

CROSSROADS: SYSTEMIC SOLUTIONS FOR SUPPORTING LGBTQ+ YOUTH ACROSS ILLINOIS

AUGUST 31, 2021

SUMMARY REPORT

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ACKNOWLEDGEMENT

This summary report is based on notes from the “Crossroads: Systemic Solutions for Supporting LGBTQ+ Youth Across Illinois Roundtable,” which was hosted by Pride Action Tank (PAT) on August 31, 2021 over Zoom with 55 people in attendance. PAT’s mission is to improve the health, safety and progress of individuals and groups within the LGBTQ+ community by inspiring, supporting and leading collaborative action that improves policy, service, access and community dynamics in the core areas of housing, health, safety, financial security, youth and aging.

We would also like to thank our good friend David Fischer of Quo Vadimus, LLC, and PAT intern Gabby Latham-Kapitz for planning the Crossroads convening and Jessica Ogwumike for writing this summary report.

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INTRODUCTION

The entanglement of the child welfare, education, and juvenile legal systems in the lives of lesbian, gay, bisexual, transgender, and queer (LGBTQ+) youth is highly complex and characterized by difficulties that perpetuate homelessness and health marginalization. LGBTQ+ youth in Illinois child welfare are more likely to report negative mood, somatic complaints, and experiencing harmful thoughts (Cross et al., 2019). Over the course of the audit of the Illinois Department of Children & Family Services (DCFS), 28 LGBTQ+ youth in care were responsible for 80 different incidents of crisis hospitalization (Mautino, 2021). LGB youth in care are more likely to meet clinical thresholds for depression, post-traumatic stress disorder, and substance use disorder than heterosexual youth in care (Dettlaff et al., 2018). Furthermore, a study by the Urban Justice Center in 2001 found that 56% of LGBTQ+ foster youth who were homeless reported feeling safer living on the street or in a homeless shelter than their previous placement (Grooms, 2019).

LGBTQ+ youth are overrepresented in the child welfare system. Nationally, 30.4% of youth in foster care self-identified as LGBTQ, which is almost three times the count in a nationally representative sample of non-involved youth (Baams et al., 2019). There is a lack of data describing the experiences of DCFS-involved LGBTQ+ youth because state systems have not collected information on sexual orientation, gender identity, and gender expression to date (Irvine and Canfield, 2016; Morton et al., 2018). However, the 2019 performance audit estimated that there are between 522 and 2,624 youth in the care of DCFS who may be LGBTQ+ (Mautino, 2021).*

The education system is also a site of victimization for LGBTQ+ youth in the foster care system. Dissatisfaction and even hate for their schools was reported by almost half of LGBTQ+ youth in Illinois foster care and in a national sample, LGBTQ+ youth in care were more likely to skip school frequently (Cross et al., 2019; Dettlaff et al., 2018). Additionally, impaired school functioning could be worse for LGBTQ+ youth in the foster system due to placement instability, as 83.3% of queer youth in Illinois DCFS had attended two or more schools in the span of two years when surveyed (Cross et al., 2019). The consequence of this phenomenon being that these youth experience higher dropout rates (Grooms, 2020; Mountz et al., 2020).

Finally, LGBTQ+ youth in care are at increased risk of engagement with the juvenile and criminal legal systems (Irvine & Canfield, 2016; Martin et al., 2016). Young people experiencing interactions with both the child welfare and juvenile legal systems are commonly referred to as “crossover” or “systems-involved” youth. The proportion of LGBTQ+ youth involved in both the child welfare and juvenile legal systems across the nation is higher than the percentage of LGBTQ+ youth in the general population (Irvine and Canfield, 2016). While 10-11% of cis-heterosexual youth in the juvenile legal system had a history in child welfare, 30-35% of LGBQ

*Note: Illinois Public Act 102-0543 went into effect in 2021 and requires 10 state agencies, including DCFS, to collect and report on several demographic data points, including sexual orientation and gender identity. Initial reports were due July 1, 2022. DCFS supplemented its initial report with a survey report of just over 14% of youth in care that focused on sexual orientation, gender identity an expression. This report was released October 31, 2022

youth had such history and associated trauma (Irvine and Canfield, 2016). They are also having more detrimental experiences of the juvenile detention system. Crossover youth tend to spend more time in the juvenile legal system than youth without involvement with child welfare, and they are detained in the system at earlier ages (Halemba and Siegel, 2011). LGBTQ+ foster youth therefore represent the youngest detainees and detainees with the longest sentences.

The overlap between the juvenile legal, education, and foster care systems is experiential territory that a significant number LGBTQ+ youth currently navigate with little to no guidance. This sizeable overlap underscores the importance of surveying the pipeline that seems to connect LGBTQ+ youth in foster care with legal processes, as well as supporting cross-systems coordination to improve the health and wellness of systems-involved youth.

BACKGROUND

For decades, various stakeholders have dedicated time and effort to disrupt the child welfare to prison pipeline in Illinois. In 2010, the Illinois Safe School Alliance and Health and Medicine Policy Research Group convened the Illinois Court-Involved LGBTQ+ Youth Task Force to produce LGBTQ-competent policy standards for the Cook County Juvenile Temporary Detention Center (Windy City Times, 2011; Center for American Progress & Movement Advancement Project, 2016). Due to class action lawsuits charged by the American Civil Liberties Union, the Illinois Department of Juvenile Justice and Illinois DCFS are monitored and have been ordered to complete sweeping transformations to confront the harm youth experience in both systems (Blanchette, 2022; ACLU, n.d.). In 2018 and 2019, Pride Action Tank (PAT) hosted summits leveraging the experiences of service providers, advocates, policy makers, and youth to imagine changes to the child welfare and juvenile detention systems. These convenings and legal actions create a context in which there are now many parties with a stake in actualizing the solutions identified in this report.

Pride Action Tank is a stakeholder in this issue because we have a mission to improve outcomes and opportunities for the most vulnerable within Illinois' LGBTQ+ community through collective processes of inquiry, advocacy, and action. PAT is a policy and action think tank focused on improving the lived experiences of LGBTQ+ communities in the Midwest. Launched in October 2015, PAT's work focuses on six overlapping issue areas: aging, financial security, health, housing, safety, and youth. PAT gathers and supports the work of subject matter experts as well as people directly impacted by challenges facing LGBTQ+ community members, especially confronting intersecting issues of marginalization. PAT fuels collaborations among organizations, departments, experts, policymakers, and community members to create actionable and sustained policy changes and innovative solutions.

On August 31, 2021, PAT virtually convened leaders from Illinois’ education, child welfare, and juvenile legal systems, along with state legislators and funders, to explore policy, practice and training solutions to support LGBTQ+ youth in systems. Participants included policymakers from the Illinois Senate and House of Representatives, Chicago Aldermen, as well as representatives affiliated with the following organizations:

| Education | Child Welfare | Juvenile Legal |
|--|---|---|
| Illinois State Board of Education | Illinois Department of Children and Family Services | Illinois Department of Juvenile Justice |
| Illinois Association of School Boards | American Civil Liberties Union (ACLU) | Cook County Juvenile Temporary Detention Center |
| Illinois Association of Regional Superintendents | Court Appointed Special Advocates (CASA) | Cook County Juvenile Probation |
| Prevent School Violence Illinois/Youth Voices Matter | Cook County Office of the Public Guardian | Cook County Public Defender’s Office |
| ROE #9 (Champaign/ Urbana) | Nexus Indian Oaks | Illinois Department of Human Services |
| Chicago Public Schools | Family Builders/getREAL | City of Chicago DFSS? |
| Illinois Safe Schools Alliance | One Hope United | Children & Family Justice Center – Bluhm Legal Clinic |
| | Nexus Onarga | Illinois Juvenile Justice Commission |
| | Lawrence Hall | The John Howard Association |
| | Illinois Collaboration on Youth | |

Table summarizing organizational affiliations of attending participants.

SUMMIT SUMMARY

The Cross-Systems Convening took place over Zoom for four hours, with about 55 youth and professionals in attendance. Participants engaged in system-specific breakout discussions reflecting on youth experiences navigating their respective systems, building empathy for LGBTQ+ youth in systems and identifying opportunities to improve cross-systems collaboration to facilitate youth wellness and success.

The goals of the summit were to:

Convene decision makers from the education, child welfare, and juvenile legal systems in Illinois to explore multi- and cross-system approaches to upstream prevention of the entry of LGBTQ+ youth into the juvenile legal system and downstream interventions with LGBTQ+ youth in the juvenile legal system.

Develop connections between systems to build and grow a network of support for LGBTQ+ youth across all systems.

Articulate and share publicly a set of short- and long-term actions for addressing the central questions.

The summit commenced with the narrative of a youth storyteller, Mandy, who shared their trajectory through DCFS as a trans young person. Then, the Youth Voices Matter Project shared research findings demonstrating youth push-out from schools. The next youth presenter, Chelsea, discussed how family rejection due to her sexual identity and her treatment in the DCFS system have influenced her mental health. Next, Family Builders/getREAL described their work to keep families with LGBTQ+ youth together and the overreliance on congregate care once youth enter the child welfare system. The final youth speakers were Zoey and Drikiah, describing their experiences trying to live in their identities within the constraints of state systems. Finally, representatives from each system engaged in an empathy mapping exercise following the theoretical journey of a youth, called Mara, through each system.

Mara, who was assigned male at birth, came out to a social worker at school when she was 7 years old. Due to abuse that stemmed from her transgender identity, she was taken into foster care when she was 9. She spent several years in a variety of group homes, was placed in relative care for a short stint, and at 15 came in contact with the juvenile legal system.

The exercise asked the attendees to consider the following questions about the youth experience:

How do they feel entering our system? What are they thinking about? Experiencing, encountering? How did they get there?

What does success look like for this youth in our system?

What has this system done to create that success?

What do we need to change or improve within this system to see that success story?

What do collaborations with education, child welfare and juvenile legal systems currently look like?

What collaborations with education, child welfare and juvenile legal systems are needed for that success story?

Each breakout session then shared key points to the larger group. They made collective commitments that bring these systems closer to actualizing the prospective success of Mara and youth like her. The following report summarizes the key observations and recommendations of the convening participants.

YOUTH INSIGHT

My mom was hurt by her old husband. I was taken away from my siblings. I didn't have a dad around and I was bullied a lot for how I look, how I do things. I was homeless once with my mom. My Nana passed away recently. For my future, I want to be back together with my family, with my mom and brothers. I want to be happy and loved.

YOUTH INSIGHT

I would like to see Pride and Purpose and others have a safe spot for people who have trouble communicating with their family members about who they want to be and help them and support coming out to someone that they can trust. I think that facilities should be required to have programs dedicated to LGBTQ, and especially for transgender youths.

Throughout this report, youth insights ground the recommendations and revelations of systems professionals in the lived experience of the young people we serve.

SUMMIT INSIGHTS

In each break-out session, sector professionals discussed the empathy maps they developed of Mara's navigation of their systems. They suggested next steps and action items to improve youth experience, and then their revelations were shared with the main group. The discussion takeaways fall within five buckets of action: space-building, research and data collection, funding, standards of behavior, and coordination.

Sector-Specific Conversations

1. Education

Education system professionals shared visions for Mara’s life in which she found acceptance and was affirmed toward social and emotional health. She encountered high quality and fact-based curricula, and her bodily autonomy was validated by personnel and school processes. To see this future, the education system would need to begin to address root causes impairing students’ school attendance and reduce punitive measures that further isolate students. This group also discussed the importance of implementing well-funded policies to create standards of staff competence. They emphasized that LGBTQ+ inclusivity needs to be framed as core to professional responsibility rather than a matter of personal belief.

Coordination between the education system and the juvenile legal system has been limited, with some participants sharing that judges in juvenile courts seem to misunderstand school code. Judges do not seem to know what happens in the school districts that youth attend, and thus they operate with an incomplete view of young people’s lives and capacities. There needs to be greater communication across sectors, and shared costs especially between the Illinois State Board of Education (ISBE) and the Department of Children and Family Services (DCFS) relating to transportation of the youth held in common.

Participants commented that focusing on creating community for students has been an existing strength within the education system. Organizations such as the Illinois Safe Schools Alliance support the development of school-based support groups for LGBTQ youth, but schools are not the only setting in which youth meet one another and/or adult caretakers. Participants stressed that the state’s many sectors must work collaboratively to build more safe places for LGBTQ youth to encounter care outside of their local municipal schools.

2. Child Welfare

In the child welfare breakout session, participants shared visions for Mara’s experience in which she was affirmed in her trans identity by staff and services. In their visions for Mara, she felt listened to and could access resources such as higher education and health care as needed. She was also connected to family, because the system worked to

YOUTH INSIGHT

I am going to a group home,
and I think something doesn’t
add up. Why are you keeping
me away from my family?
DCFS shipped me off and
there’s nothing else you can do;
they dump you like trash.

DCFS can give you money for
college but it isn’t enough, You
need to show you care and
think I have a future,

build capacity in her community of origin and home instead of removing her to a residency. The adults in her life learned to test their views and had compassionate conversations in which Mara stated her needs as they changed over time. Participants shared that the system has implemented a few measures to work toward their vision for Mara's success. For instance, many services are clustered in the same offices so that youth can access multiple supports through a single venue. There have also been more diversion techniques to prevent systems involvement by focusing on improving relationships and working with youth. They also stated that pre-investigation work has been strengthening and volunteers are feeling more informed and equipped. Finally, there is an existing level of coordination between DCFS and school systems before youth are brought into care, but there needs to be improved coordination between DCFS and policing and detention systems to understand youth involvement in these two systems particularly.

There are many opportunities for growth. The child welfare system representatives emphasized that there need to be more positive spaces for youth, to keep them out of the system as much as possible. There are also major gaps in rural areas that need to be bridged, and treatment plans need to be implemented with consistency. Furthermore, staff need to be trained to be a point where they are not only an LGBTQ+ competent workforce but truly comfortable. The workforce should be able to model respectful behaviors; they should be able to indisputably demonstrate that youth are being heard and kept safe.

3. Juvenile Legal

In a desired future, Mara's navigation of the juvenile legal system would involve finding her a permanent placement that is safe and affirming, connecting her with a mentor who shares her identities, and indeed, diverting her case so she does not come into court at all. Minimizing court surveillance and reducing police interactions with youth would be key to this vision. Currently, the Cook County Center of Conflict Resolution supports healthy relationship repair, and there is some level of LGBTQ+ competency training taking place in this system. Representatives endorsed that youth are placed in gender-congruent facilities, upon youth request or if youth express safety concerns, but there is no proactive mechanism for assessing gender-congruency without youth needing to advocate for themselves. There are also new provisions for transitional therapy so youth can access continuous care while bridging back into their communities of origin.

Participants also shared places where they've seen their system harm youth. For instance, one representative discussed a case in which a young person was sentenced on his birthday and faced maltreatment. His grandmother was not allowed to speak or contribute to the proceedings, and his birthday was not acknowledged. Once he got back to the detention center, he simply fell apart. He was punished for this response by having his family Zoom gathering cancelled, which only exacerbated his emotional distress. Participants elevated potential

mechanisms for creating the success they envision for youth like Mara. For instance, incorporation of mentorship from LGBTQ+ adults and a focus on hiring affirming and competent staff. There need to be policy changes that raise the minimum age of prosecution to 14, bar residential facilities from prosecuting their own youth, and create more resources for youth to know their rights and advocate for themselves. This group also described opportunities for cross-systems collaboration such as developing tools for assessing youth well-being in community, so they don't have to become involved in systems to receive resources. The juvenile legal and child welfare systems could coordinate to chart more long-term solutions for shared youth, and the juvenile legal and education system could collaborate to reduce school push-out. These latter entities should implement accommodations to avoid criminalizing marginalized youth, keeping them in school systems so they are connected to opportunities for growth instead of being punished for having unmet needs.

OVERALL TAKEAWAYS

As the sector representatives returned to the main room of the convening space, clear themes emerged in the conversations they'd had. There are distinct actions these systems can take individually and collectively to begin materially improving the lived experience of systems-involved LGBTQ+ youth.

1. Space-building

There are organically cases and instances in which systems are coming into contact in the lives of young people, but there are no structures, procedures, or point people who help them navigate these intersections. How do we create these resources for youth? There need to be safe spaces across systems that serve as "spot checks" for youth to provide feedback and access coordinated care. Youth can best articulate their multi-sectoral needs, and we need to build openings for professionals and advocates to engage them in deep and responsible listening. There also needs to be more opportunities for youth to find community and support groups across systems. To begin imagining how to construct these cross-systems spaces, Pride Action Tank commits to continue convening this group to communicate regularly.

2. Research & Data Collection

There was a resounding call for more data to understand youth experiences across systems. This need may begin to be met by executing informal check-ins to assess systems, as described earlier with relation to creating "spot checks." Efforts to address this need must also center sexual orientation and gender identity, disability, race, and ethnic background data, and most importantly, it must be youth-led. Young people must be enlisted into every step of the research process and fairly compensated to share their experiences.

3. Funding

Participants also highlighted the importance of funding for executing the community agreements reached during the Convening. All mandates – anything introduced into school code, DCFS policy or legislation aimed at improving the juvenile legal system, – must be bolstered by adequate funding or else they are not acceptably implemented. Being as the measures under discussion are concerns relevant to shared youth, it would also be appropriate to explore creating shared budgets for cross-systems collaboration. By minimizing financial and legal siloing of resources, we can create a structural landscape more akin to the realities of the communities served. Communities where, as it stands, the influences of various systems currently discordantly mix.

4. Standards of Behavior

To ensure that LGBTQ+ youth have humanizing experiences in the education, child welfare, and juvenile legal systems, regardless of where their systems involvement begins and ends, there must be a unified standard of care. Participants described how unifying the systems in a cross-systems minimal conduct standard can have substantial implications for young people. There should be a shared set of values and young people must be integrated into the development of this standard. In fields such as humanitarianism and conflict resolution, agents abide by a “do no harm” principle. This principle assures that all actors in these structures have a commitment to assessing how they’re impacting already vulnerable communities (Anderson, 1999).

In another example, a representative from the juvenile legal system highlighted that their system has begun to use the National Child Traumatic Stress Network’s Self-Assessment tool to gauge the extent to which court and detention operations align with trauma-informed principles (2019). This tool could be implemented as a standardized resource creating a common language and shared expectations for youth care across systems. Another example mentioned was the Illinois Culturally Responsive Teaching and Leading Standards. Regardless of what model is adopted, young people must be integrated into standards development and inform implementation.

No matter which individual caseworker or liaison a young person is in contact with, they should know what to expect, and the expectation must be respect and care. Furthermore, the expectation must be respect and care as defined through nuanced behaviors that each individual professional can duplicate and is incentivized to perform. Implementing this unified standard of behavior must include integrating LGBTQ+ competency into hiring and job performance expectations. *One convening participant said there is a “double standard” when it comes to the LGBTQ+ competency from professionals. If a parent or family member harmed a young person due to ignorance or bias, the family would be investigated and possibly divided, but agents of state systems harm LGBTQ+ youth consistently and are never held accountable.*

As another participant stated, having justice-focused hiring practices can be seen as a harm prevention strategy. Culturally humble and compassionate treatment must be a required, firm baseline and not an exceptional deviation from the norm of our system workforces.

5. Coordination

Finally, participants named two immediate strategies to begin appropriately supporting youth in navigating the intersections of these three systems in their lives. First, the state must create positions for cross-systems liaisons to facilitate communication and support multiply involved youth. These representatives must have expertise in all three systems and be readily available for families to access. Second, the state must implement cross-systems policy trainings and/or disseminate resources/briefs that provide foundational familiarity with how proximate institutions operate.

CONCLUSION

The visions for success that professionals imagined during this convening can be achieved. Youth throughout the event explicitly named that it is time to move forward from rumination and conversation and implement real actions urgently. Each and every day, the lives of real young people are marked by the status quo of the systems they're entangled within. The only way to rectify and prevent the health disparities we've recorded to date is to begin correcting how youth navigate state systems. Communication, coordination, and prioritizing LGBTQ+ competent care are the next steps in this process.

“Don't get paralyzed figuring out where to start. Start wherever you are. Take action.” - Youth participant



References

- American Civil Liberties Union - Illinois. (n.d.) R.J. V. Mueller. <https://www.aclu-il.org/en/cases/rj-v-jones>
- Anderson, M. B. (1999). *Do No Harm: How Aid Can Support Peace – Or War*. Boulder, CO: Lynne Rienner Publishers.
- Baams, L., Wilson, B.D.M., Russell, S.T. (2019). LGBTQ Youth in unstable housing and foster care. *Pediatrics*, 143(3).
- Blanchette, D. (2022). DCFS headed in the wrong direction. *IllinoisTimes*. <https://www.illinoistimes.com/springfield/dcfs-headed-in-the-wrong-direction/Content?oid=14899373>
- Center for American Progress and Movement Advancement Project. (2016). Unjust: How the broken juvenile and criminal justice systems fail LGBTQ youth. <https://www.lgbtmap.org/file/lgbt-criminal-justice-youth.pdf>
- Cross, T.P., Tran, S., Hernandez, A., & Rhodes, E. (2019). The 2017 Illinois child well-being study final report. Urbana, IL: Children and Family Research Center, University of Illinois at Urbana-Champaign.
- Dettlaff, A., Washburn, M., Carr, C., & Vogel, A. (2018). Lesbian, gay, and bisexual (LGB) youth within in welfare: Prevalence, risk and outcomes. *Child Abuse & Neglect*, 80.
- Grooms, J. (2020). No Home and no acceptance: Exploring the intersectionality of sexual/gender identities (LGBTQ) and race in the foster care system. *The Review of Black Political Economy*, 47(2), 177–193. <https://doi.org/10.1177/0034644620911381>
- Halemba, G.J., & Siegel, G. (2011). Doorways to delinquency: Multi-System involvement of delinquent youth in King County (Seattle, WA). National Center for Juvenile Justice, http://ncjj.org/pdf/MFC/Doorways_to_Delinquency_2011.pdf
- Irvine, A., & Canfield, A. (2016). The overrepresentation of lesbian, gay, bisexual, questioning, gender nonconforming and transgender youth within the foster to juvenile justice crossover population. *American University Journal of Gender, Social Policy & the Law*, 24(2), 243–261.
- Martin, M., Down, L., & Erney, R. (2016). Out of the shadows: Supporting LGBTQ youth in child welfare through cross-system collaboration. Washington, DC: Center for the Study of Social Policy.

Mautino, F.J. (2021). Performance audit of the Department of Children and Family Services LGBTQ youth in care. State of Illinois Office of the Auditor General.

Morton, M. H., Samuels, G. M., Dworsky, A., Patel, S. (2018). Missed opportunities: LGBTQ youth homelessness in America. Chapin Hall, University of Chicago.

Mountz, S., Capous-Desyllas, M., & Sevillano, L. (2020). Educational trajectories of youth formerly in foster care who are LGBTQ: Before, during, and after emancipation. *Child Welfare, 97*(6), 77-99. Retrieved from <https://ezproxy.depaul.edu/login?url=https://www.proquest.com/scholarly-journals/educational-trajectories-youth-formerly-foster/docview/2509358500/se-2?accountid=10477>

National Child Traumatic Stress Network. (2019). Trauma-informed juvenile court self-assessment. <https://www.nctsn.org/resources/trauma-informed-juvenile-court-self-assessment>

Pride Action Tank. (2019). Youth in systems summit summary report. <https://prideactiontank.org/wp-content/uploads/2020/04/Youth-In-Systems-Final-Report.pdf>

Windy City Times. (2011). All Illinois youth centers to address LGBTQ youth. <https://www.windycitytimes.com/lgbt/All-Illinois-Youth-Centers-to-address-LGBTQ-youth/34152.html>

