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LGBT FAMILIES OF COLOR:
FACTS AT A GLANCE



Photo courtesy of the Gill Foundation

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MAP movement advancement project

FAMILY EQUALITY COUNCIL

Center for American Progress

Partners

National Black Justice Coalition NBJC.org

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FIRE FIGHTING INJUSTICE to REACH EQUALITY

In "All Children Matter: How Legal and Social Inequalities Hurt LGBT Families," The Movement Advancement Project (www.lgbtmap.org), the Family Equality Council (www.familyequality.org), and the Center for American Progress (www.americanprogress.org) co-authored one of the most comprehensive portraits to date of the wide range of obstacles facing LGBT families in America. In this companion "Facts at a Glance" report, the co-authors have partnered with the National Black Justice Coalition (www.nbjc.org), Unid@s (www.unidoslgbt.com), the National Queer Asian Pacific Islander Alliance (www.nqapia.org), and the FIRE Initiative to highlight the specific challenges faced by LGBT families of color.

INTRODUCTION

Today's American families are increasingly diverse. Children may be raised by grandparents, single parents, stepparents, aunts, uncles or foster parents. Their parents may be married or unmarried; they may be heterosexual or lesbian, gay, bisexual or transgender (LGBT).

Outdated laws and social stigma hurt children who are being raised by "*de facto*" parents (a *de facto* parent functions as a parent to a child but is not a legally-recognized parent). *De facto* parents can include aunts, uncles, or grandparents who are raising related children, or even close family friends who raise children with whom they have no biological ties. LGBT parents are also often *de facto* parents. This happens because only one same-sex parent can be a biological parent, and the law often prevents the second, non-biological parent from adopting or otherwise creating legal ties to his or her child.

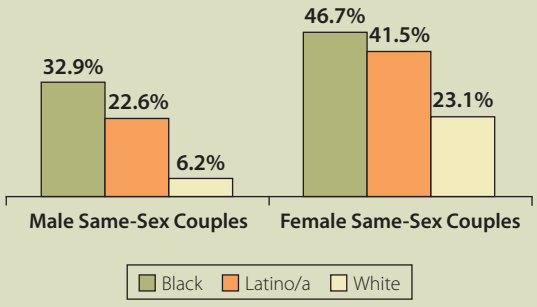
Laws often ignore contemporary family configurations, with devastating consequences. These laws may deny children the security and protection of having a legal connection to a parent who cares for them. They undermine families' economic strength by denying access to safety net programs, family tax credits, and health insurance simply because families do not fit within expected norms. Antiquated laws can leave children destitute when parents who lack legal ties die or become disabled. These laws can also wrest children away from parents when custody is awarded based on inflexible definitions of family as opposed to the best interest of the child.

Children of color, in particular, are more likely to be raised in diverse family configurations that include *de facto* parents and are more likely to be raised by LGBT parents. Therefore, antiquated laws have a disproportionately negative impact on children of color.

This fact sheet explicitly examines LGBT families of color, though many of the findings apply more broadly to any family of color—or even any family—where children are not being raised by two married, biological parents. LGBT families of color—like all families—simply want an equal opportunity to provide stable, loving homes to their children, to ensure economic stability, and to raise healthy children who become integral parts of their communities. Yet for LGBT families of color, the intersection of laws, stigma, and race-based discrimination collide in ways that create significant challenges.

LGBT Families Are Part of the American Fabric	
LGBT Families Are Diverse	• An estimated 2 million children are being raised in LGBT families, and that number is expected to grow in the coming years.[1] • LGBT families are more racially and ethnically diverse than families headed by married heterosexual couples; 41 % of same-sex couples with children identify as people of color compared to 34% of married different-sex couples with children.[2]
LGBT People of Color Are More Likely to Parent	• Both black and Latino same-sex couples are more likely to raise children than white same-sex couples. • Nearly a third (32%) of binational same-sex couples are raising a total of 17,000 children.[3]

Percent of Same-Sex Couples Raising Children by Race/Ethnicity

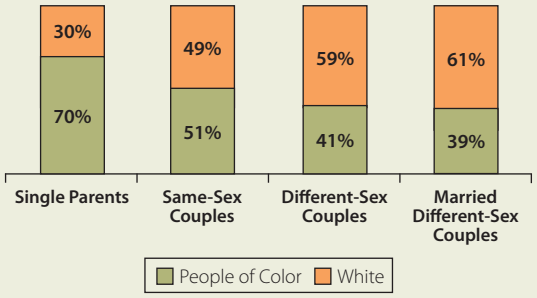


Source: Special tabulation of the 2010 American Community Survey by Gary J. Gates.

Single and LGBT People of Color Are More Likely to Be Foster Parents

- People of color are significantly more likely to become foster parents than white parents, making up a disproportionate percentage of foster parents.
- Single parents and same-sex couples who foster are especially likely to be parents of color.

Demographics of Foster Parents, by Family Type



Source: Gary J. Gates, M.V. Lee Badgett, Jennifer Ehrle Macomber and Kate Chambers, "Adoption and Foster Care by Gay and Lesbian Parents in the United States," The Williams Institute and Urban Institute, 2007; calculations revised April 2011.

Unmarried Families of Color and LGBT Families of Color Face Challenges When Fostering or Adopting

Like most unmarried parents who live together (sometimes called "cohabitors"), LGBT parents of color who wish to foster or adopt face challenges:

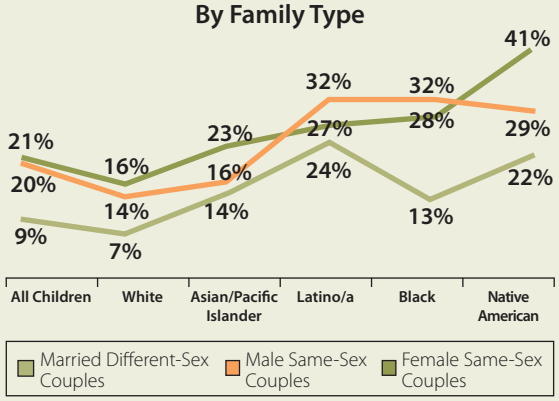
- There are a handful of states that still restrict or ban fostering by single people or unmarried couples (which by default, restricts adoption by same-sex couples, who usually cannot marry in their state). For instance, in Utah, the law bans fostering by all unmarried cohabitors and gives preference to married couples.
- Joint adoption for same-sex couples is allowed in 17 states and D.C., and effectively banned in 5 states. Some states also ban adoption by all unmarried couples. The law is silent in 28 states, creating uncertainty for LGBT families of color.[4]
- Same-sex couples can only access second-parent or stepparent adoption in 19 states and D.C. In the 31 remaining states, neither of these options exists, meaning children living in LGBT families of color will lack legal ties to one parent.[5]

LGBT Families of Color Are More Likely to Struggle Financially

Many LGBT Families of Color Live in Poverty

- Children being raised in LGBT families of color are more likely to be living in poverty than children being raised in white LGBT families or children being raised by married heterosexual parents.
- For example, 32% of children raised by gay male black couples live in poverty, compared to 13% of children raised by married heterosexual black parents and 7% of children raised by married heterosexual white parents.

Percent of Children Living in Poverty, By Family Type



Source: Randy Albelda, M.V. Lee Badgett, Alyssa Schneebaum and Gary J. Gates, "Poverty in the Lesbian, Gay and Bisexual Community," The Williams Institute, 2009.

Access to Safety Net Programs is Limited

Most safety net programs use a narrow definition of family which presumes a child is being raised by legally-recognized parents. This means that cash assistance, food and nutrition support, housing subsidies, health insurance, child care assistance, educational loans and other forms of aid may not be available to LGBT and other diverse families, disproportionately impacting children and families of color.[6] Some immigrant families are not eligible for safety net programs, leaving children in low-income immigrant families at increased risk.

Federal and State Tax Law Penalizes Diverse Families

Families headed by LGBT parents or unmarried heterosexual parents cannot file joint federal tax returns. And, parents who are not legally recognized (such as *de facto* parents or LGBT parents without legal ties), are denied tax deductions and credits available to other households. In many cases, this means a higher tax burden for LGBT and other diverse families, disproportionately impacting families of color.[7]

LGBT Families of Color Face Health Disparities, Unequal Access To Health Insurance	
Diverse Families Face Restricted Access to Health Insurance	**Disparities Based on Race/Ethnicity** • In the U.S., the majority of individuals (55%) have employer-sponsored health coverage. However, rates of coverage for employees of color and their families are lower than for white workers with 42% of Latino workers, 50% of black workers, and 69% of Asian/Pacific Islander workers receiving coverage through work compared to 74% of white workers.[8] • Children of color, nationally, are also less likely to have health insurance; 11% of Latino/a children, 9% of black children and 10% of Asian/ Pacific Islander children lacked health insurance compared to 7% of white children.[9] **Disparities Based on Sexual Orientation** • LGBT employees of color face additional challenges accessing health insurance because LGBT employees and their families, like families of color, also face reduced access. Because most employers are not required to offer health benefits to the partners of LGBT workers (or the unmarried partners of heterosexual workers), LGBT families are often faced with purchasing health insurance privately (at a much higher cost) or doing without. As a result, LGBT adults have much lower rates of health insurance coverage than heterosexual adults.[10] • Researchers also believe that children raised by LGBT parents are less likely to have health insurance.
LGBT Families of Color Face Health Disparities	Black and Latino LGBT people are more likely to be in poor health than their heterosexual and white counterparts.[11] For instance, HIV/AIDS is much more common for black gay and bisexual men and transgender women. Black and Latina lesbian and bisexual women are more likely to be overweight than their heterosexual peers.[12] **Disparities Based on Race/Ethnicity** • People of color have reduced access to healthcare and lower rates of routine care and prevention, leading to higher rates of debilitating diseases like obesity, cancer, diabetes, and HIV/AIDS.[13] **Disparities Based on Sexual Orientation** • Similar disparities also exist for LGBT adults. As a result, LGBT people of color once again face a "multiplier" effect for negative health outcomes that put them, and their families, at risk.
Children Raised in LGBT Families of Color Confront a Dual Burden of Social Stigma and Discrimination	
Unique Pressures, Bias and Discrimination Confront LGBT Families of Color	• Despite more than three decades of civil rights legislation, race-based discrimination is still widely documented in employment and housing, and racial/ethnic profiling remains a common practice. As a result, families of color confront stereotypes, prejudice, and discrimination throughout their daily lives.[14] • In addition to race-based bias, LGBT families of color also cope with inappropriate questions about sexual orientation and gender identity, the politicization of their families, and anxiety about the lack of legal recognition—stressors which are heightened when they intersect with other forms of prejudice.[15] • Asian/Pacific Islander and Latino families are disproportionately foreign-born and are more vulnerable to a range of challenges that non-citizens face, such as increased lack of access to services and xenophobic discrimination and violence. LGBT families with undocumented immigrants are particularly vulnerable on a variety of fronts.
LGBT Families of Color More Supported by Extended Families	• In a 2010 survey of LGBT parents of color, the majority of black, Latino and Asian/Pacific Islander LGBT parents said that they were supported by their families as an LGBT person; two of out five said they were "completely supported" by their families. • By contrast, white LGBT parents more often report a lack of support from parents, siblings and other blood relatives—with relationships disrupted as a result of prejudice after coming out as LGBT.
Unwelcoming Schools Place Children in Double Jeopardy	• Children of color being raised by LGBT parents often face multiple layers of discrimination and stigma. They may be bullied or harassed by other children based on their own race or ethnicity, or because of the race, ethnicity or sexual orientation of their parents. This bullying and harassment not only creates emotional distress for children, but also hinders their ability to learn. • A 2008 survey of LGBT parents and their school-age children found that 40% of students with LGBT parents reported being verbally harassed because of their families and three-quarters reported hearing derogatory terms about LGBT people at school. In the same study, 43% of students of color with LGBT parents said that they had experienced verbal harassment because of their race/ethnicity, 16% had been physically harassed or assaulted, and 12% felt unsafe.[16] • This double jeopardy means that experiences at school are often both race-based and based on family composition. In the study mentioned above, one parent explained, "The school discriminates more against our child because he is black than because we are gay. Race is a much bigger issue!"

Invisibility of LGBT Families of Color in the Broader Community	• While media attention to LGBT families frequently focuses on financially comfortable, cosmopolitan white couples who created a family together, that configuration does not reflect many LGBT families. • The popular narrative excludes the varied experiences and challenges of a wide range of LGBT families, including LGBT families of color, low-income LGBT families, and those who live outside urban or coastal communities.
Disconnect from LGBT Community	• In a 2010 survey of LGBT people of color, LGBT parents of color indicated that non-discrimination, economic issues, access to marriage/relationship recognition, and overall equality and acceptance were the top issues they personally faced.[17] • Yet, more than half of black, Latino and Asian/Pacific Islander LGBT parents said that the LGBT community was not doing enough to address economic justice, and more than half of black LGBT parents said that the LGBT community was not doing enough to address racial justice and equality. • LGBT community organizations are often based in LGBT neighborhoods, but many LGBT people of color do not live in these areas, resulting in inadequate access to support and resources offered by LGBT organizations.[18]
Faith & Religion	• Even though a growing number of communities of faith welcome LGBT families, many families still face difficulty with finding an affirming place of worship. • Despite these challenges, in a 2010 survey of LGBT people of color, 73% of Asian/Pacific Islander LGBT parents, 73% of black LGBT parents and 63% of Latino LGBT parents said their religious tradition or spiritual practice had a positive influence or no influence on their understanding of their LGBT identities.[19]

Recommendations

Below is a summary of the detailed and comprehensive set of 100+ legal, policy and cultural solutions proposed in the full report, *All Children Matter*. These recommendations, if taken together, could virtually eliminate the legal disparities that pose harm to the children being raised by LGBT families of color. Many of these recommendations would also help other children, including those with unmarried parents and those awaiting adoption.

Legally recognize LGBT families of color by:

- Passing comprehensive parental recognition laws at the state level to fully protect children in LGBT families. Laws should allow joint and second-parent adoption, parental presumption, and legal recognition of *de facto* parents and intended parents using assisted reproduction.
- Legalizing and federally recognizing marriage for gay and lesbian couples to strengthen legal ties for the entire family.
- Providing pathways to immigration and citizenship for binational and immigrant LGBT families through the creation of a "permanent partner" status and comprehensive immigration reform.

Provide equal access to government-based economic protections for LGBT families of color by:

- Recognizing LGBT families across government safety net programs. Consistent broad definitions of family should include domestic partners and other *de facto* parents.
- Revising the IRS tax code to provide equitable treatment for LGBT families by allowing "permanent partners" to file joint returns and qualify for child-related tax credits.
- Providing equitable economic protections when an LGBT parent dies or is disabled by broadening the definition of family for OASDI, SSI, inheritance, and wrongful death.

Provide equal access to health care for LGBT families of color by:

- Passing laws ensuring that LGBT families have equal access to health insurance through domestic partner benefits and COBRA, and via Medicaid for LGBT families living in poverty.
- Enabling LGBT family members, including *de facto* parents, to provide care to one another. Enact inclusive medical decision-making laws and broaden the FMLA definition of family to include domestic partners, *de facto* parents, and other family members providing care.

Protect LGBT families of color by:

- Passing state anti-bullying laws and laws barring discrimination in employment, adoption, custody and visitation, health services, housing and credit.
- Educating and providing cultural competency training to a wide array of professionals.

Provide education and support services to LGBT families of color by:

- Reaching out to LGBT families of color with accessible and culturally competent programs, services, and support groups.

Expand research on LGBT families of color by:

- Funding research and education initiatives focused on LGBT families of color and parenting. Ensure that research is inclusive of diverse LGBT families, even where study populations may be small (e.g. Asian American/Pacific Islander LGBT Families).

REFERENCES AND NOTES

Unless otherwise noted, the references and full citations to the information in this brief can be found in the full report: Movement Advancement Project, Family Equality Council and Center for American Progress, "All Children Matter: How Legal and Social Inequalities Hurt LGBT Families," October 2011.

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[1] See Full Report, pp. 118-119.
[2] Special tabulation of the 2010 American Community Survey by Gary J. Gates.
[3] Craig J. Konnoth and Gary J. Gates, "Same-sex Couples and Immigration in the United States," The Williams Institute, November 2011. http://williamsinstitute.law.ucla.edu/wp-content/uploads/Gates-Konnoth-Binational-Report-Nov-2011.pdf
[4] See Full Report, pp. 25-28.
[5] See Full Report, pp. 33-34 and pp. 40-41.
[6] See Full Report, pp. 51-66.
[7] See Full Report, pp. 67-72.
[8] The Henry J. Kaiser Family Foundation, "Facts on Health Reform: Health Reform and Communities of Color: Implications for Racial and Ethnic Health Disparities," September 2010. http://www.kff.org/healthreform/upload/8016-02.pdf
[9] United States Census, "Income, Poverty, and Health Insurance Coverage in the United States, 2010." http://www.census.gov/prod/2011pubs/p60-239.pdf
[10] See Full Report, pp. 79-84.
[11] Boston Public Health Commission on LGBT Health, "Double Jeopardy: How Racism and Homophobia Impact the Health of Black and Latino Lesbian, Gay, Bisexual, and Transgender (LGBT) Communities," 2002.
[12] National Coalition for LGBT Health, "All of the Above: LGBT People of Color." http://lgbthealth.webolutionary.com/sites/default/files/LGBT%20POC.pdf
[13] U.S. Department of Health and Human Services, "Health Disparities: A Case for Closing the Gap", HealthReform.Gov, June 2009. http://www.healthreform.gov/reports/healthdisparities/disparities_final.pdf
[14] Rebecca M. Blank, Marilyn Dabady, Constance Forbes Citro, National Research Council (U.S.). Panel on Methods for Assessing Discrimination, "Measuring Racial Discrimination: Institutional Patterns and Politics," 2004.
[15] Preliminary Analysis of 2010 Social Justice Sexuality Survey. See http://www.socialjusticesexuality.com
[16] Survey of LGBT families conducted by GLSEN, COLAGE, and the Family Equality Council. See Full Report, p. 93.
[17] Preliminary analysis of 2010 Social Justice Sexuality Survey.
[18] Unpublished research conducted by Gary J. Gates.
[19] Preliminary Analysis of 2010 Social Justice Sexuality Survey.
[20] See Full Report, pp. 97-117.

ABOUT THIS BRIEF

This brief is based on content from *All Children Matter: How Legal and Social Inequalities Hurt LGBT Families*, a report which provides one of the most comprehensive portraits to date of the wide range of obstacles facing LGBT families in America. It also offers detailed recommendations for eliminating or reducing inequities and improving the lives of children with LGBT parents. For more information, visit **www.lgbtmap.org/lgbt-families**, **www.familyequality.org** or **www.americanprogress.org**.

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