

Vivian Vasquez
PLSC 349: Visualization of Political and Social Data

LGBTQ Data Usage and Data Invisibility in the United States: History and Recommendations for Utilizing LGBTQ Data Collection Towards the Advancement of LGBTQ Equality

Introduction and Purpose

This research project will survey the evolution of LGBTQ data collection and legal history from the 1950s to the present day in relation to LGBTQ rights and interactions between LGBTQ individuals and the federal government. Given my findings on the absence of LGBTQ data collection and the lack of empirical evidence for the oppression of LGBTQ individuals from the 1950s onwards and in the 20th century in general, I strayed from my original intention of finding concrete data utilized in these court decisions and have decided to instead propose data collection methods and ideas for data visualizations that could have been useful in negating harmful LGBTQ policies and ideas that circulated at the time. Lastly, I will present a few data visualizations that could be used in support of specific contentious United States policies related to LGBTQ equality, marriage, and adoption in modernity.

Background

Survey of Current LGBTQ Statistics Projects in the United States

The LGBTStats Williams Institute¹ at the UCLA School of Law is a think tank dedicated to researching sexual orientation and gender identity, specifically as relating to the law and legal profession. The Williams Institute was founded in 2001 by Charles Williams with the goal of stopping bias against LGBTQ people using data analytics and law. In 2011, the Williams Institute reached infamy in the LGBTQ Data World for releasing one of the first data analytics based estimates of the LGBT US population that took into consideration how LGBTQ people were uniquely influenced by policies and laws relating to LGBTQ people. The Williams Institute was conceived of in an attempt to improve federal data collection of LGBTQ people.

The US Transgender Survey² from the National Center for Transgender Equality (NCTE) was released in 2016 based on interviews with over 6,400 transgender and gender nonconforming individuals. As of 2016, this study was the largest study of discrimination and violence against transgender people to date with around 28,000 respondents.

The Social Justice Sexuality Project³ was one of the largest national surveys to date of LGBTQ people with over 5,000 respondents from all 50 states in America with information on minority group discomfort based on race and sexuality. This data collecting project has inspired plentiful psychology studies such as Le, T. P., Bradshaw, B. T., Wang, M. Q., & Boekeloo, B. O.

¹ thisisloyal.com, Loyal J. *Williams Institute*, 15 Dec. 2021, <https://williamsinstitute.law.ucla.edu/>.

² "2022 U.S. Trans Survey." *2022 U.S. Trans Survey*, <https://www.ustranssurvey.org/>.

³ "About the Project." *The Social Justice Sexuality Project*, 15 Aug. 2020, <https://socialjusticesexuality.com/>.

(2021). Discomfort in LGBT community and psychological well-being for LGBT Asian Americans in *Asian American Journal of Psychology*, among others.

The MAP (Movement Advancement Project)⁴ provides independent and rigorous research on LGBTQ individuals in the United States and how policies relating to LGBTQ life affect them on a federal, state, and county level. MAP provides “Democracy Maps” and “Equality Maps” at the state level. Democracy Maps track state election laws and policies as a means of generating ideas on how states can protect election integrity using voting laws (ie online voter protection laws, early voting accessibility, etc). On the other hand, Equality Maps map out policy tallies based on how friendly or protected LGBTQ people are based on a certain policy in that state (anti employment discrimination laws, anti bullying laws, etc).

PewResearchCenter last released **A Survey of LGBT Americans** in June of 2013. It is notable that the last time PewResearch collected data this comprehensive on LGBTQ individuals, gay marriage was still not federally recognized. Nevertheless, the survey contributed valuable insights into LGBTQ life in the 21st century, gauging LGBTQ sentiment on topics like: religion, same sex marriage, race, social acceptance, etc.

The Center for Disease Control and Prevention⁵ has also collected a vast amount of data on **Lesbian, Gay, Bisexual and Transgender Health**, specifically pertaining to men who have sex with men in relation to the HIV/AIDS epidemic and its aftermath. The CDC also collects information on LGBTQ youth in their Youth Risk Behavior Surveillance System (YRBSS) which monitors six categories of health related behaviors that cause death and disability among children and adults including sexually transmitted diseases and rape.

The **University of Michigan’s ICPSR**⁶ (Inter-university Consortium for Political and Social Research) is a large archive of surveys in secondary analysis in social science and health in the United States and many countries worldwide. Comprehensive LGBT Data has been collected, for instance, the TransPop survey which was the first national probability sample of transgender individuals in the United States from 2016 to 2018.

LGBTQ Legal History in Past Century and Precedent

LGBTQ Important Legal History and Cases and How Data Science Could Have Been Useful

- The Lavender Scare⁷ during the Red Scare: The phenomenon in the 1940s through the 1960s in which gay employees were made to resign from the federal workforce during the Red Scare in which America underwent mass hysteria about the threat posed by Communism during the same era.
 - Data / Absence of Data Provided

⁴ “Our Work.” *Movement Advancement Project* |, <https://www.lgbtmap.org/>.

⁵ “A Survey of LGBT Americans.” *Pew Research Center’s Social & Demographic Trends Project*, Pew Research Center, 30 May 2020, <https://www.pewresearch.org/social-trends/2013/06/13/a-survey-of-lgbt-americans/>.

⁶ “<https://www.icpsr.umich.edu/Web/Pages/>.” *ICPSR*, <https://www.icpsr.umich.edu/web/pages/>.

⁷ “These People Are Frightened to Death.” *National Archives and Records Administration*, National Archives and Records Administration, <https://www.archives.gov/publications/prologue/2016/summer/lavender.html>.

- In 1947, Senator McCarthy delivered his “Enemies from Within” address in which he equated Communism with sexual immorality, which he explicitly deemed homosexuality as. In reaction, the U.S. Senate passed Senate Resolution No. 280 in June 1950 instructing the Senate Committee on Expenditures in the Executive Departments to “make a thorough and comprehensive study and investigation of (a) the alleged employment by departments and agencies of the Government of homosexuals and other moral perverts...”. The report that the Hoey Committee conceived was called “Employment of Homosexuals and Other Sex Perverts in Government.” In examining the original report with an analysis of the accuracy of its data collection, the primary point of fault accompanies a lack of empirical evidence beyond conjecture of how gay individuals precisely posed a security risk beyond a “lack of emotional stability” and a proclivity for sexual relationships that could be compromising if they turned into a manipulation tactic for the Soviet Union to spy on the United States if the USSR threatened to blackmail the gay person by potentially outing them.
- Example of a Data Visualization that Would Have Been Useful in Advancing LGBTQ Rights at this Time
 - A ggplot count chart with instances of espionage among individuals determined to be gay as compared to espionage compared to heterosexuals
- DSM-II Homosexuality not a Mental Disorder: In 1973⁸, the American Psychiatric Association (APA) removed the diagnosis of homosexuality from the second edition of its Diagnostic and Statistical Manual (DSM).
 - Data Provided
 - Alfred Kinsey’s findings that homosexuality was found to be more common than people had believed is the finding that homosexuality could be found in around “10%”⁹ of the population” made individuals more apt to empathize with gay people. While Kinsey’s data was found to have sample bias, specifically his *Final Report and Background Papers on ... Homosexuality*, even without sample bias, it was found that between one quarter and one third of adult white males (the normative standard at the time for normalcy) was found to have some “overt homosexual experience since puberty”.
 - A late 1950s study from Evelyn Hooker¹⁰, a psychologist, took 30 gay men and found that compared to 30 heterosexual controls, there were no signs of innate psychological distress or mental illness.
 - Example of a Data Visualization that Would Have Been Useful...
 - According to documentation from the 1973 APA meeting debating the question “Should Homosexuality be in the APA Nomenclature?,” psychological studies and data on gay men were utilized to exhibit that

⁸ *Sexual Orientation and Mental Health ...* - JSTOR HOME. <https://www.jstor.org/stable/24459694>.

⁹ “.” *Diversity of Sexual Orientation*, <https://kinseyinstitute.org/research/publications/historical-report-diversity-of-sexual-orientation.php>.

¹⁰ Milar, Katharine S. “The Myth Buster.” *Monitor on Psychology*, American Psychological Association, Feb. 2011, <https://www.apa.org/monitor/2011/02/myth-buster>.

homosexuality did not “regularly cause subjective distress” in it of itself. Still, ggplot could have been leveraged in the following way:

- Two ggplot waffle charts mapping out the presence of mental illness (weighted / based on percentages) out of 100 in gay men as compared to heterosexual men
 - More red and orange colors (depression, BPD) would be associated with a higher amount of mental illness in that population; there would be similar amounts of red and orange boxes in gay and straight men.
- Hollingsworth v. Perry (2013)¹¹: Held that same sex marriage is protected under the thirteenth amendment and declaring a state ban on same sex marriage was unconstitutional.
 - Data Provided
 - A plethora of data on behalf of Senator Dennis Hollingsworth (the lead proponent of Proposition 8) was provided to discredit the merit of same sex marriage. However, most of the data provided was in support of a two parent household and did not necessarily pertain to the specific merit of having a dichotomous gender dynamic in a marriage for raising children. For instance, according to the Brief Amicus Curiae ie the legal brief on the case by the Counsel of Record, “Life Without a Father,” a book by David Popenoe that utilized data on marital dissolution and its effects on the emotional outcomes of children to posit that same sex marriage ie marriage without a mother and a father.
 - Example of a Data Visualization that Could Have Been Useful
 - A ggplot box plot comparing mean quality of life metrics (happiness, emotional stability, food accessibility) between children raised by two parent gay couples and straight couples with class of couple on the x axis
- Obergefell v. Hodges (2015)¹²: The landmark civil rights case in which the Supreme Court ruled that the right to marry was guaranteed to same sex coupled by the Due Process Clause and the Equal Protection Clause of the Fourteenth Amendment.
 - Data Collected
 - In the Obergefell v. Hodges case which made marriage equality for same sex couples a federal right, Justice Anthony Kennedy cited the Williams Institute in their estimates of how many same sex couples were raising children as a deciding factor in the landmark case.
 - Further Data Visualization that Could Have Been Useful
 - A ggplot time series change plot visualizing how irregardless of the federal legality of same sex marriage, the raising of children by same sex couples was increasing over time

¹¹ “Hollingsworth v. Perry (2013).” *{Meta.siteName}*, <https://www.oyez.org/cases/2012/12-144>.

¹² *Supreme Court of the United States*. https://www.supremecourt.gov/opinions/14pdf/14-556_3204.pdf.

- Philadelphia v Fulton (2020)¹³: Found that a city cannot refuse to contract with a religious service provider on the basis of the religious service provider denying foster care services to LGBTQ parents.
 - Data Collected
 - None to date.
 - Example of a Data Visualization that Could have Been Useful
 - A ggplot box plot demonstrating the higher prevalence of a certain “gay gene” between in gay individuals as compared to heterosexual individuals to demonstrate how sexual orientation discrimination is discrimination based on an innate characteristic
- Bostock v. Clayton County (2020)¹⁴: Landmark United States Supreme Court civil rights case in which the Court held that the Civil Rights Act of 1964 protects employees against discrimination if they are gay or transgender
 - Data Collected
 - None to date.
 - Example of a Data Visualization That Could Have Been Useful
 - Two ggplot choropleth maps side by side
 - (1) Choropleth demonstrating the prevalence of LGBTQ discrimination laws using a color gradient
 - (2) A second choropleth map demonstrating LGBTQ suicide rates / or quality of life metrics using a similar color gradient

LGBTQ Invisibility in Data

While policymaking and court case rulings rely on empirical inquiry and analysis, there is currently a gap in information relating to the LGBTQ community and even more of a gap on how being an LGBTQ individual interacts with other demographics like race, ability, and socioeconomic status. While the previous survey of LGBTQ data sets provided some accessibility to raw data pertaining to trans and gay individuals, data on the experiences of transgender individuals was even more difficult to find. One reason why data on transgender individuals may be challenging to find is because surveys on general population rarely include questions on whether someone is transgender. Further, the fluid nature of gender identity throughout time can complicate accurate data collection. Still, the need for good data pertaining to LGBTQ individuals transcends the need for quantitative evidence in support of LGBTQ rights in policy making given that LGBTQ individuals have unique health needs¹⁵ (medical transition support, preventative medicine for HIV/AIDs, psychiatric support for LGBTQ youth struggling with depression after coming out to unaccepting family members, etc.).

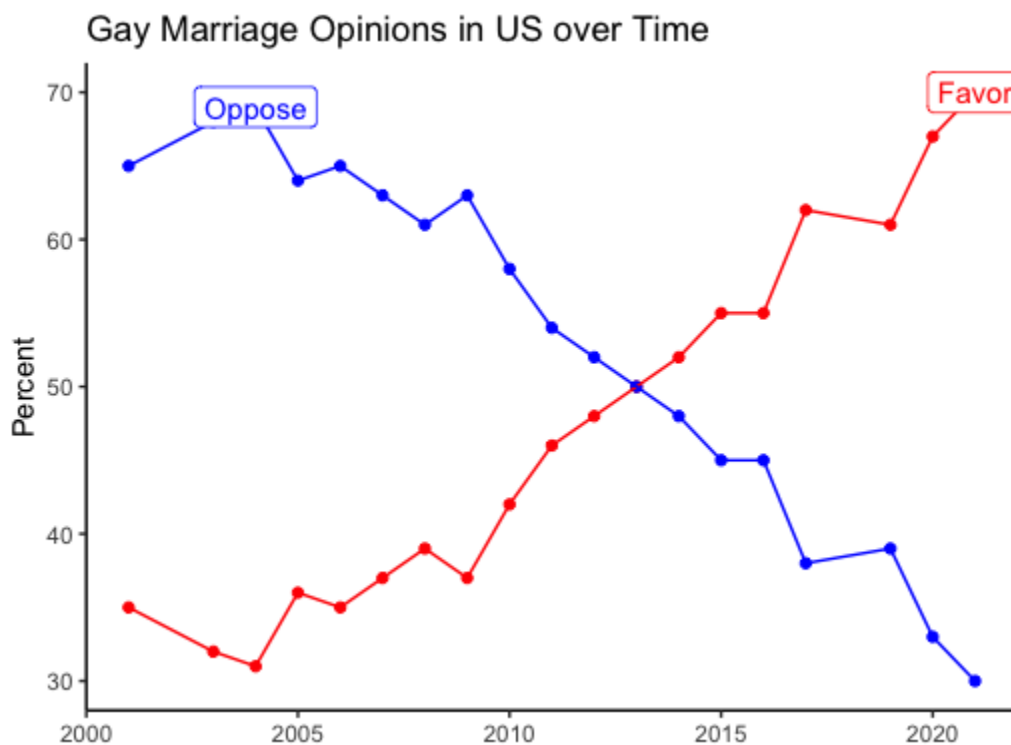
¹³ “Fulton v. City of Philadelphia.” *American Civil Liberties Union*, <https://www.aclu.org/cases/fulton-v-city-philadelphia>.

¹⁴ “Bostock v. Clayton County, Georgia.” *Ballotpedia*, https://ballotpedia.org/Bostock_v._Clayton_County,_Georgia.

¹⁵ “Suicide and Violence Prevention among Gay and Bisexual Men.” *Centers for Disease Control and Prevention*, Centers for Disease Control and Prevention, 29 Feb. 2016, <https://www.cdc.gov/msmhealth/suicide-violence-prevention.htm>.

Data visualizations that could be used in support of specific contentious United States policies and cases as well as recommendations for LGBTQ individuals related to LGBTQ equality in modernity

- Case: *Dignity Health v Minton* (2021)¹⁶ is a case in which a transgender man was denied a hysterectomy at a Catholic hospital.
 - Source: [Pew Research Attitudes on Same Sex Marriage Data](#)
 - How: By demonstrating that gay marriage opinions were bolstered after it was legalized in 2015 federally, one could also make the argument that in making it illegal to discriminate against transgender individuals, opinions regarding transgender people and cases like this would be less prevalent in the first place.

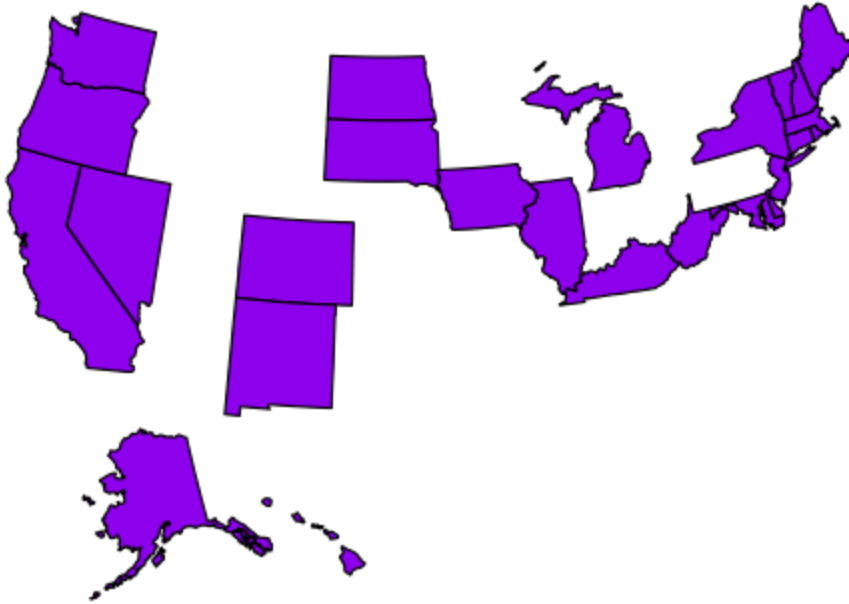


- Recommendation to LGBTQ People: Could be utilized to encourage LGBTQ parents or those wanting to be parents to move to the following states if they plan to raise children and want to pursue a path of least resistance.
 - Source: [Movement Advancement Project Foster and Adoption Law Data](#)

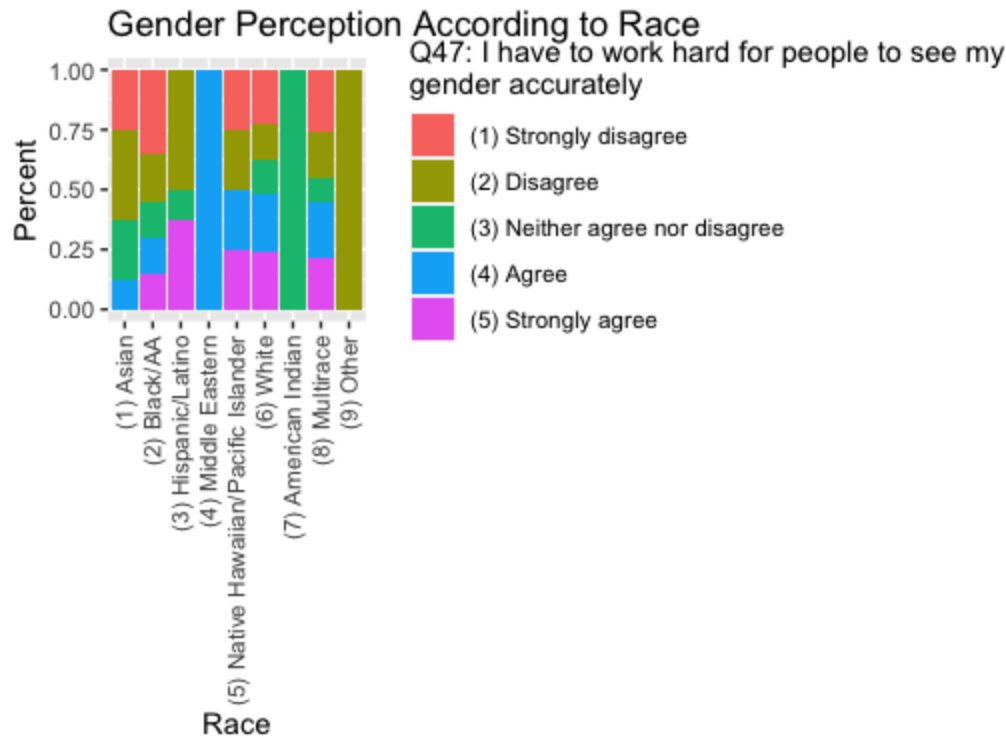
¹⁶ Golde, Kalvis. "Dignity Health v. Minton." *SCOTUSblog*, <https://www.scotusblog.com/case-files/cases/dignity-health-v-minton/>.

FOSTER AND ADOPTION LAWS

Gov. prohibits discrimination in adoption based on sexual orientation/ gender identity.

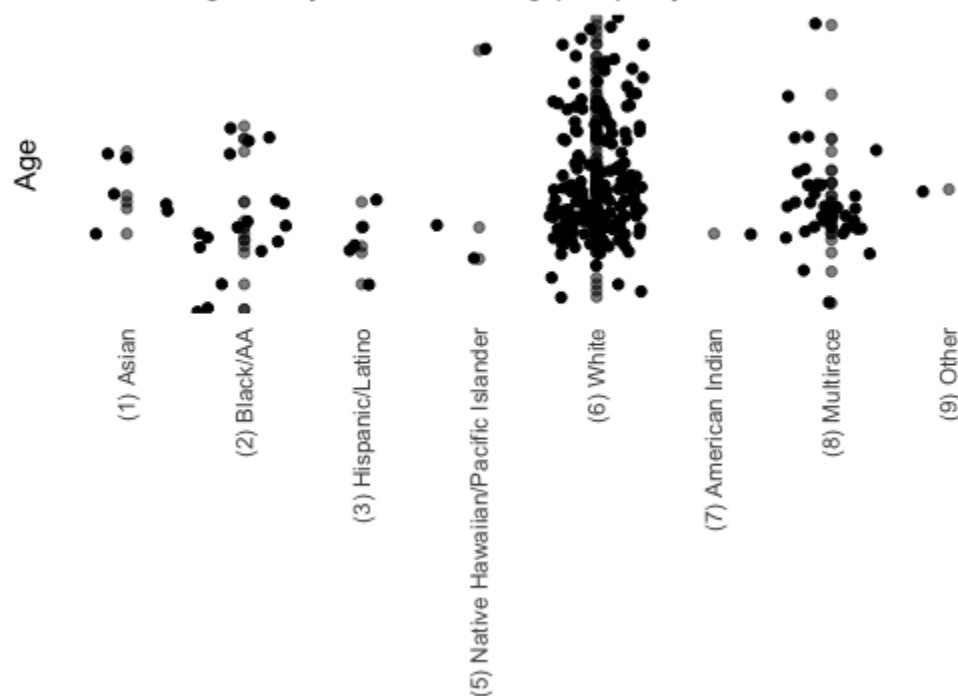


- Policy Recommendation: Provide more funding for transition and gender affirming therapy and healthcare access in areas that are predominantly Hispanic, Black, and Middle Eastern since these areas are correlated with transgender individuals struggling with dysphoria more intensely ie lacking resources to pursue their desired gender expression.
 - Source: [TransPop Data, United States 2016 -- 2018](#)



- Policy Recommendation: Collect more data on Asian, Hispanic, and American Indian transgender individuals in relation to their experiences with transness and childhood so that it can be easier to funnel resources into education that is inclusive of transgender youth from a younger age.
 - Source: [TransPop Data, United States 2016 -- 2018](#)

At what age did you start telling people you were trans?



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<https://www.archives.gov/publications/prologue/2016/summer/lavender.html>.