

OFFERED BY COUNCILORS KENDRA LARA AND RICARDO ARROYO,  
BREADON, COLETTA, FERNANDES ANDERSON, FLAHERTY, LOUIJEUNE,  
MEJIA, MURPHY AND FLYNN



## CITY OF BOSTON IN CITY COUNCIL

### ORDER FOR A HEARING TO DISCUSS THE DISPROPORTIONATE CRIMINALIZATION OF THE LGBTQ+ COMMUNITY AND THEIR HEALTH AND WELL-BEING WHILE INCARCERATED

- WHEREAS,** The LGBTQ+ community, particularly queer BIPOC, are disproportionately impacted by most systemic issues in our city, including disproportionate criminalization; *and*
- WHEREAS,** According to the William Institute's 2017 report, lesbian, gay, and bisexual people are three (3) times more likely to be incarcerated than the general population; *and*
- WHEREAS,** 85% of LGBTQ+ people experience solitary confinement while incarcerated; *and*
- WHEREAS,** Gay and bisexual men made up an estimated 2% of the U.S. population in 2013, but 55% of all people living with HIV, and people living with HIV are 5.7x more likely to be incarcerated than the general population, according to the Center for HIV Law and Policy; *and*
- WHEREAS,** Lesbian and bisexual women are four (4) times more likely to be arrested than straight women nationwide; *and*
- WHEREAS,** Gay and transgender youth are overrepresented in the juvenile justice system, 20% of youth in the juvenile justice system are LGBTQ+ compared with only 4-6% of youth in the general population; *and*
- WHEREAS,** Police disproportionately harass transgender BIPOC. 1 in 5 trans people who have had contact with the police reported they had been harassed by them, including 38% of Black trans individuals compared to 18% of white trans individuals and 23% of Latinx trans individuals. 6% of trans individuals have reported that police physically assaulted them; *and*
- WHEREAS,** The Boston Police Department policies do not explicitly prohibit the use of gender identity or expression as a basis to stop, question, search, or arrest any individual, as a sole basis for initiating contact, or as evidence of a crime; *and*
- WHEREAS,** The Boston Police Department's policies do not require training on interactions with transgender people as part of officer training; *and*

**WHEREAS,** In Massachusetts, there is a lack of publicly available quantitative and qualitative data about LGBTQ+ people and people living with HIV in custody, preventing necessary research, treatment, and community oversight. In 2020, the Massachusetts Department of Corrections released its prison population trends report, which included no data on the incarceration of LGBTQ+ people; *and*

**WHEREAS,** The LGBTQ+ community is an integral part of the fabric of our City, and we have a responsibility to go beyond pride toward policies that protect, uplift, and support our most vulnerable constituents; ***NOW, THEREFORE BE IT***

**ORDERED:** That the appropriate committee of the Boston City Council hold a hearing to discuss the disproportionate criminalization of the LGBTQ+ community and their health and well-being while incarcerated. Representatives from the City of Boston, including the Mayor's Office of LGBTQIA+ Advancement, the Boston Police Department, and the Suffolk County Sheriff's Department, in addition to community advocates and members of the public, are encouraged to testify.

Filed on: January 20, 2023