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RE: Agency Information Collection Activities: Proposed eCollection eComments Requested; Revision of a Currently Approved Collection; Comments Requested: National Crime Victimization Survey (NCVS)

This open letter is written in response to a request for comment by the Department of Justice on eliminating the collection of National Crime Victimization Survey information regarding sexual orientation and gender identity from victims under the age of 18. The authors of this letter are faculty and staff of the Northwestern University Institute for Sexual and Gender Minority Health and Wellbeing (ISGMH), directed by Dr. Brian Mustanski. Dr. Mustanski has nearly 200 peer reviewed publications from his research with sexual and gender minority (SGM) adolescents and young adults. Our team consists of internationally recognized experts on ethical issues in SGM adolescent health research, including adolescent perspectives on sexual health, HIV, sexual orientation and gender identity research. One of our ongoing projects is specifically examining ethical issues such as risks/benefits of including questions on so-called “sensitive” topics like sexual orientation and gender identity in adolescent health research. Collectively we have published 12 peer-reviewed articles just in the specific area being examined by DOJ.

The requested change in procedure would be extremely detrimental to the health and wellbeing of sexual and gender minority (SGM) youth, as this population is at a heightened risk to be victims of crime. The FBI reported 1,572 hate crime victims who were targeted based on a sexual orientation bias in 2011, making up 20.4% of the total hate crimes for that year1. Victimhood related to sexual orientation and gender identity is not exclusive to SGM adults. Rather, these experiences begin in childhood and disproportionately affect adolescents under 18. SGM youth experience higher rates of victimization in comparison to their heterosexual and cisgender (i.e., a person whose gender identity corresponds with their birth sex) peers. According to findings of the Youth Risk Behavior Survey (YRBS), a nationwide CDC survey of the health of high school students, SGM youth were significantly more likely to have been victimized compared to their heterosexual peers2. According to a nationwide survey of SGM youth, 63.5% of SGM identifying teens felt unsafe as a result of their sexual orientation3. Further, in the same report, 81.9% of SGM adolescents were verbally abused (called names or threatened), 38.3% were physically abused (pushed or shoved), and 55.2% of teens were electronically harassed (via text messages or social media postings) in the past year3.

Although the DOJ states that this procedural change should take place in order to protect youth from sensitive questions, there is no evidence to support the assumption that teens under 18 are uncomfortable answering survey questions about sexual orientation or gender identity4-6. In fact, our research with over 1,000 SGM adolescents 14-17 years old and that of others in this area points to the contrary. In one study, we asked participants “how comfortable did you feel answering questions about your sexual orientation,” and “how comfortable did you feel answering questions about your gender identity.” The majority of youth were “extremely

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comfortable”, “comfortable” or “somewhat comfortable” answering questions about their sexual orientation (90%) and few (2%) were “extremely uncomfortable” or “uncomfortable” answering questions about this topic. Also, the majority of transgender and gender non-conforming youth (88%) were “extremely comfortable”, “comfortable”, or “somewhat comfortable” answering questions about their gender identity while only 2% were “extremely uncomfortable” or “uncomfortable” with answering these questions4. Relatedly, in a different sample of adolescents, we found that 86% of cisgender participants and 100% of transgender and gender non-conforming participants reported neutral to high levels of comfort with answering questions about their sexual orientation or gender identity4. Finally, findings from a survey we recently completed on 14-17 year olds suggests that answering such questions is on par with mundane events in their daily lives7. For example, SGM youth reported greater comfort with filling out survey questions about their sexual orientation or gender identity for a research study (87%) than everyday events such as posting a picture on social media (72%) or routine medical tests like having their vision checked at the doctor's office (75%)7. These findings echo results of other studies8-10 that have assessed reactions to questions about sexuality, substance use, and mental health, suggesting that on average, SGM adolescents are comfortable answering survey questions about their sexual orientation and gender identity, especially if they trust the researchers administering the questions. Out of 193 SGM adolescents, we found that 93% had neutral to high levels of trust in researchers.

Despite mounting evidence that indicates SGM youth are at grave risk for violence and victimization in comparison to their heterosexual and cisgender counterparts, these youth are starkly underrepresented in research4-5,11. This void in research means that every opportunity to collect data is crucially needed in order to understand and ultimately correct discrepancies in health and wellbeing experienced by SGM youth. In eliminating questions that assess SGM status among adolescents under 18, the DOJ is rendering SGM adolescent victims of crime nearly invisible, which in turn diminishes our ability as researchers to identify and provide targeted resources for these youth.

Rather than to radically change this policy, a more balanced solution would be to simply give young victims the option to not answer these questions if they are uncomfortable. There is no justification for the removal of questions about sexual orientation or gender identity from the survey given the amount of data on youth showing there is little to no risk of discomfort associated with answering these types of questions on surveys. The benefits of including these items far outweigh any risks. Excluding questions about sexual orientation and gender identity would hinder the ability of researchers to identify health disparities and further obstruct the provision of resources to victims of crime who need them the most. That is an injustice.

Sincerely,

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References


