



Advancing LGBTQ+ Rights and Building a More Inclusive, Open, and Welcoming Virginia

Every Virginian deserves to be treated equally, live free from fear, and thrive, regardless of who they are and who they love. Our Commonwealth can only thrive if we work every single day to be the most welcoming and inclusive state in the nation. As Virginia's next governor, Terry will continue to ensure Virginia remains open and welcoming to all. That means ensuring that no person can be discriminated against because of who they are or who they love and ending disparities in public safety, health care, education and the workplace. Virginia has made tremendous progress in the past eight years, and since Democrats took control of the General Assembly, including the recent success of eliminating the reprehensible "Gay Panic" Defense that for too long allowed people to hide behind their violent and sometimes murderous actions. But there is more work left to be done.

Last year, the Human Rights Campaign released their state equity index scorecards. Virginia was placed in the category of "Solidifying Equality" while nearby states like Maryland and Delaware, and the District of Columbia were placed in the highest category of "Working Toward Innovative Equality."¹ Meaning that while Virginia has made progress, we still must work to create comprehensive non-discrimination laws, safer school policies, and health care access for LGBTQ+ people.² Members of the LGBTQ+ community, especially LGBTQ+ people of color, are overrepresented in the foster care and criminal justice systems, and face higher rates of mental illness, poverty, homelessness, bullying, and lack access to necessary health care. Black transgender people also face some of the greatest economic disparities nationwide, with 34 percent reporting a household income of less than \$10,000 per year, and an unemployment rate of 26 percent, four times the rate of the general population.³

¹ Human Rights Campaign. (2020). *2020 State Equality Index*. <https://www.hrc.org/resources/state-equality-index>

² Human Rights Campaign. (2020). *2020 State Equality Index*. <https://www.hrc.org/resources/state-equality-index>

³ National LGBT Task Force. (2011, Sept. 16). New analysis shows startling levels of discrimination against black transgender people.

As Virginia's 72nd Governor, Terry fought tirelessly to make Virginia the most open and welcoming state in the nation. Terry was the first southern Democratic candidate for governor to run aggressively on a pro-LGBTQ+ marriage equality platform, and he defeated an extremist in Ken Cuccinelli who attacked LGBTQ+ Virginians' civil rights at every turn. On his first day in office, he signed Executive Order 1, prohibiting discrimination against any LGBTQ+ state employee, and he made it clear that he would veto every piece of legislation that came across his desk that discriminatory or undermined their constitutional rights -- a promise he kept. But his efforts didn't stop there. When same-sex marriage became legally recognized in Virginia, Terry signed an executive order directing state agencies to comply with the court ruling so that there would be no room for misinterpretation.⁴ And just five days after the legal recognition of same-sex marriage in Virginia, Terry presided over a same-sex wedding, only the third governor ever to do so and the first in the South.⁵

Terry was also the first Virginia governor to proclaim June as Pride Month in the Commonwealth⁶ and the first to attend annually the LGBTQ+ PrideFest in Richmond, the largest annual Pride event in Virginia, ultimately winning the Firework Award from Virginia Pride leaders.⁷ To continue establishing Virginia as an open and welcoming state, Terry launched the first ever LGBT Tourism Task Force in Virginia, leading to the rebranding of the world-renowned "Virginia is for Lovers" slogan to signal the Commonwealth's strong commitment to being open and welcoming to all and supporting our crucial tourism industry.⁸

As Virginia's next governor, Terry will build upon the work he started, and Governor Northam and the General Assembly have continued over the past year, and fight every day to create a more equitable future for our Commonwealth. Terry knows that in order to truly move Virginia forward, we need big and bold action to combat the challenges the LGBTQ+ community faces. Terry will improve data collection so that LGBTQ+ communities are properly represented and get the resources they need, require health care professionals and law enforcement personnel to complete cultural competency training to better understand and be responsive to the needs of LGBTQ+ individuals. He will expand nondiscrimination protections for children in foster care, update the Virginia public school bullying policy, and improve access to critical health services for LGBTQ+ people. Terry's plan will:

⁴ Nolan, M. (2014, Oct. 7). McAuliffe orders agencies to comply with same-sex marriage. *Richmond Times-Dispatch*. https://richmond.com/news/virginia/mcauliffe-orders-agencies-to-comply-with-same-sex-marriage/article_aad77b1-8b14-5d14-807b-0b36344c6791.html

⁵ Steinhauer, J. (2014, Oct. 10). Five days in, Virginia's governor will preside at gay wedding. *The New York Times*. <https://www.nytimes.com/politics/first-draft/2014/10/10/five-days-in-virginias-governor-will-preside-at-gay-wedding/?searchResultPosition=1>

⁶ GayRVA.com. (2014, Jun. 21). McAuliffe becomes first Va. governor to issue LGBT Pride proclamation. *LGBTQ Nation*. <https://www.lgbtqnation.com/2014/06/mcauliffe-becomes-first-va-governor-to-issue-lgbt-pride-proclamation/>

⁷ Kutner, B. (2017, Sept. 26). LGBTQ community marks progress in Virginia with PrideFest Honor for Gov. McAuliffe. *Style Weekly*. <https://www.styleweekly.com/richmond/lgbtq-community-marks-progress-in-virginia-with-pridefest-honor-for-gov-mcauliffe/Content?oid=4809408>

⁸ Pierceall, Kimberly. (2016, Oct.). Virginia is for LGBT lovers, too, with new tourism campaign launch. *The Virginian-Pilot*. https://www.pilotonline.com/life/article_de4c1d25-73db-5aec-abaa-00af7c0853ea.html

Improve Representation Through Data Collection & Combat Hate and Violence Against LGBTQ+ Communities

- **Leverage data collection to support LGBTQ+ communities and break down disparities.** LGBTQ+ Virginians are more likely to face disparities in health care, mental health, the economy, and more.⁹ Additionally, one in three members of the LGBTQ+ community and three in five members of the transgender community report experiencing discrimination in the past year.¹⁰ In order to understand the unique challenges these communities face, break down disparities and build a more open and inclusive Commonwealth, we have to address historically poor data collection and the lack of available information. As Virginia's next governor, Terry will make it a top priority to improve data collection across all levels of government and among private sector partners in inclusive and culturally appropriate ways. Terry will issue an executive order directing all state agencies to implement inclusive and comprehensive data collection practices, and partner with the Biden Administration to improve federal data collection efforts. He will ensure that Virginia's state agencies work hand-in-hand with community organizations to get this done. These efforts will not only build a more inclusive Commonwealth, but it will allow Virginia government to better understand the unique needs of the LGBTQ+ community, direct federal and state resources to meet their needs, and ultimately end disparities across the system.
- **Improve identification, reporting and enforcement of hate crimes.** LGBTQ+ communities experience threats and violence at disproportionate rates, and it has to stop. Members of the LGBTQ+ community are four times more likely to be victims of violent crime,¹¹ and 58% of LGBTQ+ people reporting hate-inspired violence nationwide are also people of color.¹² Additionally, Black LGBTQ+ people were 1.4 times more likely to face physically-violent hate crimes than other members of the LGBTQ+ community.¹³ As governor, Terry will take action to protect these communities in Virginia. Terry will increase access to training for our community and law-enforcement agencies to ensure that hate crimes are being identified, reported, and addressed consistently and appropriately, and to break down biases that perpetuate this hate. He will also work to improve workforce harassment policies, with a focus on streamlining the reporting process and bolstering enforcement of anti-discrimination policies. Terry will also work to ensure LGBTQ+ individuals are identified in the highest risk categories in the Older Americans Act so that Virginia can draw down every available federal dollar to support our most vulnerable adults.

⁹ Gruberg, S., Mahowald, L., Halpin, J., (2020, Oct. 6). The state of the LGBTQ community in 2020. *Center for American Progress*. <https://www.americanprogress.org/issues/lgbtq-rights/reports/2020/10/06/491052/state-lgbtq-community-2020/>

¹⁰ Ibid.

¹¹ Williams Institute. (2020, Oct. 2). LGBT people nearly four times more likely than non-LGBT people to be victims of violent crime. <https://williamsinstitute.law.ucla.edu/press/ncvs-lgbt-violence-press-release/>

¹² National Coalition of Anti-Violence Programs. (n.d.). Hate violence against communities of color. avp.org/wp-content/uploads/2017/04/ncavp_hvpocfactsheet.pdf

¹³ Ibid.

Promote Inclusivity and Protect LGBTQ+ Youth

- **Repeal Virginia’s “conscience clause.”** There are over 5,500 Virginia children in foster care, 1,700 of which are ready to be adopted into loving families.¹⁴ Additionally, LGBTQ+ youth are overrepresented in the foster care system, with more than 30% of youths identifying as LGBTQ+.¹⁵ Unfortunately, Virginia law enables certain foster care and adoption agencies to discriminate against LGBTQ+ individuals wishing to foster or adopt under the guise of religious or moral convictions. These policies not only prevent loving families from caring for our most vulnerable children, they also perpetuate stigma and shame for youth in care. It is unacceptable that we continue to exclude families who are willing to provide loving homes to children in need because of who they are or who they love. As governor, Terry will work with the legislature to repeal this discriminatory law once and for all.
- **Enact anti-bullying law to protect LGBTQ+ students and implement the Virginia Department of Education’s model policy to protect transgender students.** While the Virginia Department of Education (VDOE) has published a model policy to combat bullying, Virginia is one of 26 states that lacks a clear anti-bullying law to protect students.¹⁶ Unfortunately, 70% of LGBTQ+ students experience bullying at school and 95% struggle to fall asleep at night.¹⁷ Moreover, 75% of transgender students do not feel fear for their safety at school.¹⁸ Virginia must do more to protect LGBTQ+ students, particularly transgender students, and send a clear message that we will not tolerate hate in the Commonwealth. The VDOE recently announced *Model Policies for the Treatment of Transgender Students in Virginia’s Public Schools*, but the implementation of those policies is delayed pending litigation. In order to make our schools more welcoming and inclusive, and create safe environments for our students to learn, we must enact a clear anti-bullying law that prohibits this type of behavior and ensure the new VDOE model policies are fully adopted and implemented. As governor, Terry will ensure both actions occur. Additionally, Terry will ensure that school professionals receive culturally competent training that will facilitate better identification and reporting of bullying behavior and that the new anti-bullying law is properly enforced.
- **Expand mental health resources for LGBTQ+ youth.** Emotional, psychological, and social well-being in childhood and adolescence is integral to healthy development and transition into adulthood, but LGBTQ+ youth experience greater risk of suicidal thoughts, mental health disorders, and are more than twice as likely to experience

¹⁴ United Methodist Family Services. (n.d.). Virginia foster care statistics [Updated 2020]. www.umfs.org/virginia-foster-care-statistics/

¹⁵ Children’s Rights. (n.d.). LGBTQ. <https://www.childrensrights.org/lgbtq-2/>

¹⁶ Movement Advancement Project. (n.d.). Equality maps: safe school laws. https://www.lgbtmap.org/equality-maps/safe_school_laws/bullying

¹⁷ Human Rights Campaign. (2018). LGBTQ youth report 2018. <https://assets2.hrc.org/files/assets/resources/2018-YouthReport-NoVid.pdf>

¹⁸ National Center for Transgender Equality. (n.d.). Youth & Students. <https://transequality.org/issues/youth-students>

persistent sadness or hopelessness compared to their heterosexual or cisgender peers.¹⁹ The statistics are even more alarming for LGBTQ+ youth of color. In fact, 44% of Black LGBTQ+ youth report that they have seriously considered suicide in the past 12 months. These numbers are even more striking for transgender communities of color, with 59% of Black transgender and nonbinary youths reporting a history of suicidal thoughts or attempts.²⁰ To make matters worse, Virginia has faced critical shortages in child psychologists and psychiatrists for many years, leaving already vulnerable populations at greater risk. Terry knows that the Commonwealth must do a better job of supporting LGBTQ+ youth and has committed to increasing funding for the Virginia Mental Health Access Program. This program, established under Governor Northam, provides essential training to pediatricians and creates regional teams of mental health providers to serve our children. As governor, Terry will provide additional funding to develop specialized, culturally appropriate outreach programs and services to support LGBTQ+ youth so that every child can access the care they need.

Make Housing Stability for LGBTQ+ Communities a Key Priority

- **Combat LGBTQ+ homelessness and housing instability through permanent supportive housing.** Having access to safe, stable housing is a fundamental right for every human being, and we must ensure housing is accessible for all Virginians, especially those in vulnerable and marginalized populations like the LGBTQ+ community. LGBTQ+ youth make up an estimated 40% of the homeless youth population in the United States,²¹ and often end up homeless because they are fleeing violence, substance abuse, family poverty, or they are kicked out because their families fail to affirm their sexual orientation or gender identity.²² Additionally, LGBTQ+ seniors experience unique challenges, as they are more likely to live alone and lack strong support systems.²³ These factors can lead to severe trauma and negatively impact mental health, overall well-being and contribute to higher rates of substance use disorders for LGBTQ+ people.²⁴ In order to improve housing stability, we must meet these unique needs. Permanent supportive housing is an evidence-based, cost-effective model that merges affordable housing with wraparound services to support a person's mental health, and substance use disorder. Since Medicaid can cover these wraparound services, we

¹⁹ National Alliance on Mental Illness. (n.d.) LGBTQIA. <https://www.nami.org/Your-Journey/Identity-and-Cultural-Dimensions/LGBTQI>

²⁰ Ibid; Price-Feeney, M., Green, A. E., Dorison, S. (2020, Oct. 6). All black lives matter: Mental health of black LGBTQ youth. *The Trevor Project*. <https://www.thetrevorproject.org/2020/10/06/all-black-lives-matter-mental-health-of-black-lgbtq-youth/>

²¹ HRC Staff. (2017, Nov. 15). New report on youth homeless affirms that LGBTQ youth disproportionately experience homelessness. *Human Rights Campaign*. <https://www.hrc.org/news/new-report-on-youth-homeless-affirms-that-lgbtq-youth-disproportionately-ex>

²² Hussey, H. (2015, Oct.). Expanding ID card access for LGBT homeless youth. *Center for American Progress*. <https://cdn.americanprogress.org/wp-content/uploads/2015/10/01071118/IDhomelessLGBT.pdf>

²³ Romero, A., Goldberg, S. & Vasquez, L. (2020, Apr.) LGBT People and Housing Affordability, Discrimination, and Homelessness. *UCLA School of Law: Williams Institute*. <https://williamsinstitute.law.ucla.edu/publications/lgbt-housing-instability/>

²⁴ Ackermann, K. (2019, Sept. 10). Why substance abuse is higher within the LGBTQ community. *American Addiction Centers*. <https://americanaddictioncenters.org/lgbtqiapk-addiction/why-substance-abuse-is-higher-within-the-lgbtq-community>

must double down on current efforts to draw down every federal dollar available to Virginia to provide holistic housing services.

- **Improve access to state identification (ID) cards for youths experiencing homelessness.** One of the most basic necessities that most people take for granted is accessing a state ID card, and can be critical for individuals experiencing housing instability. This is an essential component to becoming a participating member in today's society and state ID cards are often used to open a bank account, get a job, or secure housing. Additionally, state ID cards can be necessary to access vital services such as FAMIS, Virginia's Supplemental Nutrition Assistance Program, Medicaid, and more.²⁵ Terry understands that the best way to ensure that homeless youth are able to obtain state ID cards is to make them free for homeless individuals and to waive the parental consent requirement.²⁶ As Virginia's next governor, Terry will eliminate these barriers and make sure that homeless youth can access IDs for free so they are able to access vital services.
- **Invest in LGBTQ+ shelters and rapid-rehousing that are inclusive and meet the unique needs of the community.** While LGBTQ+ individuals are overrepresented among homeless populations, these communities often lack access to shelters or other housing options and may even resist seeking housing assistance for fear of discrimination, their safety, or because organizations are often unprepared to properly support their unique needs.²⁷ This can be especially challenging for transgender communities, as a shelter may outright deny them based on their gender identity, fail to affirm their gender identity with housing assignments, or fail to address co-occurring issues facing transgender homeless adults and youth.²⁸ Making matters worse, transgender individuals are at dramatically increased risk of chronic illness and mental illness if they are unsheltered.²⁹ As Virginia's next governor, Terry will leverage federal relief dollars for housing to expand housing resources for the LGBTQ+ community and ensure that they are inclusive, provide culturally competent training to staff and volunteers, and are set up to meet the unique needs of this community.

Improve Access to and Responsivity of Health Care for LGBTQ+ Communities

- **Require all health care providers to complete cultural competency training to better support LGBTQ+ communities.** LGBTQ+ communities face significant health disparities and fear of, or experiences with, discrimination can prevent people from

²⁵ Hussey, H. (2015, Oct.). Expanding ID card access for LGBT homeless youth. *Center for American Progress*. <https://cdn.americanprogress.org/wp-content/uploads/2015/10/01071118/IDhomelessLGBT.pdf>

²⁶ Hussey, H. (2015, Oct.). Expanding ID card access for LGBT homeless youth. *Center for American Progress*. <https://cdn.americanprogress.org/wp-content/uploads/2015/10/01071118/IDhomelessLGBT.pdf>

²⁷ Fraser, B., Pierse, N., Chisholm, E., Cook, H. (2019, Jul. 26). LGBTQIA+ homelessness: a review of the literature. *International journal of environmental research and public health*. 16(15), 2677. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6695950/>

²⁸ Ibid.

²⁹ National Alliance to End Homelessness. (2020, Jul. 24). Transgender homeless adults & unsheltered homelessness: what the data tell us. <https://endhomelessness.org/resource/transgender-homeless-adults-unsheltered-homelessness-what-the-data-tell-us/>

accessing care, compounding inequities.³⁰ Many LGBTQ+ people report mistreatment by care providers, failure to affirm their gender identity, or outright refusal to see them because of their sexual orientation or gender identity as reasons for accessing seeking care.³¹ It is crucial for Virginia's health care professionals to be educated on LGBTQ+ terminology, unique health care needs, and health disparities to ensure they are providing safe and nondiscriminatory care. No person should feel uncomfortable seeking care or getting the care they need because of who they are or who they love. Terry will ensure that health care providers complete cultural competency training and that the continuing medical education credits required for renewed licensure incorporate LGBTQ+ best practices so that providers are equipped to appropriately treat and be responsive to LGBTQ+ individuals.

- **Establish a statewide social determinants of health coordinator at the Virginia Department of Health.** In December, Governor Northam directed \$10 million in federal CARES funding to support the implementation of a statewide screening and referral system through Unite Us. This important investment will allow Virginia to truly move the needle on social determinants of health and better coordinate systems of care to provide for Virginians. This includes supporting health initiatives that will benefit the LGBTQ+ community who are too often forgotten about in the health care system. Innovation is already occurring across public and private sectors, but there are concrete steps the Commonwealth can take to accelerate progress and ensure more equitable outcomes. Terry will establish a statewide position under the Commissioner of Health dedicated to supporting social determinant screening and referral systems, including capacity building for community service providers and statewide data analysis to assess gaps in services and program effectiveness.

³⁰ Mirza, S. A., Rooney, C. (2018, Jan. 18). Discrimination prevents LGBTQ people from accessing health care. *Center for American Politics*. <https://www.americanprogress.org/issues/lgbtq-rights/news/2018/01/18/445130/discrimination-prevents-lgbtq-people-accessing-health-care/>

³¹ Ibid.