

CHAPTER 11

**LGBT SUBSTANCE USERS IN
THE CRIMINAL JUSTICE SYSTEM**

CHAPTER SUMMARY

Substance use frequently leads to drug offenses and involvement in the criminal justice system. Few individuals receive quality substance use treatment in the criminal justice system, and LGBT individuals are even less likely to have a positive or beneficial treatment experience.

OVERVIEW

There is a strong association between substance use and involvement in the criminal justice system. More than half of the arrests in the United States involve drug use, and almost half of federal prisoners are in detainment for a drug offense. Research consistently shows that participation in substance use treatment—while on probation, on parole, or incarcerated—reduces the risk of a return to criminal activity. However, the availability and quality of such treatment vary across the criminal justice system. Few people in the system receive any treatment at all.

LGBT individuals are involved in the criminal justice system at multiple levels, including through interactions with police, in the courts, in jails and prisons, and on probation and parole. It is unclear how many LGBT individuals are in the legal system for substance use-related charges or convictions; many, though, are dependent on underground economies involving illicit substances that lead to police involvement. Transgender women and LGBT people of color are the most likely to come into police contact. Research highlights the special problems they face: discrimination, harassment, violence, inadequate provision of treatment, a lack of knowledge regarding LGBT populations, and a lack of awareness of their presence in the legal system. Finally, while current substance abuse treatment for most in the criminal justice system is inadequate, sexual minorities are even less likely to have a positive treatment experience.

KEY TERMS

Police contact; court involvement; probation; parole; jails; prisons; homeless youth; LGBT people of color; transgender women; underground economies; overrepresentation in the criminal justice system

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NOTES TO CHAPTER 11

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