

LGBTQI migrants living in the US

# FACT SHEET



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## LGBTQI people living in the US

### **LGBTQI refugees**

24 out of 74 publications focused on LGBTQI refugees, with most from a legal perspective. SOGIE-based refugee claims are based on a person's membership to a particular social group (similar to Canada). However, decision makers have refused refugee claims by suggesting that gay and lesbian claimants can be covert and 'pass' as heterosexual in their country of origin (similar to UK). Four studies explore how trans refugee claimants navigate barriers in the refugee process, such as decision makers confusing sexual orientation with gender identity, which is not clearly defined in law as a particular social group. Some studies explored LGBTQI refugee resettlement issues, practice with LGBTQI refugees, barriers within US immigration law for LGBTQI refugees to sponsor their same-gender partner.

### **LGBTQI immigrants**

Many studies that used the term 'immigrant', included refugees and undocumented people within this category. Within this set of studies, many were HIV research, in particular with MSM Latinos. These studies focused on individual and/or social factors that shape HIV risk, such as stress related to being an immigrant and sexual minority, poverty, undocumented status, etc. Studies that focused on Latina transwomen migrants identified various social factors that shaped HIV vulnerability, such as racist and transphobic discrimination and having undocumented status – serving as a major barrier to stable housing, employment and access to health and social services. However, trans Latina migrants were also able to develop strong support networks comprised of friends, family and especially fellow trans Latina migrants as well as navigate difficult situations by drawing from their life experiences. Within the non-HIV focused research, central themes addressed included: complex negotiation of 'coming out' as gay or lesbian, experiences of homophobia and racism, renegotiation of socio-economic status post-migration, health difficulties, challenges in affiliation to racial-ethnic and LGBTQI communities. Some studies also explored the notion of chosen families, especially within LGBTQI support groups and/or fellow lesbian migrants, fostering 'borderland spaces' that broke social isolation and fostered community belonging, even if these spaces were complicated and not always egalitarian.

### **LGBTQI migrants who are undocumented and detained**

Studies suggest that LGBTQI undocumented people are in a constant state of vulnerability due to their undocumented status which results in denied access to public resources and institutions (i.e. social services, hospitals, LGBTQI-specific services, etc.) as well as general housing and employment. Some LGBTQI undocumented people have also been involved in advocating for immigration reform and the regularization of undocumented people. Some scholars suggest that LGBTQI undocumented people are at the forefront of migrant justice organizing, by developing initiatives and slogans, such as the 'undocuqueer' slogan, that resonate with their intersectional identities as undocumented and LGBTQI.

#### **Key Publications**

- Acosta, K. L. (2008). Lesbianas in the Borderlands : Shifting Identities and Imagined Communities. *Gender and Society*, 22(5), 639-659.
- Cantú, Lionel Jr. (2009). *The Sexuality of Migration : Border Crossings and Mexican Immigrant Men*, New York : New York University Press.
- Rhodes, S. D., Alonzo, J., Mann, L., Simán, F., Garcia, M., Abraham, C., & Sun, C. J. (2015). Using Photovoice, Latina Transgender Women Identify Priorities in a New Immigrant-Destination State. *The international journal of transgenderism*, 16(2), 80-96.
- Terriquez, V. (2015). Intersectional mobilization, social movement spillover and queer youth leadership in the immigrant rights movement. *Social Problems*, 62, 343-362.