Reproductive Justice & LGBT Equality

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Reproductive Justice and the National Center for Lesbian Rights

• National Center for Lesbian Rights (NCLR) was founded in 1977 by a recent law school graduate to address the number of lesbians coming out of marriage and losing custody of their children due to their sexual orientation.

• NCLR has a long-standing Family Protection Project which advocates and litigates on behalf of same-sex families from issues such as access to affordable reproductive technologies to parental recognition laws for LGBT families.

• The reproductive justice movement has given us new conceptual frameworks to think about issues at the intersection of reproduction and sexuality. NCLR is using this framework to expand our advocacy on reproductive health and rights issues facing LGBT people.
LGBT Rights

• Also known as: Queer Rights, Sexual Minority Rights, and Equal Rights

• Framework generally includes the rights of individuals who are lesbian, gay, bisexual, transgender, intersex, gender queer, and people living with HIV.
LGBT Rights and Reproductive Justice

• Both share the same legal histories
• Both emphasize freedom and legitimacy of sexual activity without reproduction as a desired outcome
• Both stress the importance of sexual and reproductive health
• Both emphasize a person’s right to control their own body and reproductive destiny
LGBTQ Reproductive Justice Advocacy

Some starting points:
• Disparities in Reproductive Health Services & Information
• Abortion Access and Contraceptive Equity
• Addressing barriers to reproductive justice for transgender people
• Affordable Reproductive Technology and Parental Recognition Laws
LGBT Sexual & Reproductive Health: Disparities in Information

Lack of comprehensive sexual education

• Only 12 states require a discussion about sexual orientation in sexual education classes
• 4 out of 12 of these states only require negative information about non-heterosexual sexual orientation
• The number of Gay Black adolescence with HIV increased
• Several studies report LGB teens have higher pregnancy rate
LGBT Sexual & Reproductive Health: Disparities in Access & Outcome

• An average of only 5 hours of LGBT health training was given at most medical schools
• LGBT health training was not taught in 1/3 of medical schools
• Recent study revealed that many LGBT adults cannot rely on their health service provider for information about LGBT sexual health
Queer Women & Abortion and Contraceptive Restrictions

• Several studies suggest that LGB youth experience higher rates of teen pregnancy.

• Reports suggest queer women and non-queer are at equal risk of STDs.

• Queer women are subjected to increased rate of forced encounters with men.
Treatment Refusal Laws
Alarming Trends

• Broader scope of who can refuse treatment
  • Religious employers
  • Religiously affiliated organizations
  • Corporations
  • For profit entities

• Broader scope of what treatment can be refused
  • No requirements for referral
  • No requirements for counseling
  • Limited notice requirements
Additional Barriers to Reproductive Justice for Transgender People

• Transgender individuals are required to jump through several expensive hoops before they are free to make decisions regarding their own body.

• Transgender people are subject to harsh uniform laws in terms of legal recognition of their gender identities at times amounting to imposed permanent sterility.
  • Requirements of hysterectomies
  • Requirements of orchiectomy
Additional Barriers to Reproductive Justice for Transgender People

• Treatment Discrimination
  • Between 19 and 27 percent of transgender respondents to recent study reported being refused medical services because of their gender identity.
  • 1 in 3 transgender individuals delayed or avoided preventative health services such as pelvic exams and STI screenings due to fear of discrimination
  • Nearly 50% of trans men did not receive annual pelvic exams
Additional Barriers to Reproductive Justice for Transgender People

• Providers often lack appropriate clinical knowledge of trans-related health needs
  • 50% of transgender people reported having to teach a health care provider about providing appropriate care.
  • transgender men who have sex with men report a lack of adequate information about their sexual health at rates as high as 93.8%.
Affordable Reproductive Technology (ART) & Family Formation

• Intersection of LGBT law, poverty law, and ART

• LGBT Families face unequal access to fertility services.

• LGBT individuals face discrimination in adopting and co-parenting children.

• LGBT parents risk losing the right to raise their children.
How you can support LGBT equality and reproductive justice

• Advocate for access to comprehensive sexual education, which includes information about safe sexual practices for LGBT students.

• Encourage comprehensive training of health care professionals on LGBT health and support health care facilities that offer comprehensive health services.

• Support laws and policies that promote equal recognition and treatment of all families, including LGBT families.

• Activists in the LGBT rights movement and the Reproductive Justice movement should call attention to the sexual and reproductive health needs of LGBT communities, especially in communities that are less empowered.

• Support local, state, and national efforts for nondiscrimination laws that protect sexual minorities from discrimination in employment, public accommodations, and health care services.

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