in hate-crime legislation, overly simplified, is [to ask the same state that criminalizes us to give us protection] by, in effect, saying, "We're going to ask you to protect us, even though you have not only not recognized our full humanity as citizens, but also gone after us in some very particular ways."

We see that criminalization in the disproportional

ity that does not include poor, Black, lesbian, young people, let alone only young people, only lesbians.

The same is true of queer organizing. That's why marriage and military service become the dominant issues we fight for because those are about mirroring heterosexuality: "We're just like straight people, and we deserve the same rights as straight people. We want to get married and we want to fight in the wars." And so they can't accommodate for gender very well, class very well, age very well, or anything that transgresses something that makes it either a complicated intersection or something that's not about respectability.

So, the fact that the assaults on the New Jersey 4 happened in Greenwich Village is critically important to that analysis. Greenwich Village is white, and middle-class gay manhood is just the perfection there. You can feel a difference in how that community has changed. First of all, any displays of affection, let alone between Black, feminine, sexual, younger women insult everybody and it probably insults white, middle-class gay men who are heterosexually identified as much as it did that dude who assaulted them.

There's a gentrified, class dimension to that area, even the white performance of male queerness: the very well-dressed, physically attractive-in-a-very-particular-kind-of-way gay male. That appeals to a kind of progressive heterosexual group of people who are their neighbors: It's the coexistence of those two things, class and a performance of a certain kind of sexuality.

These kids insulted that. That public space is contested territory, so I'm not sure gay men were any more sympathetic. In fact, I'm sure they weren't any more sympathetic to what happened to the New Jersey 4 than the Black community leaders.

And, to be very clear, anti-violence groups didn't show up, either. Feminist-based anti-violence groups that supposedly understand sexual assault and street harassment didn't show up, either. Because, again, the combination, of who the young women were, threatened so-called feminist analysis.

WCT: Given all that, what made it possible for such an intense grassroots effort to spring up around the New Jersey 4?

BR: One reason is that it was so vile, so obvious. The way it was reported, in the newspapers, even if you look at the actual sentencing, it was all so aggressively violent: the description of them as a "lesbian wolf-pack," the interest in protecting New Yorkers from terrorism invoked as the sentencing proceeded. It was all so easy to see; there was no nuance.

WCT: You mentioned feminist anti-violence

groups, and this book is certainly extremely critical of them. Yet, you've been doing feminist anti-violence work for a very long time. You've been both a part of it and one of its main figures. In many ways, your work has helped move anti-violence work forward. What accounts for your particular trajectory away from that and for such a strong critique?

"Something has to stop the violence. Where were the neighbors? Where was gun control? Where was medication for his mental-health problem? Where was a religious institution that didn't deny and maybe even enable it?"

BR: Yes, it's a very important part of what this book is. I can read the anti-violence movement as a place where I grew up politically, and the critique that I offer is in part a self-critique. I did believe that the anti-violence movement was the place where a radical-feminist-of-color articulation of politics could be actualized. I really believed that. So I worked a long time—and sometimes I think too long—inside that movement to try to change it.

I still think of myself as a part of the movement that I describe in the book. That's because I think that if we trust it, take the movement at its word, it is one of the places where the most radical potential can happen. Unlike other issues, the immediacy of life and death around violence feels like it requires particular urgency. At the same time, there is nothing more powerful in how it's organizing race and class in our society than the prison nation.

When you put those two together, the working out of the interrelationship between those two things is profound. I sometimes say that I feel like growing up as I did in the anti-violence movement taught me to be a prison abolitionist, and I don't know that I would have embraced the critically urgent work of prison abolition if I hadn't been in the anti-violence [movement].

So, for instance, when my cousin was hurt, and [her partner] was trying to kill her: I'm glad someone called the police; she'd be dead otherwise. But here's what it also challenged me to think about as an activist as well as a human being, a human-rights activist: What else would have possibly saved her life? What could have saved her life in a better way than the state incarcerating him? What damage did it do to her

to have him almost kill her, and what damage did it do to her to incarcerate him? It raises a different set of questions. Because male violence, patriarchal violence, is so raw and real and urgent, it asks us to ask these questions, rather than being limited to the question "Oh, no, what can do we do in this immediate situation?"

WCT: In the situation that you describe, what is the alternative at that very particular moment of violence?

BR: Something has to stop the violence. Where were the neighbors? Where was gun control? Where was medication for his mental-health problem? Where was a religious institution that didn't deny and maybe even enable it? So all of these things, where were those things? I don't just mean in his history but the day before that could have prevented that and if not them, then an authority that could at that moment intervene to protect her and how do we have that authority—if we're going to rely upon a hierarchical system of authority, how do we contain that authority so that it doesn't go crazy?

And to me that's the challenge. A lot of people think about prison abolition or nonreliance on law enforcement as only prevention, but I think we have to bring it much more up to the moment where harm is actually being done and who else or what else could stop it. I know it means removal, separation, containment, protection. I could imagine that it might look to people like a police department. I'm not saying there shouldn't be police; I'm saying there shouldn't be this kind of unregulated authority to intervene and take away even her rights, to figure out what it is that she wants.

WCT: In what ways are her rights denied or taken away?

BR: If she failed to cooperate, she would possibly be charged with a crime herself. If she got an order of protection, and didn't turn him in if he violated it to bring her cash or to see his kids, whatever that might be, then she's in violation. She not only may be charged with some-

thing like that, but she could also lose whatever the right that comes from "oh, he was here yesterday to give me \$50, but I'm calling you today because he's got a gun" and they respond, "Well, you let him in yesterday."

WCT: So, she's constantly criminalized.

BR: And the cases where the women try to do the right thing, use their own judgment about what's right, but also try to do the right thing by the law—it just feels like that doesn't work any better, either. Take, for instance, the case of Tiawanda Moore, the Chicago woman who called the police in 2010 after a case of domestic violence, was sexually harassed by an officer who responded, recorded the police officers who discouraged her from filing a complaint, and then was jailed for violating Illinois' eavesdropping law. [Moore was eventually acquitted] So even doing right by the system leaves women criminalized. And these aren't extreme stories. They're all too common.

WCT: Your analysis of all these issues is very much focused on African-American communities. How do you prevent it from being read as another kind of pathology, another way for people to explain away the issues facing African-Americans as inherently cultural, for instance?

BR: This is why writing a book about a movement that you're part of is tricky, because I know that one read of this could be, "See, that does explain violence in African-American communities." So, one strategy that I try to use when talking about the book is to make sure to push out the analysis beyond the individual level to the structural level. In other words, the more serious indictment of state-inflicted violence is the one that I want to be the master narrative here. It's the state-inflicted violence that allows for the unchecked intimate-partner violence or interpersonal violence or community violence. I really do believe that if we were to challenge a racist, patriarchal state and get that right, we would decrease violence at the individual level. So, I wrote it not to be evidence of what's wrong with Black people, but for what's wrong for Black people. That's a real critical difference.

WCT: We're in Illinois, which is home to a significant anti-prison movement, and we've seen a fair amount of decarceration. What's your response to that?

BR: Well, in a prison nation, that almost doesn't matter. Because people are going to states of confinement that are maybe even more difficult because they're not getting the credit for being in prison. So, it's not as though liberation is coming from decarceration.



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CRIME

LGBTQs and the Criminal Legal System

OUT

When we talk about LGBTQ people and the courts today, we're often referring to the seemingly endless stream of LGBTQ victories coming out of judicial systems across the country.

But in the criminal courts, LGBTQ people have long faced a different reality. Perhaps nowhere has that been more visible than in Cook County,

historically a model for criminal legal systems throughout the country.

Next week will be the last in this series about how LGBTQ people get caught in the system and the challenges they face once there. We will continue to cover these issues after the series concludes.

Additional editing provided by William B. Kelley.

A Windy City Times Special Investigative Series: Week Four

Daniel Kirk: Out in the prosecutor's office

BY MATT SIMONETTE

Daniel Kirk characterizes his relationship with Cook County State's Attorney Anita Alvarez quite simply: "From the moment I wake up in the morning and open my eyes, she's generally the first person I talk to, other than my partner, and when I go to sleep at night, she's the last person I talk to."

He has been chief of staff in Alvarez's office since 2008, when she was sworn in, and is her primary adviser in all matters. "My job is as varied as the state's attorney's job," he said. "Any subject she has to address, I'm going to have to address as well. That can range from charging decisions on a criminal case to dealing with the media to dealing with other units of government."

The Cook County state's attorney's office is the second-largest prosecutor's office in the United States, after Los Angeles. It prosecutes all crime violating state statutes that takes place in Cook County—about 34,000 felonies and 190,000 misdemeanors each year. The office also has a civil division that represents the county in lawsuits.

"If we were a law firm, we would be the largest law firm in the state of Illinois and one of the largest in the United States," Kirk said.

While attending Chicago-Kent College of Law, Kirk decided he wanted to be a prosecutor. He applied with the state's attorney's office after graduation and was hired as an assistant state's attorney in 1997, working his way from unit to unit. Alvarez was his boss when he was in the narcotics bureau.

He left the office in 2002. "I went to a firm downtown, Querrey & Harrow, and got hired as an associate," said Kirk. "I really learned a whole other area of the law I wasn't familiar with—quite frankly, I never thought I would leave."

But in 2008, State's Attorney Richard A. "Dick" Devine left office, and Alvarez contemplated running. Kirk, who'd remained in touch with her, encouraged Alvarez to run. She agreed to do so if he ran the campaign. After her election, she asked him to be her chief of staff.

"Five years later, here we are," he said. "It's very broad-ranging. I have a calendar that sets out what I'll do every day, but by the end of the day, that doesn't reflect what I actually did. There are a lot of emergent issues you can't anticipate. That's just the nature of our job."

Kirk has been out as gay professionally since the early 2000s. "The world had changed—I saw no reason to make any effort to conceal it," he said, adding that being open about being gay has probably made him a better lawyer. "I think that when you come to terms with who you are, it creates empathy for all sorts of people whom you may not have taken a moment to understand before."

Having some measure of control over how the state's attorney's office operates, Kirk said he has worked diligently to make sure that LGBT employees are comfortable working there. "It should be somewhere where everyone feels they have a place if they have a passion for public service and what it means to be a prosecutor," he added.

The state's attorney's office makes a number of outreach efforts to the LGBT community each year, both by participating in the National LGBT Bar Association's annual Lavender Law conference and by giving out the Pride Award selected by its LGBT Advisory Council.

According to Kirk, the agency takes its responsibilities to LGBT Cook County residents seriously as well. "LGBT citizens should know that they are going to be treated fairly by this office if they are a victim of a crime. Or, if they are a witness to a crime, they shouldn't feel any reticence about coming forward. We're going to take their case seriously and treat them with dignity and respect."

Prosecuting hate crimes is "obviously something near and dear," he said.

In 2011, Kirk pursued charges against three Evanston men who were accused of beating a man on the El because of his sexual orientation. The men were acquitted, however, after the judge questioned the reliability of the victim's testimony.

"When that [crime report] was brought to my attention, I personally took the case as the lead



prosecutor at 26th and California," Kirk said. "Hate crimes need to be called out as such when they occur."

He also said he was not convinced that hate-crime legislation might have long-term negative effects by keeping perpetrators in prison longer.

"Sometimes the hate crime is not the highest crime the person is being charged with," Kirk said. "But a hate crime victimizes both the individual and the community. If you're a victim of a crime because of your perceived sexual orientation, not only have you been victimized, but your entire community is going to become aware of what happened to you, and that entire community will be caused to feel fear."

"I don't know of anyone spending a significant amount of additional time in prison because of that, but if they are, they earned it themselves," Kirk added.

In 2012, Alvarez's office decided that it would not fight a lawsuit filed against Cook County Clerk David Orr on behalf of a group of gay Illinoisans seeking the right to marry. The lawsuit presented a quandary since Orr and the state's attorney's office, which was tasked with defending him, both were in favor of allowing the residents to marry.

"We had to devise a legal strategy," Kirk said. "I remember it was on my mind all weekend. I

was walking my dogs, and I thought to myself, 'When someone files a complaint, the defendant has to file an answer, admitting or denying the articulated allegation, so why don't we just admit everything the plaintiffs allege in the complaint?'"

Alvarez and Kirk consulted with Orr, who agreed to simply admit that the charges in the complaint were true.

"Which then caused this panic among the anti-marriage-equality entities," Kirk said. "They feared that if we're going to just [lie] down on this thing, that creates marriage equality—but the catch is that it would create marriage equality only for Cook County. Ultimately, other parties intervened, and they're sort of carrying the torch for the other point of view."

Reflecting back on his work, Kirk said that working with people needing help was what drew him to being a prosecutor and remains the most satisfying component of his job.

"Of all the people in the criminal-justice system, the person who I think is the most sympathetic character is the victim," said Kirk. "As a prosecutor, you feel a deep sense of pride advocating for that character. The main focus is that you do something for someone who needs a legal voice and a skilled mind to get something for them that's intangible, and that's justice."

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Crime Out series, see
articles posted here:

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LGBT judges seek fairness on the bench

As part of our Windy City Times criminal justice series, we wanted to provide a look at the openly LGBT judges in the Chicago area. This region has come a long way since 1994, when Tom Chiola was elected as the first openly gay person to win any office in Illinois.

The Alliance of Illinois Judges is the professional networking

organization founded by the LGBT Judges of the Circuit Court of Cook County. It is open to all Judges (gay and straight) throughout the State of Illinois. While most of the LGBT Judges reside in Cook County, there is an openly gay judge in Kane County. For more information about the Alliance go to <http://theaij.com>.

Below is an alphabetical listing of the openly LGBT judges in this area. Some work in the civil courts, others in the criminal system. Note, Eileen Brewer chose not to have her photo with this article.

Eileen M. Brewer

Circuit Judge,
Circuit Court of Cook County
Law Division, Motion Judge

Brewer preferred not to be pictured due to the nature of her work.

Photos by Hal Baim, in addition to photos provided by the judges.



Cheryl D. Cesario

Associate Judge,
Circuit Court of Cook County
Probate Division



Tom Chiola

Retired after 15 years as Circuit
Judge of the Circuit Court of Cook
County



John G. Dalton

Circuit Judge, Circuit Court of Kane
County (16th Judicial District)
Civil Division



John H. Ehrlich

Circuit Judge,
Circuit Court of Cook County
Chancery Division



Sophia H. Hall

Presiding Judge, Circuit Court of
Cook County, Juvenile Justice and
Child Protection Department



Nancy Katz

Associate Judge, Circuit Court of
Cook County
Domestic Relations Division



Stuart Katz

Associate Judge,
Circuit Court of Cook County
Juvenile Justice Division



Patricia Logue

Associate Judge,
Circuit Court of Cook County
Domestic Relations Division



Noreen V. Love

Circuit Judge,
Circuit Court of Cook County
4th Municipal District



Mike McHale

Circuit Judge,
Circuit Court of Cook County
Criminal Division



Sebastian T. Patti

Presiding Judge,
Circuit Court of Cook County
Domestic Violence Division



Sherry Pethers

Circuit Judge,
Circuit Court of Cook County
1st Municipal District, Civil Litigation



Mary Colleen Roberts

Circuit Judge,
Circuit Court of Cook County
Criminal Division



Mary M. Rowland

Federal Magistrate Judge
United States District Court for the
Northern District of Illinois



Andrea M. Schleifer

Circuit Judge,
Circuit Court of Cook County
Domestic Relations Division



Colleen F. Sheehan

Circuit Judge,
Circuit Court of Cook County
Juvenile Justice Division



James E. Snyder

Associate Judge,
Circuit Court of Cook County
1st. Municipal District, Supervising
Judge, Civil Jury Division



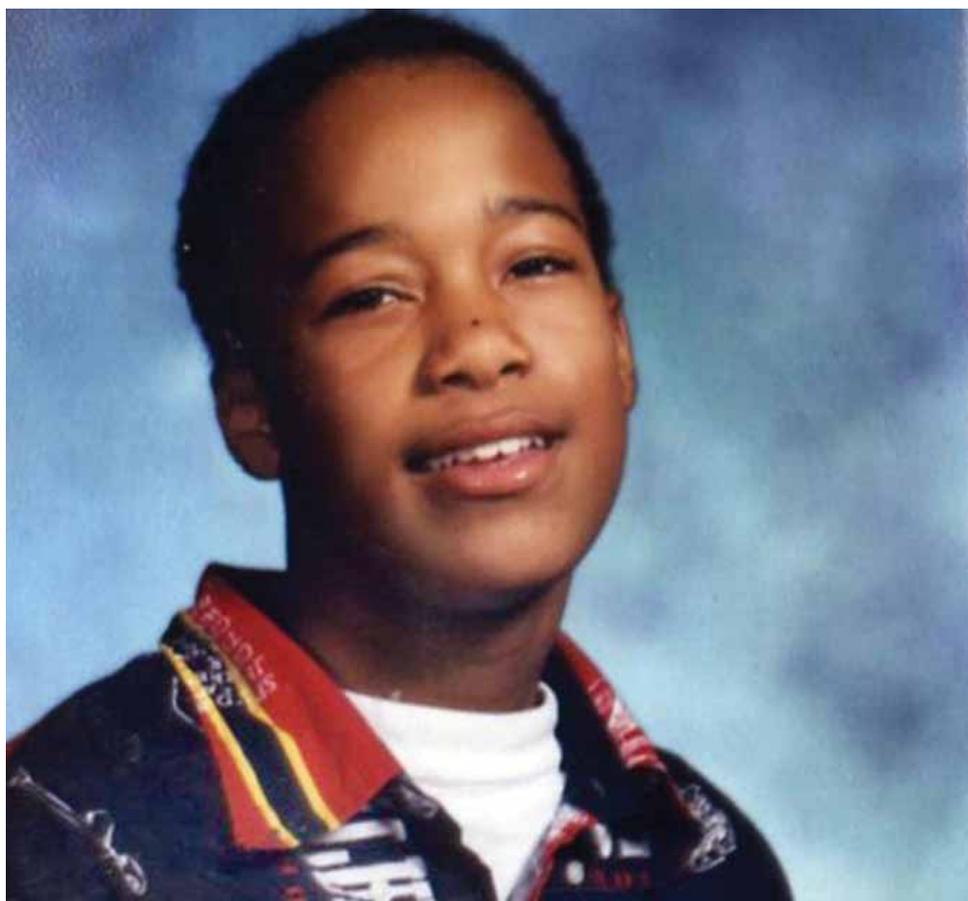
Mary Susan Trew

Associate Judge,
Circuit Court of Cook County
Domestic Relations Division



Lori M. Wolfson

Associate Judge,
Circuit Court of Cook County
Juvenile Justice Division



Left: Sakia Gunn, killed May 2003 in Newark, NJ. Right: Mark Carson, killed May 2013 in New York City.

Remembering Sakia Gunn:

The news coverage and homophobic murder

BY REV. IRENE MONROE

This May 11 marked the tenth anniversary of the murder of Sakia Gunn of Newark, N.J. And her murder is mired, at best, by myths and, at worst, malicious intent.

Depending, however, on the LGBTQ circles you run in and where you get your news, you may or may not know who she was. For many, Gunn was and still is a small blip on the gay and national news radar screen.

While a nation cried out in horror in 1998 over the brutal killing of Matthew Shepard, a 21-year-old white gay male student at the University of Wyoming, and the murder of Teena Brandon, a 21-year-old white Nebraskan transgender man (the inspiration for the 1999 movie *Boys Don't Cry*) untold numbers of hate crimes against LGBTQ people of color not only went unreported in mainstream papers, but they rarely saw the light of day in queer ones as well.

Gay and national media have also paid attention to homophobic bullying. The bullying that led to the suicide of LGBTQ youth was on its way to becoming a national epidemic. For example, in the month of September 2010, nine teen suicides were tied to sexual orientation or gender expression, highlighting the disproportionate bullying of our LGBTQ kids and those perceived to be LGBTQ.

One of the suicides that September was that of 18-year-old Rutgers University freshman Tyler Clementi. Clementi jumped to his death from the George Washington Bridge after finding out that his college roommate and another classmate had secretly used a webcam to broadcast his sexual encounters with another male, highlighting the dangers of “cyberbullying”—teasing, harassing, or intimidating with pictures or words distributed online or via text message. The story of Clementi's suicide, and the many others that happened that month, went viral and saturated the media.

However, the suicide of Joseph Jefferson, a

26-year-old African-American activist for LGBTQ youth, went largely unnoticed.

“I could not bear the burden of living as a gay man of color in a world grown cold and hateful towards those of us who live and love differently than the so-called ‘social mainstream,’” Jefferson posted on his Facebook page the day he killed himself.

Issues of race, gender identity, and sexual orientation trigger a particular type of news broadcasting on major network channels. With many of these network channels' objective to provide viewers with “infotainment” rather than fair and balanced reporting, discerning television viewers—straight and gay—are most often incensed and insulted by the news than informed by it.

Case in point: in 2007 *The O'Reilly Factor* with Bill O'Reilly on FOX News, which is one of today's highest-rated talked shows, tipped its scales on purportedly delivering fair and balanced reporting. The O'Reilly Factor carelessly brought defamatory news to its viewers about an allegedly nationwide epidemic of Black lesbian gang violence terrorizing neighborhoods and schools in large urban enclaves across the country.

According to Rod Wheeler, FOX News crime analyst, these Black lesbian gangs recruit and force kids into homosexuality. “There is this national underground network, if you will, Bill, of women that's lesbian and also some men groups that's actually recruiting kids as young as 10 years old in a lot of the schools in communities across the country,” Wheeler told host Bill O'Reilly on the show.

And the notorious Black lesbian gang, “Dykes Taking Over” was purportedly a pedophilic gang carrying weapons and violently attacking and raping girl victims they recruited. “As a matter of fact, some of the kids have actually reported that they were actually forced into you know, performing sex acts and doing sex acts with some of these people,” Wheeler continued.

Although Bill O'Reilly had to apologize for

the egregious errors and lies about a national epidemic of Black lesbian gangs coming after female children, the story had nonetheless achieved the desired goal of “info-taining” its audience by perpetuating both frighteningly racist and homophobic stereotypes.

“We overstated the extent of gay gangs in the Washington Area Detective Wheeler has apologized,” Bill O'Reilly stated on his show.

However, the story about this purportedly increasing trend of Black lesbian gangs terrorizing the neighborhoods and schools across the country derives from a myth affixed to the Sakia Gunn murder.

The real story about Sakia Gunn is that on the morning of May 11, 2003, Sakia Gunn, 15, was stabbed to death when she and her girlfriends rebuffed the sexual overtures of two African-American men by disclosing to them that their disinterest was simply because they were all lesbians.

Around 3:30 a.m. Gunn and a group of her girlfriends, ages 15-17, were taking a train from Greenwich Village, a noted LGBTQ enclave in New York City, to Newark. While waiting for the bus two African-American men in a white station wagon harassed the girls. “At some point during their interaction, they made their sexual orientation known. They made it clear that they weren't interested,” Lt. Derek Glenn, a spokesman for the Newark Police Department, told the Associated Press.

Incensed that the girls rebuffed them—and by lesbians no less—the two assailants reportedly jumped out of their car and got into a scuffle with the girls.

Stabbed by one of the men, Gunn dropped to the ground and died shortly after arriving at University Hospital in Newark.

Not enough is ever accurately reported about hate crimes against lesbian, gay, bisexual, transgender, and queer (LGBTQ) people of color, and how issues of race, gender identity, and sexual orientation trigger the type of violence against

them. Nor are the reasons for the silence around such violence often explored.

The first reason is the “politics of silence” in LGBTQ communities of color to openly report these kinds of attacks unless it results in death (such as happened May 18 with the murder of Mark Carson, 32, a Black gay man, in New York City*). With being openly queer and often estranged if not alienated from our communities of color, reporting attacks against us by other people of color can make victims viewed as race traitors. And because of the “politics of silence” that run rampant in our LGBTQ communities of color we end up colluding in the violence against us.

The second reason has a lot to do with the dearth of LGBTQ reporters of color writing for both straight and queer white media. Those papers and television networks sensitive to race issues but don't have LGBTQ people of color working at them, often engage in the “politics of avoidance” and won't broach the topic for fear that the paper won't bring the right angle or sensitivity to the topic. With the objective of newspapers and networks to report the news, those media that engage in the “politics of avoidance” when it comes to people of color do a disservice not only to the profession, but also to the entire LGBTQ community.

The third reason has a lot to do with the media view the topic of violence and people of color as synonymous. With such a skewed view, for these newspaper and networks, there is no news to report. And if so, it's both defamatory and sensationalize.

In 2011, Gunn's story inspired the musical *One Girl's Story*. I'm hoping future new reporting will inspire better coverage on us girls like Sakia.

[* In New York City May 20, thousands of protesters of anti-gay violence held a march in Greenwich Village that began at the Lesbian, Gay, Bisexual and Transgender Community Center and ended at the site where Mark Carson, 32, was fatally shot May 18, according to *The New York Times*. The police filed murder and weapons charges against Elliot Morales, 33, who was arraigned in Manhattan Criminal Court. However, *Advocate.com* reported that multiple attacks on gay men, including nightlife promoter Dan Contarino, occurred in the city hours after the rally.]

Florida lesbian teen won't take plea on sex crime charge

BY YASMIN NAIR

A Sebastian, Fla., teenager is being charged with a crime that could potentially place her on the state's sex offender registry. At the same time, some publicly disseminated statements about her case appear to be inaccurate.

The Indian River County state attorney's office arrested Kaitlyn Hunt, now 18 years old, on a charge of "lewd and lascivious battery of a child 12 to 16 years of age" because of her relationship with a younger woman. The charges are that Hunt was in a sexual relationship with a minor, then aged 14, starting in 2012.

On Friday, May 24, the lawyers for Kaitlyn Hunt sent out a statement that their client "is choosing not to accept the current plea offer by the State of Florida." The plea deal would have allowed her to avoid registering as a sex offender if she had agreed to plead guilty to lesser charges of child abuse; Colton had recommended two years of house arrest followed by a year's probation.

Refusing the plea offer means that the case will now go to trial. If Hunt is convicted of "lewd and lascivious battery," there is a possibility of her having to register as a sex offender, although she could be exempt from registration under the "Romeo and Juliet" exception.

The lawyers also pointed to the statutory nature of the crime: "If this incident occurred 108 days earlier when she was 17, we wouldn't even be here." They added, "Along with Kaitlyn and her family, we are going to fight to have the law changed so no other teenager finds themselves in this same position created by the State of Florida and prosecuted unfairly."

The case has recently gained attention from large numbers of people after Hunt's father, Steven Hunt, created a page on Facebook, "Free Kate," and then a petition on Change.org. The petition had already seen nearly 150,000 signatures at the time this went to press. The original goal was 1,406 signatures.

The public outrage has been fueled by a strong viral campaign, and the signatures of celebrities—the author Anne Rice and the actor Evan Rachel Wood. Most recently, the group Anonymous, famous for its online guerrilla-style take-downs of those it sees as needing to be held accountable, has apparently voiced its support. Press reports say the group has "vowed" to collect 200,000 signatures to demand that the officials in charge be made to resign.

The backlash against the state attorney's office, and against the parents of the younger person who made the original complaint, is a result of the case's being widely read as homophobic. Anonymous and several commenters on the petition insist that the prosecution is a result of "intolerance." The American Civil Liberties Union of Florida posted a statement about the matter at <http://aclufl.org/2013/05/21/aclu-of-florida-statement-on-prosecution-of-18-year-old-kaitlyn-hunt/>.

However, a Windy City Times investigation indicates that "facts" in the case have been misrepresented and that those misrepresentations have largely undergirded the criticisms of charging Hunt with a crime.

Furthermore, while there has been a furor about charging an 18-year-old for a consensual relationship and her possibly being placed on Florida's sex offender registry, there is less questioning or backlash against such registries' existence or their rationale.

The story of Kaitlyn Hunt first came to public attention a week ago when her parents began making the case to the press that their daughter had been singled out by her high school basketball coach for being involved with the younger

student. Hunt had been arrested in February. Several news stories, based on her father's Facebook page's account, reported or led readers to believe that the younger student was 15 and that Hunt was arrested on or after her 18th birthday.

On May 19, someone identifying himself as Hunt's uncle, Andrew Kenneth Gay, attempted to correct the misinformation that he said was floating around. On the Facebook page "Free Kate," he wrote, "We are not arguing that Kate is being prosecuted by the State of Florida because of her sexual orientation. The law is the law, but the law is unjust. Many 18-year-old men have also been unjustly prosecuted for dating underage girls in their high schools. We are arguing that it is unfair to expect high school students in the same school not to fraternize. It certainly shouldn't be grounds for criminal prosecution."

Gay also stated that Hunt turned 18 in August 2012. He wrote, "As much as we want your support, we also want to keep things accurate and free of exaggeration, even when it engenders sympathy."

Still, at the time of this article's going to press, Steven Hunt's petition insists that "Kaitlyn's girlfriend's parents are pressing charges because they are against the same-sex relationship, even though their daughter has stated that this is a consensual relationship. The two girls began dating while Kaitlyn was 17 but her girlfriend's parents blamed Kaitlyn for their daughter's homosexuality. They waited until after Kaitlyn turned 18 and went to the police to have charges brought against her."

In an interview with WCT, State Attorney Bruce Colton said the complaint did originate with the parents of the younger person, who went to the sheriff's office. From there, "law enforcement did an investigation and confirmed that under the law the defendant had violated a felony statute and got an arrest warrant and arrested her."

Asked if that was after she turned 18, Colton responded, confirming Gay's words, "That's one of the pieces of misinformation going around. She was 18 before this relationship began, before she started talking to this young lady. She turned 18 in August of 2012."

He continued, "Based on the law enforcement investigation, they started talking with each other in September or October 2012, in school, and started a sexual relationship in November or December. So she was already 18 and considered an adult under the law when they began even talking to each other."

Colton added, "It's been reported the victim was 15. The picture that's been painted is that this was a 17-year-old and a 15-year-old. It's actually an 18-year-old and a 14-year-old. The victim was 14 at the time this began and was 14 throughout. She did not turn 15 until two months after the arrest."

About the nature of the investigation, Colton said that "they interviewed the victim and they interviewed the defendant and they looked at text messages. There was a controlled phone call [legal under Florida law, and not a wiretapping]. The victim, with her parents present and along with law enforcement, made a call to the defendant, and that call was recorded. In that phone call, the defendant talked about the sexual relationship."

Many of the press reports and Steven Hunt's petition state that the now-15-year-old was against filing charges. Asked about that, Colton responded, "I really don't know what she's saying in that regard, but the victim is a minor, and in this case, like any criminal case, while the victim is taken into consideration, the victim's wishes aren't what necessarily control the outcome of the case."

He expanded on the issue of consent: "It was a consensual relationship, but the law specifically states that consent by the victim is not a defense for this crime. When the legislature made the law, its purpose was to protect children from being influenced by older adults, so consent was specifically put in there as not being a defense."

Asked what he thought of the public response, Colton said, "I have no real response—it doesn't change anything. The problem I have with the public response is that many of the people who are making this response are under the impression that this had been an ongoing relationship from the time that they were both juveniles. That's not true. And also the misinformation is that this case is only being prosecuted because they're gay, which has absolutely nothing to do with it."

Colton emphasized that "at no time" was his office told that the parents' main objection was

As WCT's prior coverage has reported, such instances—of teens placed on sex offender registries, or even of adults charged with a crime for consensual sexual relationships they may have had with minors just two or three years younger than they at the time—are in fact very common. LGBTQ people are particularly prone to being watched and criminalized both for their presence in Internet chat rooms devoted to porn and for "public" sex—both are common activities among straight people, but LGBTQ people in particular tend to be targeted.

Contrary to claims that Hunt's case would never have arisen if she or the other person had been male, instances of such arrests among heterosexuals are in fact so common that they are commonly referred to as "Romeo and Juliet" instances, referring to the fact that both parties were young at the time of the sexual encounter. There are even specific "Romeo and Juliet" exceptions to statutory rape laws in various states,



Florida teen Kaitlyn Hunt. Photo from her Facebook page

because the two are both female. He also stated that none of the facts indicated any reason to change the statute. Asked if there had been other instances where the perpetrator was an adult man and the victim a minor, Colton responded, "Absolutely, yes, I can't give you a number, but I can tell you we [the state attorney's office for the 19th Judicial Circuit, which includes Indian River County] cover a four-county area. We don't have as many as we do burglaries or thefts, but we do have them on a somewhat regular basis, cases like this, of hetero relationships, and even gay relationships. Those are far fewer, but we do have cases of this nature."

At this point in time, if Hunt is convicted of the charges that have been brought against her, she would have to register as a sex offender. Additionally, she faces anywhere from 7-1/2 to 15 years in prison.

But, said Colton, "if the judge withholds adjudication of guilt, then she can petition the court to be exempted from registration as a sex offender [under the state's "Romeo and Juliet" law]. But we've offered a plea in this case that would eliminate all of that, that hasn't been accepted or rejected yet."

He added, "The media is presenting the case as if we have two young kids in love who are in love and are being persecuted—which isn't the case, but that doesn't sell papers."

WCT tried repeatedly to get in touch with the Hunt family and Kaitlyn Hunt's attorney. Their only response has been a statement that "[o]ur family is scared for our daughter Kate and are doing everything we can to prevent an unjust law from ruining her life Kaitlyn did nothing wrong and certainly nothing that warrants the type of punishment she faces." It added, "It's clear that people around the world feel our daughter is being unfairly prosecuted and that we really need to examine how these laws are negatively impacting young people in our country."

including Florida. These are designed to provide recourse to alleged perpetrators when the situation concerns consensual sex between minors or an adult 18 years and a minor 14-16 years of age.

WCT also contacted the ACLU's Florida office. In its statement published online, it said, "The ACLU of Florida condemns the prosecution of 18-year-old Kaitlyn Hunt. The facts as we understand them suggest that the state is prosecuting Kaitlyn for engaging in behavior that is both fairly innocuous and extremely common."

The ACLU also stated, "Application of this law to Kaitlyn's conduct is another example of the troubling trend in Florida and across the country of criminalizing teenagers." When WCT asked if the ACLU had a statement on the case or a statement on the merits of sex offender registries, it did not respond.

The ACLU also said it was not representing Hunt. However, hours later, A. Julia Graves, the attorney for Kaitlyn Hunt, sent out an email message echoing the ACLU statement almost exactly and stating that she is now working with the organization and with Equality Florida on the case.

In her email, Graves said, "It is my hope that Kaitlyn will be able to move forward with her life and an important dialogue begins in this nation about adolescent relationships and the age of consent regardless of sexual orientation." She added, "Kaitlyn and her parents have been given until Friday [May 24] to decide whether to go to trial and have the most intimate details of the relationship played out in public or to take a plea agreement that includes forever having a record even if adjudication is withheld. In addition with the sex offender conditions, Kaitlyn would be subjected to sitting in group counseling meetings with legitimate convicted sex offenders that the law was truly meant for."

WCT also called the Sebastian, Fla., school district office but did not receive a response.

CRIME

LGBTQs and the Criminal Legal System

OUT

When we talk about LGBTQ people and the courts today, we're often referring to the seemingly endless stream of LGBTQ victories coming out of judicial systems across the country.

But in the criminal courts, LGBTQ people have long faced a different reality. Perhaps nowhere has that been more visible than in Cook County,

historically a model for criminal legal systems throughout the country.

This is the final week in this series about how LGBTQ people get caught in the system and the challenges they face once there. We will continue to cover these issues after the series concludes.

Additional editing provided by William B. Kelley.

A Windy City Times Special Investigative Series: Week Five

HIV Behind Bars in Cook County

BY MATTHEW C. CLARK

Cook County Jail. Photo by Kate Sosin



Victor Morales hasn't always been open about his HIV-positive status.

"In county [jail] and prison it wasn't easy, because of how they still visualize HIV, even though these days there's so many medications and so many pills," he said.

When Morales went to jail this time, he said he told them he was HIV-positive. He was given his medications and received HIV treatment.

In April of 2011, Morales was charged with a DUI, and given a two-year probation. In the second year of his probation, he tested positive for marijuana and failed a breathalyzer. He was sent to Cook County Jail.

Morales is 39, gay and Mexican-American. He was diagnosed with HIV in 1997, in Atlanta. He said you can find a lot of work in Atlanta if you're bilingual. But eventually, he returned to Chicago, where he has family.

Morales is one of many HIV-positive people who have gone through jail or prison in the U.S.

"A lot of people are afraid to say they're positive," he said. "They'll just be cool until they get out. I've done that."

His story is not uncommon. It illustrates part of the reason for a recent change at Cook County Jail concerning treatment and care for people living with HIV.

Over the past three and a half years Cook County Department of Corrections (CCDOC) has been transitioning to an opt-out HIV/sexually transmitted infection testing system. Instead of having the right to ask to be tested for HIV, those detained in jail are told they will be tested and given the right to refuse.

Medical practitioners and AIDS advocates in Chicago had long wanted an opt-out system at the jail.

John Peller, vice president of policy for the AIDS Foundation of Chicago (AFC), has dedicated his career to being an advocate for HIV-positive people and getting them treatment. According to him, one in five people who are positive don't know they are.

Testing behind bars

Identifying HIV-positive people in jail means identifying some of the most at-risk people for contracting the virus, experts say.

So when Peller met newly appointed Cook County Commissioner Bridget Gainer in 2009 at a fundraiser, he told her about opt-out testing, about the one-in-five people who don't know their positive status, and he shared one more statistic that really struck Gainer.

"In national studies, over many, many years, it's a consistent metric that says when someone is informed of their HIV-positive status, they may not seek regular medical care, but 68% of the people change their behaviors to minimize the transmission to another person," Gainer recalled. "So in my mind, regardless of anything like budgets or healthcare, any of that stuff, that to me was the most compelling statistic."

Gainer set up a meeting that week with Peller to discuss the research.

Then, she met with jail officials and other members of the Cook County Board. What seemed like a simple rephrasing of a question, from "opt-in" to "opt-out," would require a whole new facility, she learned.

Approximately 200 to 350 people are processed at the jail every day.

Part of that intake involves a medical screening.

In the past, detainees were screened right next to one another, with very little privacy.

"People don't like to say that [they are HIV-positive] in front of others, especially when they're in a potentially very violent, all-male environment," Gainer said.

Now, those going through intake are given medical screenings in a larger room partitioned off with glass walls, where staff are able to ask questions with considerably more privacy.

Changing the facility was only the first step. Detainees are typically released within a short time period. For a testing facility to have an impact, the staff would have to get the results

the next day.

According to Gainer, Cook County was able to fund the opt-out program by saving money in the State's Attorney office—a coordinated effort with State's Attorney Chief of Staff Dan Kirk. Gainer said the creation of a separate unit that dealt with conflicts of interest saved the county more than a million dollars in private attorney's fees.

Cook County was also able to implement the system by using the John H. Stroger, Jr. Hospital of Cook County to conduct the lab work, which was less expensive than private-firm testing, and by switching to an electronic medical records system, which allowed for results from overnight testing to be shared with the county jail the next day.

In the new intake facility, those who consent to be tested have blood drawn, which is taken to Stroger. Overnight, a phlebotomist conducts what is called a Enzyme-linked immunosorbent assay (ELISA) test, which uses enzyme reactions to detect the presence of HIV antibodies. Since the test is not always accurate, for those that come back positive, a Western Blot test, which also uses enzymes to digest blood particulates so they can be detected, is conducted on those blood samples. Western Blot test results take a week to come back.

Anyone who initially tests positive (the results are not 100 percent accurate) is called into a specialized medical care clinic. They are informed of their preliminary result, and a rapid test is conducted to confirm their status.

For many reasons, someone who tests positive may not get results back. The grant-funded tester counselor, who reviews the positive cases the next morning, works Monday through Friday. So anyone processed over the weekend won't get his or her results back right away. Some are bonded out or released the same day they're arrested. A detainee may also be in court, or a unit may be in security lockdown.

The Chicago Department of Public Health (CDPH) has a unit that, among other things,

works to locate those who tested positive but were released from the jail before they were notified.

HIV by the numbers

The gap between those who are HIV-positive (whether they know their status or not), and those who have been getting treatment long enough to have a suppressed viral load is significant.

Using the most recent CDPH data available, from 2010, AFC put together what's called a "treatment cascade" to illustrate this disparity.

In its 2013-2015 strategic plan, AFC shows that of the 35,093 people who are infected with HIV, 28,741 have actually been diagnosed, and 15,520 have accessed care. Only 9,303 have a suppressed viral load.

Peller has another statistic he likes to use to sum up this data: 50 percent of those with HIV aren't in medical care. Dealing with HIV in jails isn't just about identifying those who are positive; it's also about caring for them.

Those in Cook County Jail go one of two places. The first is to prison, under the control of the Illinois Department of Corrections (IDOC). The IDOC has recently begun implementing its own opt-out program, and people who are HIV-positive are getting specialized care via a telemedicine program through the University of Illinois.

Otherwise, those detained in CCDOC go back into the community, where concerns about putting a roof over their head, food on the table, and the struggles of daily life often trump specialized medical care needs.

"In a lot of ways, HIV is a symptom of a lot of the problems that low income, people of color face," Peller said.

Cook County juvenile detention center adopts LGBTQ policy

BY KATE SOSIN

Behind Mykel Selph's desk hangs a printout detailing the differences between being a "boss" and a "leader." The "boss" category, marked with an angry face, notes reliance on authority and fear. The "leader" category, capped off with a smiley, describes a person who generates goodwill and gives due credit.

Selph is not a person you expect to find at Cook County's Juvenile Temporary Detention Center (JTDC). It could be her upbeat demeanor, her impatience with imperfection on LGBT issues or the simple fact of her position.

She is the director of the Office of Girls and Gender at JTDC. Five years ago, her job didn't exist, and it was not until after she took the position that her duties came to involve work on LGBTQ issues.

But under her supervision and after years of work by LGBTQ advocates, JTDC recently adopted a 12-page LGBTQI policy that has been hailed as model for the country. The policy is one of few in U.S. juvenile detention centers, and advocates hope it will improve the realities facing LGBTQ youth detained by Cook County.

Challenges at JTDC

Research shows that LGBT youth are more likely than straight kids to end up in juvenile detention and face greater challenges once there.

Selph, who is charged with working on LGBTQI issues at JTDC, details the questions that trans issues raise at JTDC: how do you decide if a detainee can wear a blue shirt (like the boys) or a pink shirt (like the girls)? If transgender youth comes in and asks to be called "Nicki Minaj" (a true example, says Selph), what do you call her?

For the most part, the questions boil down to a recurring theme, says Selph: "Trying to balance caring for people's rights in a facility where rights are restricted, it's a very fine line . . . How do we allow a transgender kid to maintain their gender identity in a sex-segregated facility?"

Two years ago, Cook County Jail instituted a transgender policy intended to address some of those questions among adults. But transgender youth face additional obstacles that can make policy change tricky.

The jail houses kids ages 10-16, below the age 18 requirement for prescription without guardian consent. Many youth who enter JTDC on hormones have been using street hormones obtained illegally through peers, instead of prescription hormones from doctors. That means that in some cases, JTDC can't legally give youth the hormones they're on.

And LGBTQ youth raise questions about confidentiality, as they may not be out to parents or guardians.

Finally, many LGBTQ young people are still grappling with their identities. Adults, including detention staff, often dismiss LGBTQ youth identity as a phase, making accommodations for LGBTQ youth seem unnecessary to staff.

Up until 2010, those weighing some of the challenges facing LGBTQ youth detained by Cook County were doing so piecemeal.

Sarah Schriber

One who did recognize a need for a more formal effort was Sarah Schriber.

Schriber was working as an attorney at the American Civil Liberties Union of Illinois (ACLU) representing gay and transgender youth when she started attending a group on girls in juvenile detention hosted by the Health & Medicine Policy Research Group in 2004.

Two years later, she met Shannon Sullivan, then project director for the Coalition for Education on Sexual Orientation (CESO). The two



Mykel Selph. Photos by Kate Sosin

talked about working together to address LGBTQ bullying in schools.

Schriber had other ideas, too, however. Her work on girls in detention had made her think about the lack of support for LGBTQ youth being detained as well.

In 2008, Schriber left the ACLU and began consulting for the Health & Medicine Policy Research Group and the in Illinois Safe Schools Alliance (the organization that subsumed CESO).

She told Health & Medicine that she wanted to work on issues facing LGBTQ youth in detention, and the organization agreed.

In October 2010, Schriber convened a meeting of juvenile judges, state's attorneys, public defenders, community organizers and others who worked with detained youth.

Angela Irvine, an LGBTQ youth and detention researcher, happened to be in town for the Friday meeting, and she presented her research on

LGBTQ youth in detention.

Irvine's research, some of the only of its kind, details the ways that LGBTQ youth are pulled into the juvenile legal system because society rejects them elsewhere. Once in detention, LGBTQ youth face additional obstacles.

"People were just blown away," said Schriber. "It was very compelling."

The following Monday, the group got to work. The result was the Illinois Court-Involved LGBTQ Task Force.

At first, their goals were too lofty, said Schriber. But over months, the taskforce dwindled into a small core group, and their goal of implementing LGBTQ policy at JTDC became clear.

Mykel Selph

Mykel Selph had also stumbled upon LGBTQ youth/detention issues through other work at JTDC.

Selph appears almost out of place among the badges and uniforms at JTDC. She is all at once friendly and familiar. She seems to speak candidly, without fear or reservation. She knows a lot about LGBTQ issues, much more than many gay people. "Cisgender," a term that describes people who are not transgender, is her favorite word, she says. She likes it because it replaces what many people would just call "normal," a word she is not as fond of when talking about trans issues.

In March 2009, Selph started work as the director of gender programming at JTDC. Her expertise had been in mental health, and she previously worked at the Evangeline Booth Lodge, a Salvation Army Uptown housing program.

The move into gender programming was new for her, she said. But it was also new for JTDC.

Juvenile detention facilities have historically been designed for boys, Selph explained. Everything from the services and programs in the detention centers to the physical structures themselves need to be altered to accommodate girls.

"It's a cultural value infused into the operations of a facility," Selph said.

JTDC houses approximately 270 youth. Of those, 20-25 are girls. Seeing that gender-specific programs would benefit a small percentage of detained youth, Selph began working on gender-specific programs for boys, too.

She worked with community organizations, convincing them to use grants to work with detained youth to meet her challenge of limited funds.

But the programs were limited in other ways, said Selph. Among them, JTDC was seeing many lesbian-identified and transgender women.

"It became clear that staff were asking for training on LGBTQ youth," said Selph.

Selph identifies as heterosexual, but LGBTQ issues were not unfamiliar territory. She had long been interested in LGBTQ rights and issues. In undergrad, she wrote several papers on gender and LGBTQ issues. And she had kept up on LGBTQ issues since.

It took some convincing, said Selph, but in summer 2009, JTDC offered its first LGBTQ training to staff working with girls. The following year, JTDC trained all direct care staff, which are those who have the most contact with youth. JTDC also folded the training into its pre-service training for new employees.

Selph also felt that a policy was imperative for JTDC. Without, she said, it was hard to train staff in proper procedures.

"You're getting trans kids, you're getting LGBTQ kids here all the time. You have to give staff something to go on," she said.

Selph was among those to begin early work in 2010 on the JTDC policy with Schriber.

The group looked at policies in New York and Texas, some of the only in the country.

Almost three years later, and their own policy is finally in place.

That has changed what Selph's job is, a job she now thinks may not exist elsewhere in the country. Selph regularly travels around the country to present her work to other detention centers, where LGBTQ issues are less known.

SIDEBAR

Stroger LGBT clinic to serve detained youth

BY SAMMY CAIOLA

At the Cook County Juvenile Temporary Detention Center, gender matters. It determines where inmates sleep, where they take meals and what they do for gym class. Most importantly, it determines what kind of healthcare they receive while in confinement.

While this used to be problematic for LGBT residents, center officials say a new collaboration between the center and the pediatric department at Stroger Hospital could lead to more pointed and culturally competent care for incarcerated youth across the gender spectrum.

The Same-Gender Loving (SGL) Clinic at the John H. Stroger Jr. Hospital of Cook County opened Feb. 1, providing LGBTQ detained youth with access to affirming care.

This level cultural competency may not always be present in the Juvenile Detention Center, but the staff is becoming more educated all the time, said Dr. Ngozi Ezike, medical director for the center.

Over the past year, detention center staff have undergone hours of training to learn how to place transgender individuals in the way that will be most comfortable for them, rather than the "one-size-fits-all" policy that was in place before.

When youth arrive at the detention center, they receive a medical exam in their first two hours. For the rest of their time, which can be anywhere from a few days to a few years, they receive weekly care at the clinic, staffed by Bell and two other Stroger physicians.

Dr. Margot Bell a senior attending physician

in the Division of Adolescent Medicine, conceived of the clinic.

If Bell or Ngozi sees that a youth has a problem that may be better suited for care at the SGL clinic, they can arrange for an appointment back at Stroger. There's a precedent for that, Ngozi said, as inmates have been to the other adolescent clinics in the past. Though youth from the center have not yet been taken to the clinic, both physicians see it as a possibility for the future.

"Dr. Bell—she's almost like a human conduit," said Ezike. "It's very seamless. They'll easily give us an appointment to accommodate our kids from here. That's a pretty strong and well-established connection."

One of the biggest issues with caring for incarcerated transgender youth is sorting out their hormone treatment, said Ezike. The youth in the center are mostly under the age of 18, so they cannot receive hormones without parental consent. Some youth come in already on a hormone treatment that they bought on the street or on the internet, but Ezike cannot continue that treatment without getting guardian consent. If inmates can get parental consent, Ezike could bring them over to the SGL clinic to start or continue on hormones. Beyond hormones, Bell and Ried said they can help youth from the center with LGBT-specific mental health issues.

"Because we still have a presence there, we started having a conversation about partnering to make the whole of the county system more LGBT-friendly in terms of providing care for youth, and that's how we got tied in together," said Bell.

Changing the status quo on criminal justice

BY KATE SOSIN

As Illinois pushes for equal marriage, many state LGBTQ organizations will face a serious identity crisis.

What happens to groups that formed to achieve equal marriage and non-discrimination laws? What issues will they fundraise off of? Will they be necessary now? Do they have the buy-in from those most marginalized in order to remain relevant and continue?

Some groups have planned for the end of the marriage campaign, increasingly taking on transgender rights issues in the last couple years.

What few mainstream LGBTQ organizations have worked on, however, are issues facing LGBTQ people in the criminal legal system, where LGBTQ people continue to face the greatest hardships and most extreme forms of discrimination.

It is perhaps no coincidence that the equal marriage movement, working from the premise the LGBTQ people are normal and respectable, has often struggled to make sense of those deemed less acceptable by society: transgender people, sex workers, people who commit crimes and registered sex offenders, to name a few.

Over the last several weeks, our "Crime Out" series has attempted to explore some of those issues facing LGBTQ people locally, nationally and even internationally. Coincidentally, the series has come at the height of the state's push for marriage equality. We hope to build on our coverage of crime issues in future work.

History, like that explored in WCT Publisher Tracy Baim's introduction piece "With Malice Aforethought," tells us that our definitions of justice as LGBTQ people are often at odds with the values of our legal system, especially in Cook County, a longstanding model for systems across the U.S.

That continues to hold true, despite notable progress on LGBTQ issues in courts, jails and prisons. Reports of abuse by jail corrections staff are common. LGBTQ youth, often kicked out of their homes, still face higher rates of incarceration than their straight peers. Transgender women report that police wrongfully profile them as sex workers. Questions remain about the efficacy of sex offender registries and their impact on LGBTQs, especially gay men. HIV notification laws continue to fuel stigma and shame.

The challenges facing queer people behind bars and in courts are myriad and urgent. They raise difficult questions for LGBTQ organizers and policy experts: Is it enough to defend only the innocent when so many are criminalized without options? Can we place faith in institutions that have historically marginalized LGBTQ people? Finally, is it enough to fight for LGBTQ people without connecting their struggles to those of all people working their way through criminal legal systems?

While Windy City Times cannot answer these questions definitively, we offer a few suggestions here:

For all of us

LGBTQ people, like the rest of the population, need access to affirming medical care. This is especially important for people with HIV, transgender people, youth and seniors.

Access to transgender-related medical care would take many transgender people out of harm's way, as some fund expensive but necessary surgeries through sex work, while others turn to illegal street hormones or the dangerous practice of silicone pumping in order to achieve the bodies they feel they need to live.

This should be the priority of policy makers, funders, LGBT organizations and individuals.

For LGBTQ organizations

Mainstream LGBTQ organizations must decide where they stand on issues of criminalization.

The recent case of Kaitlyn Hunt, a Florida 18-year-old facing charges over her relationship with a 14-year-old girl, highlights this fact. WCT writer Yasmin Nair reported that LGBTQ organizations opposed charges against Hunt, stating that she had been singled out as a lesbian, despite the fact that she technically broke the law. If convicted, Hunt could end up on a sex offender registry. But many LGBTQ organizations have not taken a stand against the laws under which Hunt has been charged, claiming her as an exceptional case. Advocates cannot have it both ways. They must push for reform for all people prosecuted under unjust law.

For those in corrections

Institutions that have moved towards adopting LGBTQ-friendly policies are to be commended for their efforts. However, institutions that historically oppressed and abused LGBTQ people cannot be improved with simple policy additions. Abuse that occurred without a policy will continue unless the structures that allow for abuse are changed. A policy cannot correct this, for LGBTQ people or anyone else.

Alarming is the rampant violence and abuse impacting LGBTQ staff and prisoners in the jail systems in Illinois, where staff who interrupt abuse seem at risk from their fellow officers.

Changes from bottom to top

Changes on behalf of LGBTQ people, as well as those with HIV/AIDS, must involve their voices. Institutions that enact procedure to improve the lives of LGBTQ and HIV-positive people often fail to consult with them. The result is often flawed policy that unintentionally disempowers the community it is meant to serve.

There need to be sweeping changes to the laws in Illinois, as well as policy and policy enforcement at the prison level. Windy City Times will continue to monitor these issues in the coming months and years.

COOK CO. from page 17

Follow-up care

One Wednesday afternoon, Dr. Chad Zawitz, a doctor at Cermak Health Services, which serves the jail, sees a patient in his own office.

The patient, an African-American man in his 50s, is living with HIV.

Zawitz—Dr. Z to many of his patients and co-workers—conducts a routine physical, fills out the man's prescription and orders his lab work.

Zawitz is impressed, he says. It is the healthiest he has ever seen his patient.

The patient reports that he has been having a hard time. Zawitz asks him if there is anything he needs. The man needs a coat. Zawitz offers to bring his partner's old coat, which will be his size, next week when the man comes by to get the lab work results. Finally, Zawitz refers his patient to a case manager.

The last time Zawitz saw his patient was at the jail, before he was sentenced to prison. The man was released two weeks ago, and this is his first visit with a doctor on the outside since.

Every Wednesday afternoon at the Ruth M. Rothstein CORE Center, Zawitz treats people who have been incarcerated and are living with HIV. The clinic has a special staff consisting of medical practitioners, mental health specialists, case managers, substance abuse counselors, nutritionists and health educators.

In addition to running the clinic, he is also the Director of Infectious Diseases for Cermak Health Services in CCDOC. If an HIV-positive person is detained in the jail, or if someone tests positive at intake, Zawitz is the specialist they see.

For those who test positive within CCDOC, they're scheduled a priority visit at the Continuity of Care Clinic inside the jail. First he finds out if the individual has a doctor.

"If not, well you just met him. I'm your doctor," he said.

Zawitz does an extensive post-counsel by going over HIV/AIDS with his patient, doing a complete physical exam and medical history, and performing a series of baseline lab tests—T-cell count, viral load, chemistry panels, liver function.

"We don't start HIV meds until we have the

labs back, and until they have assessment of their readiness to adhere the medicine," he said. "We get a better assessment of their non-medical needs, meaning, are they homeless, do they have access to a support network? You can imagine all the possible needs they have."

Because the jail is a transient place, Zawitz also looks at a patient's next court date and schedules them an appointment for his clinic outside the jail the following week.

The CORE Center clinic is also called the Continuity of Care Clinic.

Zawitz's Wednesday patient has been through the system multiple times. This time, he said he spent a year in prison for shoplifting a coat. At the clinic, the patient receives services that extend beyond getting a physical or a prescription filled.

"I have the easy job. Taking care of medical needs is relatively easy," Zawitz said. "It's all the other stuff that's really hard."

The clinic houses case managers, mental health specialists, substance abuse counselors, nutritionists and health educators. To keep clients in care, this team tries to address the myriad problems those who've been incarcerated or detained face: addiction, homelessness, joblessness—poverty, essentially.

In addition, those formerly incarcerated or taken into CCDOC custody who are HIV-positive have access to some social services outside the clinic.

Cynthia Tucker is the director of Prevention and Community Partnerships for the AFC. Since 2005 the Illinois Department of Health has funded a Corrections Case Management Program through the AFC, and Tucker is responsible for coordinating with five case managers who work closely with those getting out of both Cook County Jail and state prisons.

"The re-entry population has a group of really specific things that they need, so we try to cater to those things," Tucker said. "So we try to work with them on many facets."

Case managers are charged with figuring out what works best for each individual. She says sometimes that is food or a cell phone, anything that will help a person be more productive and transition back into the community.

People leaving prison can prepare a little, said Tucker, but the jail can be more challenging.



John Peller from AFC.

It can be a revolving door, and individuals can be released quickly and easily fall through the cracks.

Since the transition to electronic medical records, the jail has been able to improve the level of healthcare it provides, officials say. It also hopes to address recidivism, and try to find out why people aren't getting treatment.

The opt-out testing program has been in effect for females at the jail since 2011.

Last year, Cook County announced the success of implementing opt-out for male inmates.

That testing, however, has yet to begin in full. When asked for a comment, Cermak Health Services said the program does exist, with all patients having testing for HIV available to them, though not through an opt-out program.

"Initially, when we were preparing to initiate the program, the Health and Hospital System opted to initiate the opt-out process with HIV as the test offered to patients in male intake," said Cermak in a statement. "The process is still proceeding. Female intake is currently offering the full opt-out program. We are planning of having the full opt-out process in the new building."

The new building refers to the construction of a new tower, which will house an intake facility.

Cermak Health Services commented neither on why the opt-out testing wasn't yet fully in place for male detainees, nor about where funding for male opt-out testing is currently going, if not towards testing, by the time this story published.

According to Zawitz, there's no reason why a detainee won't get their medication so long as they know what they take, who their doctor is, or what pharmacy they get it from. If a detainee doesn't have this information, it can take time before the staff is able to identify and verify an individual's medication regimen.

According to Zawitz, this same process is in effect for transgender individuals detained in the jail. If an individual has a prescription for HIV-medication as well as hormones by a licensed physician, the medication will be provided.

Room for improvement

Because sex is not allowed within the jail, neither are condoms, a major shortcoming in the eyes of advocates like Peller.

Peller cites a 2011 study, which showed that greater condom access in a California State Prison Facility did not increase self-reported sexual activity and posed no increased safety risk.

The Sheriff's office said in a statement that while they obviously encourage individuals to practice safe sex, they cannot ignore policies like the Prison Rape Elimination Act, which prohibits sex, and also poses safety and security concerns.

"Any access to condoms program would have to be developed in close consultation with our Federal Monitor under the Department of Justice Agreed Order," the statement read.

Beyond Cook County

While some advocates praise HIV care at Cook County Jail, other parts of the state have a long way to go, say experts.

Arick Buckles is one example, advocates say. Buckles works as a housing specialist at HIV service agency Chicago House.

About two years ago, Buckles submitted to a background check for a job and discovered he

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had an outstanding warrant in Bureau County, Ill. He was detained and sent back to Bureau to face those charges.

"And that's where the nightmare began, actually," he said. "Upon entering that system, I'd informed the jailers that I was a person who was living with HIV, and I was in need of my life-saving medications, my HIV regimen."

Buckles alleges he never met with a physician. He was there for seven days, all the while his doctor, partner, and friends from Chicago House were calling the jail to get Buckles his HIV medication.

"My needs went unaddressed and ignored that entire seven days, and finally I was released and told to go home," he said. "They made me aware that they could not, I want to say that they could not afford the medications, and so they were going to release me."

After release, Buckles contacted John Knight, director of the LGBT and AIDS project for the American Civil Liberties Union of Illinois. The ACLU-IL filed suit in 2012 and amended their complaint to add the name of the privately contracted company that provides medical care for Bureau County Jail, Advanced Correctional Healthcare Inc. (ACH).

Knight said that ACH excludes payments of HIV medications in their contract with the jail.

"I will say that in general there's not much of a contest here," he said. "They know that Ar-ick had HIV, they know that he didn't get his medications for a week. What we don't know is exactly why that happened."

Knight thinks the problem is a lack of state administration or review of the jails statewide, because the individual counties control them. The Illinois Department of Corrections (IDOC) does have a set of standards for jail, and Knight and the ACLU-IL asked for the IDOC to conduct a review to ensure these standards were being met.

According to the administrative code, jails are required to provide a competent medical authority to ensure prescription and administration of medications, as well as provide a doctor to attend to the medical and mental health of those detained in jail.

In a copy of the review, provided by the ACLU, the IDOC found no violations of the standard, which is what Knight finds most troubling.

"Our larger goal is to go to the Department of Correction or, if necessary, go to the legislature and do something about this," he said. "Because if this is not a violation of the standards, then there is a problem."

Knight says that ACH has been named as the defendant in a similar lawsuit in Oklahoma.

Transgender issues and HIV

But while navigating HIV issues behind bars is challenging, advocates say that transgender people face especially difficult hurdles.

Channyn Lynne Parker is trying to address that. Parker is a care coordinator for the TransLife Project at Chicago House.

"Male-to-females are more visible in the public eye ... so therefore that increased visibility usually leads to a lot of systemic oppression," Parker said. "You end up having discriminated housing, employment, medical care, and because of those things trans women of color end up having a fear of seeking help in all of those arenas."

Parker's job is to link these women to health-

care. She understands that medical care is the key to ending transmission of HIV. But the TransLife Project also addresses housing, employment and legal services for trans people.

Parker has recently begun a counseling program for trans women housed in Cook County Jail.

"Really what I'm trying to do is for the trans detainees to have some emotional support and to address the whole recidivism issue. We know that most of the trans detainees are not violent offenders. They are really there because they commit what I like to say are survival crimes," Parker said. "They get out and they're still vulnerable. They're still visible, they're still vulnerable, they still lack emotional support, they still lack trainings, life skills, and so the cycle just continues. And so I'm hoping that me going into the county is going to address some of those barriers and stop some of that recidivism."

The jail as healthcare provider

The jail now finds itself as a first provider for many who cannot afford or do not use the healthcare system.

"Unfortunately the economic downturn and resulting healthcare cuts have dramatically impacted the jail making it the provider of first resort for any number of health problems, HIV included," the Sheriff's office said in a statement.

"We are working to better identify those with medical and behavioral healthcare needs, including HIV, and developing better transitions to care in the community with the hope that people will continue to access that care rather than cycling through the jail for care."

Mariame Kaba is director of Project NIA, which works on eradicating youth incarceration here in Chicago. For Kaba, healthcare within the jails raises bigger concerns about where our society's priorities are. She said CCDOC is among the most utilized three providers of mental health services in the country.

"To me that's a travesty because it illustrates that jails are primary healthcare providers," she said. "That is not what they should be, that is never what they were intended to be."

"Why is it that we're willing and able to provide healthcare for people when they're locked up and we don't before they're part of the system?" Kaba asked.

Victor Morales, the HIV-positive man who was detained in Cook County, noted the lack of options.

"Being an ex-offender, it's hard. We don't have a lot of the resources," Morales said.

He said the first thing he needed upon release was housing, that everything else—a job, medical care—came secondary.

He just moved into a place, after two months. It's a couple blocks from the lake, a studio with lots of sunlight, but a little bit smaller than he's used to, so he's adjusting. After getting his GED, he wants to go to Harold Washington and get a degree in social work.

Morales didn't take his medication regularly while in jail, before he was sentenced and sent to prison. He was part of a recovery program there called Gateway Foundation that deals specifically with substance abuse. In the past a nurse discreetly administered his medicine, but while in Gateway, he was given all his medicine and expected to take it himself. He was scared others would see all his pills, so he hid them and didn't take them.

Morales wants to see jail employees educated about HIV, undoing some of the stigma.



Cook County Juvenile Temporary Detention Center. Photo by Kate Sosin

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LGBTQ youth in detention

A 2012 study by the Center for American Progress estimates that 300,000 gay and transgender youth are arrested/ detained every year, more than 60 percent of them Black or Latino.

LGBT youth make up at least 15 percent of the juvenile detention population, according to a report by juvenile justice LGBTQ researcher Angela Irvine.

That report, which surveyed 2,200 LGBTQ youth in the system, found that just three percent openly identified as LGBT. Another three percent identified as straight but were assumed to be LGBT because of their gender expression. Nine percent identified as LGBT but were not out. The study also found that among girls booked, 27 percent were lesbian, bisexual or gender non-conforming.

Irvine notes that LGBT youth in detention were twice as likely as straight kids to have been removed from their homes by social workers, put in group homes or to have experienced homelessness.

Experts say that that queer youth are more likely to be arrested and convicted than their straight peers. That trend, they say, often starts with trouble at home where parents may reject queer youth, turning them out onto streets where they commit survival crimes. It can also start in schools where anti-gay bullying can lead youth to truancy.

The Center for American Progress report notes that, "Programs designed to keep children and youth off the streets, such as foster care, health centers, and other youth-serving institutions, are often ill-prepared or unsafe for gay and transgender youth due to institutional prejudice, lack of provider and foster-parent training, and discrimination against gay and transgender youth by adults and peers. As a result, many youth run away from these placements, actions that could also land them in the custody of the juvenile justice system."

And LGBTQ youth face hardships in detention, where gendered facilities and clothing can be difficult to navigate.

The policy

Once in detention, transgender youth especially, present a number of challenges for detention staff.

But detention staff also present a number of challenges for LGBTQ youth, Selph said. Often LGBTQ youth struggle more with lack of accep-

tance from detention staff than they will with their peers.

"I think the level of, I hate the word 'tolerance,' but the level of respect, awareness, tolerance and lack of awareness is with our adults, is with our staff definitely," said Selph. "I think that we mirror society in being heterosexist just naturally. I don't exclude myself from that. I think we are heterosexist in the way we deal with the kids, in the way we deal with each other."

The new policy, which went into effect in March, is an attempt to correct some of those issues.

The policy lays out basic LGBTQI terms for staff, mandates equal treatment for queer youth, forbids staff from searching youth for the purpose of determining their gender, prevents staff from disclosing a youth's sexual orientation or gender identity to peers and requires JTDC to inform detainees about the policy upon entry. It also states that the director of Girls and Gender (Selph's new title since expanding LGBTQI initiatives) will have resources on hand for LGBTQI youth.

Further, it creates an LGBTQI Multidisciplinary Team (MDT) that must make recommendations on placements, clothing, names and pronouns, and services for each young person who identifies as LGBTQ. The MDT consists of the JTDC's executive director, mental health director, a health services administrator, JTDC's school principal, Selph and a handful of other senior staffers.

Finally, all staff, regardless of whether or not they work with youth, must receive training on the new policy.

For Selph, the most important part of the policy deals with transgender kids. Sexual orientation, while an issue, she said, is less pressing because sex at JTDC is forbidden.

It's too soon to tell how the policy will play out, and determining outcomes may take a while. Most youth spend just 17-21 days at JTDC.

Selph believes the policy does not go far enough, but she does hope it will be an important start. Even as it is now, she says, some staff will not agree with the changes it mandates.

"At the end of the day, we feel a lot," Selph said. "We feel negatively about a lot of stuff we do with our policies, but you do it anyway. That's another one where we just try to work with our staff. You say, the kids are here because they've been accused of doing something that you don't agree with. We don't agree with gang banging, we don't agree with robbing, we don't agree with using drugs, we don't agree with any of those things. But you're still able to see the humanity of the kid behind that. So this can be one of those issues."



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