

Center for American Progress



# Serving LGBTQ Immigrants and Building Welcoming Communities

By Sharita Gruberg, Caitlin Rooney, Ashe McGovern,  
Shabab Ahmed Mirza, and Laura Durso January 2018

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# Introduction and summary

*“The basic idea of welcoming immigrants to our shores is central to our way of life — it is in our DNA. We believe our diversity, our differences, when joined together by a common set of ideals, makes us stronger, makes us more creative, makes us different. From all these different strands, we make something new here in America.”<sup>1</sup>*

*President Barack Obama, July 4, 2014*

For decades, the United States has placed obstacles in the path of lesbian, gay, bisexual, transgender, and queer (LGBTQ) immigrants seeking the American dream. The law used to explicitly bar LGBTQ people from entering the country, as immigration officials were allowed to simply refuse entry to people they perceived as being LGBTQ.<sup>2</sup> Then, the Immigration and Nationality Act of 1965 added “sexual deviation” to grounds for denying immigrants entry, which prevented LGBTQ people from entering the country for the next 25 years until Congress passed the Immigration Act of 1990.<sup>3</sup> That same year, the Board of Immigration Appeals maintained that a gay Cuban man was eligible for withholding of removal because of persecution he faced as a result of his membership in a particular social group: “homosexuals.”<sup>4</sup> In 1994, this case was declared precedent, making a legally binding determination that people with a well-founded fear of persecution on the basis of their sexual orientation could be eligible for asylum.<sup>5</sup> It was not until 2010 that the United States lifted the ban that prevented people living with HIV from entering the country. And married same-sex couples were prohibited from accessing the same immigration benefits as other couples until 2013, when the Supreme Court found Section 3 of the Defense of Marriage Act unconstitutional.<sup>6</sup>

UCLA’s Williams Institute estimates that there are nearly 1 million adult immigrants in the United States that self-identify as LGBTQ; 267,000 are unauthorized and 637,000 are among the adult documented immigrant population.<sup>7</sup> In a survey of young people with Deferred Action for Childhood Arrivals (DACA)—temporary relief from deportation and work authorization for eligible immigrants—10 percent identified as LGBT.<sup>8</sup> However, beyond these estimates, not much is known about LGBTQ immigrants in the United States. The U.S. government does not track sexual orientation and gender identity in its immigration programs nor does it do so in the U.S. Census, making data on this population scarce.

Today, rather than facilitating integration, the Trump administration's policies are forcing immigrant communities into the shadows. In a country where nearly 1 in 10 U.S. citizen children are living in a household with at least one unauthorized family member,<sup>9</sup> President Donald Trump's mass deportation agenda creates a hostile and fearful environment for immigrants.<sup>10</sup> In addition to the threat of deportation, LGBTQ immigrants face high rates of violence. LGBTQ unauthorized immigrants account for 17 percent of anti-LGBTQ hate violence survivors.<sup>11</sup> Furthermore, according to the U.S. Transgender Survey conducted by the National Center for Transgender Equality, nearly 1 in 4 transgender unauthorized immigrants reported being physically attacked in the past year.<sup>12</sup> One explanation for these high rates of violence is the compounded discrimination that LGBTQ unauthorized immigrants face living at the intersection of two marginalized communities.<sup>13</sup>

In the next 20 years, the Center for American Progress projects that immigrants and their children will account for 85 percent of net growth in the U.S. workforce.<sup>14</sup> Given the increased role that new arrivals and their families will play in the United States economy, it is critical that the country works to expand outreach and services to improve immigrant integration. Research shows that immigrants are incredibly successful at assimilating into American life. CAP projects that, by 2030, the percentage of immigrants speaking English well or very well will rise from 57.5 percent to 70.3 percent.<sup>15</sup> Another indicator of successful integration is economic stability. By 2030, the percent of immigrants living in poverty is projected to fall from 22.8 percent to 13.4 percent.<sup>16</sup>

These successful integration outcomes can be further improved by removing certain obstacles that stand in the path of immigrants, such as impediments to employment, and by implementing programs that help to ensure that basic living standards are met and that immigrants have access to English language learning opportunities. For LGBTQ immigrants who face discrimination on the basis of their sexual orientation and gender identity as well as their immigration status, it is particularly important that the nation works to remove these barriers to integration.<sup>17</sup>

Integration is a two-way street, and building welcoming communities to facilitate integration is a key component to its success. Therefore, in order to ensure that LGBTQ immigrants thrive, it is critical to invest in culturally competent immigrant integration resources that are responsive to the needs of diverse communities, enabling them to fully participate and contribute to American society.

This report documents services that are currently available to assist LGBTQ immigrants and facilitate their integration in six major U.S. cities: Chicago, New York, Miami, Houston, Los Angeles, and Washington, D.C. The report focuses on these cities in particular because more than half of the foreign-born population in the United States resides in the states of California, New York, Texas, and Florida. Furthermore, the counties surrounding the focus cities account for 20 percent of the U.S. foreign-born population,<sup>18</sup> and these cities rank among the top 20 in the country in terms of the proportion of LGBT adults living within their metropolitan areas.<sup>19</sup>

Through individual interviews and analysis of quantitative survey data, this report examines what social and legal services are available in the six selected cities; the approaches taken by service providers in working with LGBTQ immigrants; and the barriers LGBTQ immigrants face in accessing these services. In response to the research's findings, the report offers recommendations to aid organizations and communities in their efforts to integrate LGBTQ immigrants in ways that meet their needs and allow them to thrive.

# Programs and services for LGBTQ immigrants

The organizations examined for this report—32 in all—provided a variety of services to LGBTQ immigrants. For example, some organizations responded to very basic needs such as providing food assistance by either facilitating the purchase of food through individual cash donations or through the distribution of food secured from food pantries; others provided cards for public transportation assistance. The services provided were geared toward LGBTQ asylum seekers who, like all asylum seekers, are not permitted to work for six months after applying for asylum and are not eligible for public benefits such as nutrition assistance until they win their case and are granted asylum.<sup>20</sup> (see Methodology for further specifics about analysis)

The services that were most frequently provided by the organizations interviewed for this report generally fell into the following categories: legal, health, employment, housing, language access, and education. This section provides a detailed analysis of the scope of each of these service areas.

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## Legal services

Research demonstrates that, whether they are seeking asylum or involved in other sorts of legal action, immigrants represented by legal counsel are more likely to win their cases in court. In fact, they are nearly six times more likely to prevail in court than immigrants lacking representation.<sup>21</sup> Twenty of the organizations interviewed for this report provided legal services. Available legal services varied from direct representation of clients to pro bono attorney referrals to workshops that informed people of their rights.

The organizations interviewed in this report offered a variety of immigration-related legal services, including DACA and naturalization applications, family-based immigration, U visas for victims of certain crimes, detention representation, and work permit renewals. One organization based in Los Angeles managed a day laborer center through which it identified clients who could be eligible for relief from deportation.

A common trend among organizations providing legal services was the use of referrals to increase the impact and reach of limited resources. For instance, one organization handled around 100 cases in house while another 400 cases were handled by pro bono attorneys at various law firms. Another organization had a roster of 2,000 active pro bono attorneys who were available for case referrals. Most of the organizations—even those solely focused on immigration legal assistance—lacked a sufficient number of staff attorneys to meet their clients’ legal service needs, making referral networks critical. Since asylum applications are resource-intensive and can take years to complete, organizations that provided asylum representation did so by combining support from their own attorneys with referrals to outside pro bono counsel. Still, according to the organizations interviewed, even with referrals, there are simply not enough attorneys to meet the demand.

LGBTQ immigrants require immigration assistance as well as access to counsel more broadly in order to protect themselves against discrimination and bias in the areas of housing, employment, and family recognition.<sup>22</sup> For example, one Miami organization relayed the story of an unauthorized transgender woman who was told by a landlord to pay three months’ rent up front in order to secure an apartment. She paid the money, but it turned out that there was no rentable apartment and, as a result, she became homeless. In this case, the organization connected her with an attorney to assist her in getting back her money.

A number of the organizations interviewed also offered workshops to help immigrants understand their rights and to provide information on how to file their own cases—not only with regards to immigration issues but also other legal matters as well. For example, if they are unaware of their rights under U.S. labor laws, LGBTQ immigrants may face legal barriers to employment or may be vulnerable to exploitation. With this in mind, as part of their programming, several organizations offered information and training about LGBTQ immigrants’ rights as employees.

Organizations that are solely legal service providers offer a greater variety of legal services than organizations that provide a broader range of services, such as housing, health care, and employment. However, the organizations interviewed in this report suggested that despite their specific set of offerings, all services were set up to ensure connectivity across organization type. Organizations that provided a more comprehensive set of services typically offered one type of legal service; conducted client screenings and made referrals to legal service organizations and individual lawyers; or hosted legal orientation presentations that were conducted by attorneys. Meanwhile, some organizations that only provided legal services also acted as a gateway to other services, for example, providing referrals to medical or employment assistance programs.

Some of the organizations adjusted their service offerings over time in response to changes in the law and in eligibility for immigration relief. For example, after the Supreme Court struck down Section 3 of the Defense of Marriage Act as unconstitutional, one organization started doing LGBTQ family-based immigration work. Prior to the high court ruling, same-sex married couples were ineligible for immigration benefits.<sup>23</sup> In another case, after Nepal was granted temporary protected status (TPS) in 2015, an organization that focused on Asian immigrants provided assistance for individuals seeking TPS visas.<sup>24</sup> Many organizations have helped with DACA applications as well as Deferred Action for Parents of Americans (DAPA) applications before the program was enjoined in February 2015.<sup>25</sup>

When asked about barriers to service, the organizations participating in the interviews reported that the lack of pro bono or affordable attorneys providing litigation services for immigrants is a major barrier to meeting community needs. As one provider noted, “The ratio of immigration legal provider to immigrant is a disaster in LA.”

Organizations included in this report also lacked adequate funding to pay full-time lawyers to assist clients with asylum cases. To overcome this barrier, in addition to referrals to pro bono lawyers, organizations provided workshops with attorneys to conduct initial screenings and inform clients of the law so that they could handle their own cases. Beyond the lack of attorneys, the large fees associated with filing applications for immigration benefits—even if an organization could deliver free assistance with the application itself—was identified as another barrier preventing people from applying for those benefits.

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## Health services

Discrimination and legal barriers make accessing health care a challenge for LGBTQ immigrants. In a 2010 study by Lambda Legal on the health care experiences of LGBTQ individuals, more than half of respondents reported experiencing discrimination in these settings.<sup>26</sup> In the same study, 10 percent of lesbian, gay, and bisexual respondents and 25 percent of transgender respondents reported being refused care outright.<sup>27</sup> In terms of ability to access and afford health care, LGBTQ people are more than twice as likely to be uninsured than non-LGBTQ people.<sup>28</sup> The problem is even more acute for LGBTQ immigrants, as many immigrants are barred from accessing Medicaid and even from purchasing insurance in state exchanges.<sup>29</sup>

Twelve of the organizations interviewed for this report provided health care services, with the most common service provided being HIV/AIDS prevention and treatment.

The range of health care services offered by these 12 organizations included mental health care; treatment for substance and drug abuse; medical care; health education; and prevention and testing for HIV/AIDS and other sexually transmitted infections. Some organizations primarily provided health care services on-site while others served as entry points to health care services, either as a secondary service or through referrals to health care providers external to the organization.

### Mental health care

Some organizations provide in-house one-on-one, couples, family, and group therapy with trained psychologists; others refer clients to mental health providers. During interviews, a few participants indicated that they understand the particular challenges faced by LGBTQ immigrants in relation to their mental health and seek to ensure that their services are responsive to these challenges. Some of the particular challenges listed by these participants included trauma, substance and drug abuse, domestic violence, sexual abuse, hate crimes, coming out, and being transgender.<sup>30</sup>

### Medical care

Although some organizations provided in-house medical care, referrals to medical clinics were more common. Among those that provided medical care in-house, a few offered a wide range of services. One health care provider agency, which focused on serving the Latinx population in Washington, D.C., provided chronic disease management as well as screenings for diseases such as cancer and diabetes. It also provided preventative health care, including health education on healthy eating and active lifestyle. Another Washington-based LGBTQ health care provider provided medical and dental care. Most organizations that mentioned specific types of medical services noted that they provided health care that was targeted more specifically at the LGBTQ community, such as hormone treatments or referrals for transgender clients.

Many of the organizations provided HIV testing and prevention services. Five provided in-house HIV treatment, testing, and prevention services; four others provided referral networks to ensure HIV positive clients are connected to care. While most of the organizations featured in this report provided health care that tended to be geared toward the LGBTQ community in general, some organizations had also taken steps to ensure that their services were available to the entire immigrant community. These organizations also provided immigrants with an entry point to other nonmedical services. For example, the aforementioned LGBTQ health provider in Washington helped immigrants navigate their health insurance and health care options with whatever status they had—even if they were unauthorized. One LGBTQ community organization in Houston even made a specific accommodation by amending its policies so that interpreters could join clients in therapy sessions, thereby ensuring that its mental health services were accessible to immigrants with limited English language proficiency.

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## Employment services

Unfamiliarity with the U.S. job market, paired with employers' lack of cultural competency and legal barriers, can make it difficult for LGBTQ immigrants to find employment. Although the organizations interviewed in this report indicated that the need for employment assistance is rarely the first point of entry at community-based social service organizations, it is often a concern for clients as they consider paths to self-sufficiency. In order to meet this need, nine of the organizations provided job readiness and placement services to help their clients secure a steady source of income. These nine agencies provided employment-related trainings, which can be separated into two categories: one, developing or refining skills needed to find a job, and two, developing or refining those skills needed to perform the duties of that job.

Newly arriving LGBTQ immigrants may not know where to begin a job search and may need assistance seeking and securing employment. One of the organizations that was interviewed had a program with the stated goal of teaching LGBTQ immigrants "... the employment landscape of the United States." This organization helped clients complete online job applications and provided workshops on preparing for job interviews. Moreover, for many LGBTQ immigrants, the hiring practices—or even just the resume format—used in their home country may be vastly different from those of the United States, so these programs are key to helping them navigate an unfamiliar job market.

Eight of the organizations helped clients with job placement, working to identify LGBTQ-friendly workplaces so that their clients could work in safe and affirming environments. One LGBTQ organization worked with the Office of Latino Affairs of the District of Columbia to host a 2015 job fair for LGBTQ-affirming employers. Events such as the LGBTQ-centric job fair help LGBTQ immigrants connect with employers who are familiar with nondiscrimination rules and have taken steps to create more inclusive work environments. At another organization, referrals for LGBTQ-affirming employers came directly from members of the organization's membership network. For example, if a transgender Latina member had a vacancy at her restaurant, she might inform the coalition, who would then announce the vacancy to the network. The coalition could facilitate the introduction to the restaurant and specify the applicant's gender identity. In this way, social networks and referrals can help LGBTQ immigrants identify culturally competent employers.

Organizations also provided job readiness programs that focused on developing employable skills. LGBTQ immigrants may not have the necessary demonstrable qualifications for some jobs, as their credentials do not always transfer to the United States. In these situations, clients may need to find ways to transfer educational or other qualifications from their home country, or they may require assistance enrolling in a GED program. And while some LGBTQ immigrants are comfortable using smartphones and apps, a number of organizations reported the need to teach basic computer skills, such as word processing and spreadsheet software. At the time of the interview, one organization was in the process of securing a new, larger location that would provide space for a computer lab for its clients. The organization also indicated that the space could be used to teach skills such as cosmetology and tailoring.

One organization based in Miami used a provider model that brought on clients as interns and gave them the necessary training to eventually become successful staff members. To ensure that these interns had some source of income and could meet basic living expenses, the organization provided them with stipends. When the organization had grant funding that allowed them to hire, the interns were in position to step into staff roles. The organization described the program goal to “teach them [LGBTQ immigrants] how to become leaders of their own community, but also the skills that they would need to become part of corporate America.” Job readiness programs can help LGBTQ immigrants develop the technical skills necessary for finding meaningful employment; they can also provide opportunities for personal and career development that may otherwise be unavailable for a community affected by poverty and marginalization.

Two New York-based organizations used worker cooperatives as a pathway to economic empowerment. This model brought together a group of immigrant workers who collectively developed and executed a business plan that gave them control over their own wages and allowed them to set the terms of their contract directly with clients. One of the two organizations noted that cooperatives allow LGBTQ immigrants to earn an income through legal means while protecting them from exploitative employers. It gave the example of a group of transgender immigrants who recently decided that they wanted to work in the beauty industry. While the members of the group were making their own decisions about how to eventually run their beauty industry cooperative, the organization had committed to raise funds that would cover the costs of training courses and licensing fees; it had pledged to provide technical assistance once the business was up and running.

**The Queer Detainee Empowerment Project (QDEP)** is a New York City-based organization that serves LGBTQ immigrants after they are released from detention. QDEP assists with bond payments to release LGBTQ people from detention, provides post-release support, visits LGBTQ immigrants in detention, and advocates on behalf of LGBTQ immigrants. LGBTQ immigrant members of QDEP established a catering cooperative dubbed “A Luta Continua!”, which translates to “the struggle continues” in Portuguese. In this instance, the cooperative contracted catering services for conferences and events hosted by the organization and other LGBTQ and immigration advocacy groups. As a representative from the organization said, “We officially just try to provide the space for people to do what they need to do in order to thrive versus just surviving every day.”

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## Housing services

Although there are not immigrant-specific data related to housing stability, research shows that LGBTQ people are disproportionately impacted by homelessness. It is estimated that 40 percent of all homeless youth identify as LGBT.<sup>31</sup> Among adults, nearly 1 in 3 transgender people reported experiencing homelessness at some point in their lives.<sup>32</sup> During interviews, several organizations and one government official commented on the lack of welcoming housing for LGBTQ immigrants. As one LGBTQ organization in Washington, D.C., noted, “We could probably use a lot more. If the city gave us a house tomorrow, we could fill it with asylum seekers. No problem.” Among the organizations interviewed, there was significant variation in the availability of housing. Only nine of the 32 organizations said that they provide housing assistance. Only one organization offered supportive housing specifically to LGBTQ immigrants—though they only served youth and young adults. Most of the housing available was limited to specific populations, such as those living with HIV/AIDS, young people, and seniors.

In order to meet housing needs, some respondents referred clients to LGBTQ-friendly housing programs or helped them to identify and apply for LGBTQ-friendly housing. Several organizations ran housing programs for specific subpopulations, which were available to LGBTQ immigrants based on their age or HIV status, as noted above. A number of organizations operated shelters or other transitional living programs for LGBTQ youth, or they connected youth clients to such programs in their community. These shelters typically had age requirements, only serving people under the age of 21 or 24. Despite these programs being in place, finding shelter can still be a challenge,

even for LGBTQ immigrant youth. One organization based in Miami reported driving clients to Fort Lauderdale—nearly an hour away—due to the lack of youth housing in its service area. While most of the organizations with housing programs were not specific to immigrants, some of them offered legal support and other wraparound services to this population, ensuring that they received additional services beyond housing.

To address the shortage in available LGBTQ-friendly shelter, some organizations had partnered with local community members to offer host homes, often with hosts who were themselves LGBTQ. At some of the organizations, staff even opened up their own homes to LGBTQ immigrants. One organization in New York provided \$300 a month in rent assistance to LGBTQ asylum seekers.

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## Language access

Over 25 million people in the United States have limited English proficiency (LEP).<sup>33</sup> 21 percent of the total LEP population lives in counties that include the cities of Los Angeles, Miami, Houston, Chicago, and New York City.<sup>34</sup> People with LEP are more likely to live in poverty, making access to basic services critical.<sup>35</sup> Yet without language access resources, it is difficult for these individuals to locate and use services. Twelve organizations interviewed for this report provided materials and services in multiple languages. Nearly 80 percent of the organizations that responded to the CAP survey reported that they provide materials to clients in more than one language, and half reported having signs in their offices that were in more than one language.

Language access varied depending on the representative size of ethnic groups in a given metropolitan area. Most organizations had at least a few Spanish-speaking staff members, and a few offered hotlines staffed by individuals who spoke multiple languages. The cities and counties with relatively large Asian and Pacific Islander (API) populations offered additional language access services beyond Spanish; however, organizations indicated that it is generally difficult to find language services for non-Spanish speakers.

The importance of maintaining a well-trained multilingual staff—not simply interpreters—was noted by a number of organizations. Several stressed that in terms of relating to clients and building trust, speaking through an interpreter is not the same as through trained staff or attorneys who already speak the language. Beyond the need for staff who speak multiple languages, organizations noted that they often have difficulty finding interpretation services for their clients. Some relied on networks of volunteers.

In order to improve access to these services, some organizations employed an approach that provided a navigator—in most cases a trained social worker—who helped to connect people with the resources they needed. LGBTQ immigrants need a whole range of services and often lack the cultural competency or language skills to secure them without the help of these navigators. For example, someone seeking legal assistance from an organization might be connected with a social worker who could help the individual connect with welcoming services, including food, medical, employment, and housing.

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## Education

Seven of the 32 organizations interviewed for this report provided education services to their clients. Educational services included English as a second language (ESL) classes, assistance obtaining a GED, student advocacy, and immigration-related education, such as citizenship classes. According to the organizations, part of the reason they offer these services is because many immigrants—including LGBTQ immigrants—have limited educational opportunities in their home countries due in part to war and trauma from the persecution they faced. Participant organizations also reported that, upon arriving to the United States, many immigrants with limited English language skills find themselves facing barriers to employment.

In addition to offering English language classes, several organizations either provided or referred their clients to nonlanguage-related educational programs. For example, one organization helped its clients get into GED programs and adult schools, while another provided a summer science, technology, engineering, arts, and math (STEAM) program for youth. Two organizations helped parents with their children's education, in one case by educating the parents on how to be better advocates for their children and to improve the quality of education in their communities. The other organization helped parents to identify good schools for their children by explaining what to look for in a school, such as the presence of teachers properly trained to understand immigrant populations.

Some organizations also provided immigration-related education offerings that helped to prepare clients to take a citizenship test, transfer academic credits from their home countries, provide information about changing immigration laws, and provide what are termed “Know Your Rights” trainings. At least one organization offered naturalization education, which included a component tailored to the elderly; immigrants over the age of 50 who have held a green card in the United States for 20 years are exempt from the English-language requirement and can take their naturalization test with a translator present.

# Barriers to providing services

As the organizations reported, funding is the primary barrier to providing services to clients, specifically LGBTQ immigrant clients. An all-too-common theme is that the need for services far outweighs the organizational capacity to provide them. Organizations most frequently noted an acute need for more attorneys, yet that was far from the only need reported. A number of organizations were cognizant of the types of measures that they specifically need in order to make services more accessible to LGBTQ immigrants and address issues such as community outreach, language barriers, and trauma. Unfortunately, these measures required increased staff and funding that they did not have.

Another issue that the organizations noted was difficulty connecting existing services with the LGBTQ immigrant community. Many of the service providers stated that they recognized that they were not effectively reaching LGBTQ immigrants but did not know how to effectively inform the community about their services. Once more, this barrier is closely related to funding. A number of service providers believed that if they had additional funding, they could dedicate staff to community outreach. One organization in New York City succeeded in obtaining funding for a full-time employee whose role ensured the organization was reaching LGBTQ API immigrants.

Interview subjects also indicated a lack of language access resources as a barrier to serving LGBTQ immigrants. They noted that if a person goes to a service provider and is unable to be understood, they are likely to give up and not return. However, organizations that employed bilingual staff noted the opposite. According to report participants, employing diverse staff and expanding the languages spoken at an organization appears to increase its LGBTQ immigrant clientele. Interview subjects assumed that this is because clients would spread information about the organization's services. One organization noticed that after hiring a Spanish speaker, in one year, the number of immigration cases involving Spanish speakers rose from two to nine.

Organizations also identified the lack of resources and expertise in working with trauma survivors as a barrier to serving some LGBTQ immigrants, particularly asylum seekers, who require a wide variety of services. Some organizations noted that if they were unable to meet these needs—while continuing to provide certain primary services—these individuals did not return. Individuals also did not return if staff lacked the training to work with trauma survivors, asked insensitive questions, or forced them to retell traumatic stories that had nothing to do with the services being sought by the asylum seeker.

Mental health resources were another area in which respondents noted a need for improvement. In some cases, organizations were either completely unable to provide or offered services that were insufficient in meeting community needs. Studies show that LGBT asylum seekers experience higher rates of sexual trauma and endure verbal and physical abuse in their home countries, which often begins early in their lives.<sup>36</sup> Organizations that worked with this population noted that, for trauma survivors in particular, access to mental health services is critical.

Four of the organizations mentioned another barrier that was neither physical or financial; they described the habit of service providers to view people accessing services and service provision in silos. For example, one individual noted that a provider of immigration services may not also see HIV as an issue impacting the people it serves or that clients may identify as LGBTQ. Another observed that LGBTQ immigrants may not consider going to an LGBTQ center for immigration assistance or that they may believe that an organization providing legal services only provides legal services, although it might also be able to act as a navigator to direct clients to other necessary services.

In addition to internal organizational barriers, participants noted external barriers to serving LGBTQ immigrants, such as legal impediments. For example, people without green cards are ineligible for many public benefits, such as nutrition assistance, housing assistance, and many forms of health care—people living with HIV represent an exception, as they are eligible for some federal benefits. Unlike in criminal cases, in immigrant proceedings, plaintiffs lack the right to legal assistance at government expense. These legal impediments make it difficult for organizations that receive federal funding to provide services to LGBTQ immigrants without local or state funding to fill the gap. In addition to legal barriers, bureaucratic impediments also affect the ability of service providers to serve LGBTQ immigrants. There are currently nearly 600,000 immigration cases pending in court, with an average wait time of 670 days.<sup>37</sup> In places such as Colorado, cases languish for over 1,000 days.<sup>38</sup> Service providers that rely on pro bono lawyers volunteering time to handle asylum cases reported that the long waits make it difficult to find attorneys willing to take these cases.

## Best practices for serving LGBTQ immigrant community

Very little research exists on empirically based methods of appropriately serving LGBTQ immigrants; however, two organizations that serve LGBTQ immigrants and asylum seekers have published guidance on best practices for serving this population. The Canadian government funded a community dialogue and report, “To Best Support LGBTQ Immigrant Newcomers Community Dialogue: Participatory Recommendations Report,” which has recommendations on best practices for supporting LGBTQ newcomers.<sup>39</sup> The LGBT Freedom and Asylum Network partnered with the National LGBTQ Task Force and the Human Rights Campaign to create a guide serving LGBT asylum seekers and helping them to adjust to life in the United States: “Stronger Together, a Guide to Supporting LGBT Asylum Seekers.”<sup>40</sup> Both reports—published in 2015—are in-depth resources that were informed by service providers as well as LGBTQ immigrants themselves. They provide guidance on a range of issues in order to help organizations better serve LGBTQ immigrants.

# Recommendations

While the interviews conducted for this report represent only a small segment of the cities and organizations working to serve LGBTQ immigrants, several trends emerged that warrant discussion. This section presents issues that consistently arose during interviews as well as recommendations for addressing these issues.

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## Cities must work with service providers to increase the slate of service offerings to LGBTQ immigrants

This report clearly shows that the availability of services varies dramatically between cities. Despite the selection of relatively similar cities in terms of the number of LGBTQ and foreign-born inhabitants, the availability of services for LGBTQ immigrants varied widely. The authors found that New York, Washington, and Los Angeles had several organizations that were able to serve LGBTQ immigrants in a range of areas. However, in Miami, the availability of services was far lower. The availability of local funding for these services seemed to have a large impact on their availability.

Regardless of the number of organizations serving LGBTQ immigrants in a given location, cities should include LGBTQ organizations in their immigrant integration efforts in order to provide LGBTQ cultural competency and help to ensure their efforts are LGBTQ inclusive. This approach can help cities conduct better outreach to immigrant communities and ensure that organizations have access to available resources and information to help serve LGBTQ immigrants. Cities with offices on immigrant integration should include local LGBTQ service providers in their efforts and in any listing of local resources for immigrants.

In 2016, as part of Immigrant Heritage Week, the New York City Mayor's Office of Immigrant Affairs hosted an event on the needs of LGBTQ immigrants in the city.<sup>41</sup> The event's goal was to foster dialogue among city agencies and community partners, which included the New York City Commission on Human Rights, the Anti-Violence Project,

Harlem United, Immigration Equality, Apicha, Caribbean Equality Project, Make the Road New York, and other organizations focused on key issues such as economic empowerment, immigration, health and rights, and discrimination.

Another way that cities can work to involve LGBTQ service providers in immigrant integration efforts is by including them on commissions or advisory boards formed to promote immigrant integration or by including them in city-coordinated events to connect immigrants with services. Cities should also consult LGBTQ immigrants and organizations serving this population in order to ensure that plans for engagement and inclusion of immigrants are inclusive of LGBTQ immigrants.

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### Increase funding earmarked to serve LGBTQ immigrants

This report clearly shows that organizations are unable to sufficiently meet the demand for services. Many organizations noted that they do not have the resources needed to fully serve LGBTQ immigrants. Some lacked interpreters and others failed to provide certain services such as asylum representation. Even those that did offer a variety of services reported that they did not have the resources necessary to meet the demand for their services. Fortunately, many organizations that lacked the resources or capacity to provide the service were able to problem-solve and find alternative solutions to help LGBTQ immigrants obtain need services through other means. For example, an organization that does not directly provide a service can, when possible, refer LGBTQ immigrants to another provider that does provide that service.

Housing availability, however, is another issue. Many organizations cited the lack of shelter for their clients as a problem, further noting that they were frequently unable to find a way to provide shelter for people in need. In particular, they stated that more LGBTQ-affirming shelters are needed for LGBTQ immigrants.

To address the shortage of resources and services aimed at LGBTQ immigrants, cities, states, and philanthropic organizations should increase funding for organizations that assist LGBTQ immigrants—particularly those providing housing assistance. Additionally, government grants targeting immigrant populations should explicitly include outreach and work with LGBTQ immigrants. Many noncitizens are ineligible for a range of public benefits, so federally funded health care and housing are often not an option.<sup>42</sup> Creating dedicated funding for serving LGBTQ immigrants would ensure that money goes to helping this population and incentivize service providers to target at least some of the services they offer in order to meet the needs of LGBTQ immigrants.

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## Improve outreach and accessibility to LGBTQ immigrants

Another issue that consistently arose during interviews pertained to organizations' struggle to connect the services they provided with LGBTQ immigrants and their communities. Many organizations indicated that they wanted to serve LGBTQ immigrants but did not know how to inform the community of their services. Additionally, the lack of language access has made it difficult to reach non-English-speaking clients. Organizations should review their service provision and outreach strategies and assess how to improve accessibility for LGBTQ immigrants. Current services should be examined to identify barriers for LGBTQ immigrants. For example, in order to avoid unnecessary obstacles, service providers should ensure that forms are clear to non-native English speakers and that ID or citizenship information is not required to access services that are not dependent on immigration status. Organizations can also improve accessibility for LGBTQ immigrants by hiring bilingual staff; providing materials and signs in multiple languages; and fostering relationships with interpreting services in order to improve service provision for non-English-speaking clients. Organizations should use information on the most widely spoken languages in their area in order to decide which languages to offer. Another way to increase awareness of existing services among LGBTQ immigrants would be to hold open houses in partnership with local LGBTQ and immigrant organizations as well as local government offices on LGBTQ and immigrant inclusion; this would help link services and resources with the community.

# Conclusion

Although the United States prohibited the immigration of LGBTQ individuals for decades, the country has become a beacon of hope and safety for LGBTQ immigrants around the world and for those in search of opportunity. The Trump administration's anti-immigrant policies threaten to undermine America's role as a safe haven for LGBTQ people fleeing persecution. However, there are steps that cities can take to ensure that LGBTQ immigrants in this country can thrive and fully participate in their communities. Service providers, local governments, and funders need to make sure that available services are reaching this vulnerable community and that every effort is being made to meet its unique needs.

While increased funding for services for LGBTQ immigrants was consistently named by the organizations interviewed as a top need for service providers, there are several measures service providers and cities can take to make LGBTQ immigrants feel more comfortable accessing services and to make the available services better suited to the needs of LGBTQ immigrants. In order to ensure they are meeting the needs of LGBTQ immigrants, service providers need to include LGBTQ service providers and LGBTQ immigrants in immigrant integration efforts; review services and outreach strategies to see how to be more inclusive of LGBTQ immigrants; improve language access; and increase outreach and visibility of existing services to LGBTQ immigrant communities.

# Methodology

In 2015 and 2016, the Center for American Progress conducted interviews with 32 organizations serving immigrants and LGBTQ people in Chicago, New York, Miami, Houston, Los Angeles, and Washington. CAP also interviewed local government officials in Los Angeles, Houston, and New York City. To select the sample of organizations for inclusion in the project, the authors consulted with local LGBTQ and immigrant rights advocates in each of the six cities in order to identify the most likely entry points for LGBTQ immigrants seeking legal or social services as well as organizations that provide direct legal, health, housing, employment, education, and assistance with benefits. The authors then consulted the organizations to describe the project and its goals, secure their participation, and select which staff would be the most appropriate to interview. The authors not only interviewed organizations that provide immigration legal services but other services as well since LGBTQ immigrants do not only need immigration services; they need legal assistance for a host of other issues.

CAP staff conducted one-on-one, 45-minute interviews with at least one representative from each organization included in the study. Interviews were designed to identify the types of services provided by the organization, characteristics of their client base, types of outreach used to connect LGBTQ immigrants to services, and referral networks in place to ensure people receive appropriate care. In addition, providers were asked to discuss the barriers that LGBTQ immigrants face when accessing services and what factors prevented these organizations from better serving LGBTQ immigrants.

As a second part of the project, the authors created an online survey of 14 questions to supplement the in-person interviews. This helped to gather additional data on each organization, including information about the staff and population served. Gift cards were offered to encourage organizations to complete the survey and to compensate them for their time. In order to provide further details on the structure of the organization and any demographic data it collected, each participating organization completed an online survey after the interview. The people who completed the survey were not necessarily the same ones who were interviewed.

Interviews were recorded and transcribed. A team of five coders worked together to develop a codebook based on an initial review of the transcripts. All coders applied the initial set of codes on two transcripts and made further refinements. Reliability of the codebook was further tested through paired coding of an additional transcript. To complete the analysis, the interviews were divided by city, and an author was tasked with coding all transcripts associated with an assigned city. Once all transcripts were coded, the author who conducted the interviews reviewed the transcripts to check for coding accuracy. After the transcripts were coded and cross-checked, transcripts and codes were analyzed for themes in order to explore the existence and nature of services for LGBTQ immigrants and barriers they face accessing services.

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## Organizations studied

In total, 32 service providers were interviewed as well as staff from mayors' offices in Los Angeles, Houston, and New York City. Thirty-one organizations took the online survey, results from which showed that 52 percent of these organizations had less than 50 employees, with three-fourths having less than 100. Sixty-five percent of organizations that responded to the question said they served more than 100 clients in a given month; more than 90 percent of the organizations surveyed collect demographic data on their clients; 76 percent of the organizations collect sexual orientation and gender identity client data; and 75 percent collect data on citizenship status. When asked about the demographics of their clients, two-thirds of the organizations surveyed reported serving a client base that is over 70 percent racial minorities. Fifty-four percent of organizations surveyed also reported that over 70 percent of their clients are foreign-born.

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## Organizations interviewed

- Asian Americans Advancing Justice (Los Angeles)<sup>43</sup>
- AIDS Foundation of Chicago (Chicago)<sup>44</sup>
- Americans for Immigrant Justice (Miami)<sup>45</sup>
- Anti-Violence Project (New York)<sup>46</sup>
- The Bronx Defenders (New York)<sup>47</sup>
- Capital Area Immigrants' Rights Coalition (Washington)<sup>48</sup>
- Casa Ruby (Washington)<sup>49</sup>
- Catalyst (Miami)<sup>50</sup>
- Center on Halsted (Chicago)<sup>51</sup>
- Central America Resource Center (Los Angeles)<sup>52</sup>

- Chicago LGBT Immigrant Coalition (Chicago)<sup>53</sup>
- Chicago LGBT Asylum Support Program (Chicago)<sup>54</sup>
- La Clinica del Pueblo (Washington)<sup>55</sup>
- Consejo de Federaciones Mexicanas en Norteamérica (Los Angeles)<sup>56</sup>
- DC Center for the LGBT Community (Washington)<sup>57</sup>
- Equality California (Los Angeles)<sup>58</sup>
- Human Rights First (Houston)<sup>59</sup>
- Illinois Coalition for Immigrant and Refugee Rights (Chicago)<sup>60</sup>
- Immigration Equality (New York)<sup>61</sup>
- Lambda Legal (Los Angeles)<sup>62</sup>
- The Lesbian, Gay, Bisexual, and Transgender Community Center (New York)<sup>63</sup>
- Los Angeles LGBT Center (Los Angeles)<sup>64</sup>
- Pridelines (Miami)<sup>65</sup>
- Make the Road New York (New York)<sup>66</sup>
- Manhattan Legal Services (New York)<sup>67</sup>
- Montrose Center (Houston)<sup>68</sup>
- National Immigrant Justice Center (Chicago)<sup>69</sup>
- Queer Detainee Empowerment Project (New York)<sup>70</sup>
- Survivor's Pathway (Miami)<sup>71</sup>
- Organizacion Latina de Trans en Texas (Houston)<sup>72</sup>
- Trans Latin@ Coalition (Los Angeles)<sup>73</sup>
- Whitman-Walker Health (Washington)<sup>74</sup>

#### Mayor offices:

- Los Angeles Mayor's Office of Immigrant Affairs<sup>75</sup>
- New York City Mayor's Office of Immigrant Affairs<sup>76</sup>
- Houston's Office of New Americans and Immigrant Communities<sup>77</sup>

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