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## Criminal Justice?

# New Fast Facts about Transgender People, Police, and Incarceration

In February 2011, the National Center for Transgender Equality (NCTE) and the National Gay and Lesbian Task Force (NGLTF) released the largest-ever survey of transgender and gender non-conforming people, *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey* (available at [http://transequality.org/PDFs/NTDS\\_Report.pdf](http://transequality.org/PDFs/NTDS_Report.pdf)). Nearly 6,500 responded to this wide-ranging questionnaire. Here are some highlights relating to what transgender and gender non-conforming people experience while interacting with police and during incarceration.

### *Police*

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*“Transgender and gender non-conforming people may have higher levels of interaction with police. They are more likely to interact with police because they are more likely to be victims of violent crime, because they are more likely to be on the street due to homelessness and/or being unwelcome at home, because their circumstances often force them to work in the underground economy, and because they face harassment and arrest simply because they are out in public while being transgender.”*

**54% of respondents had contact with the police as a transgender or gender non-conforming person**  
**46% of all transgender and gender non-conforming people are “uncomfortable” seeking police help**

- 22% of those who interacted with police reported being harassed by police officers due to bias
  - Transgender people of color reported much higher rates: 29-38%
- 20% were denied equal services
- 6% were physically assaulted by police officers
  - 15% of African-American transgender people were physically assaulted by police
- 2% were sexually assaulted by police officers
  - 7% of African-American transgender people were sexually assaulted by police

### *Incarceration*

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- 16% of transgender and gender non-conforming people had been sent to jail or prison “for any reason” (for the general U.S. public, this figure is 2.7%)
  - The figures were 47% for African-Americans and 30% for American Indians
  - 21% of MTFs had been incarcerated, compared to 10% of FTMs
- 7% were arrested or held in a cell solely due to anti-transgender bias of police officers
- 16% of those who had been incarcerated were physically assaulted there by inmates or staff
  - MTFs experience more physical assault in jail (21%) than FTMs (11%)
- 15% report having been sexually assaulted by inmates or staff while incarcerated
  - 34% of African-Americans experience sexual assault while incarcerated
  - MTFs experience more sexual assault while incarcerated (20%) than do FTMs (6%)

*“After I was raped, the officer told me I got what I deserved.”*