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## Interplay of Race and Criminal Justice Involvement on Sexual Behaviors of Young Men Who Have Sex with Men

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### Abstract

**Purpose**—Criminal justice involvement is a significant problem in the US, and poses substantial negative immediate and long-term effects— particularly among adolescents and young adults. Research has been mixed on the association between a history of arrest/incarceration and an increased risk for HIV, but there are clear trends in the association between criminal justice involvement and sexual risk behaviors.

**Methods**—Drawing from a racially/ethnically diverse sample of YMSM, we conducted an investigation into whether there was a temporal relationship between history of criminal justice involvement and engagement in high-risk sexual behaviors. We also examined whether sexual behaviors among Black men who have sex with men (MSM) were more substantially impacted by arrest/incarceration than those of non-Black MSM. Data were collected within a longitudinal study of young MSM in Chicago.

**Results**—Over one-third of participants (37.8%) reported having ever been in trouble with the police in their lifetime, and 10% had been incarcerated. In multivariable analysis, Black race, history of incarceration, and the interaction were all significantly positively associated with an increase in reported number of male anal sex partners.

**Conclusions**—We found that the intersection between race and criminal justice involvement plays a major role in sexual behaviors. More research is needed to understand why a history of arrest/incarceration has a much more profound effect on Black MSM than on non-Black MSM.

### Keywords

Criminal justice; YMSM; Condomless anal sex; HIV; Race

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#### Conflict of Interest

No potential conflict of interest was reported by the authors.

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## Introduction

Criminal justice involvement (i.e., arrest and incarceration) is a significant problem in the United States, and poses substantial negative immediate and long-term effects — particularly among adolescents and young adults — including increased likelihood of developing mental health problems such as depression and suicidal ideation<sup>1-4</sup>, difficulty forming social relationships<sup>2,5</sup>, failure to complete high school or pursue a college education<sup>6</sup>, and struggles with achieving psychosocial maturity milestones.<sup>7</sup>

According to a 2014 report, there were an estimated 1.6 million arrests made of individuals under the age of 18 years in 2010.<sup>8</sup> This means that nearly 5% of the US adolescent population was arrested during this time period. However, not everyone who is arrested ends up being incarcerated in jail or a juvenile detention facility. According to the Census of Juveniles in Residential Placement, on one day in 2013, 16,789 US adolescents were arrested and detained in a juvenile facility.<sup>9</sup> These numbers illustrate the significant and striking proportion of youth at serious risk for potential negative impacts on social and developmental outcomes and health disparities.

In addition, criminal justice involvement among youth may be only part of a pattern of vulnerability which also includes sexual risk. Hopelessness and fatalism in youth have consistently been linked to increased risk of both arrest and HIV diagnosis, according to a 2014 meta-analysis.<sup>10</sup> Additionally, impulsivity has been linked with both arrest<sup>11,12</sup> and sexual risk behavior.<sup>11</sup> Further research has demonstrated an association between these two constructs, and further reiterated their relationship to criminal justice involvement and sexual risk.<sup>13</sup> These findings overall indicate the importance of parsing the relationship of sexual and criminal justice risk in youth populations.

With regard to both arrest and incarceration, certain groups of youths are disproportionately impacted. Specifically, gender,<sup>14</sup> sexuality,<sup>15</sup> race/ethnicity,<sup>16</sup> and socioeconomic status (SES) intersect to play a role in these disparities in the United States.<sup>17</sup> In a sample of juvenile court outcomes, men were incarcerated at more than twice the rate of women (10.5% vs. 4.2%, respectively).<sup>18</sup> Racial/ethnic minority populations also have higher rates of incarceration than their White counterparts. This same study found that Black youth were 1.84 times more likely than White youth to be ordered to correctional confinement.<sup>18</sup> Additionally, in 2010 Black men were five times as likely as White men to be incarcerated (4,347/100,000 population vs. 678/100,000 population, respectively).<sup>19</sup> This disparity in incarceration rates is even more apparent when looking at Black gay MSM, as well as non-gay (bisexual and other men who have sex with men) BMSM, where estimates of incarceration rates can range between 31% and 35%.<sup>20-22</sup> Lastly, in terms of SES, males who did not finish high school consistently had higher incarceration rates than all men, even after controlling for race.<sup>23</sup>

The intersectionality of these identities, and the resultant disproportionate criminal justice involvement, is very visible in racial/ethnic minority MSM populations. For instance, one study found that Black and Latino young MSM (YMSM) were significantly more likely to

have been arrested and incarcerated than their White and Asian/Pacific Islander counterparts (arrest: 18.2% vs. 9.1%; incarceration: 5.6% vs. 1.8%, respectively).<sup>24</sup> There are also differences in rates of incarceration within Black MSM (BMSM) populations. A multisite study of BMSM – HIV Prevention Trials Network (HPTN) 061 - found that men who had reported lifetime incarceration were significantly more likely to identify as heterosexual/straight than as gay or homosexual.<sup>20</sup> These findings mirrored those of a study of MSM conducted by Lim and her colleagues, in which gay men were the least likely to report incarceration history, followed by bisexual and heterosexual men.<sup>22</sup>

Research has been mixed on the association between a history of arrest/incarceration and an increased risk for HIV and other sexually transmitted infections (STIs). Young Black men are the most likely to be diagnosed with HIV and to be arrested, but linkages between these two are mixed. Within HPTN 061, there was not a significant association between HIV incidence and incarceration,<sup>21</sup> similar to findings from an earlier sample of BMSM in Los Angeles.<sup>25</sup> Conversely, multiple studies have found a positive association between criminal justice involvement and STI acquisition.<sup>26–29</sup> As with many other social-contextual factors, the complex relationship between incarceration and HIV/STIs remains to be fully understood.<sup>30</sup>

Despite the unclear relationship between arrest/incarceration and HIV/STIs, there is a substantial body of evidence linking criminal justice involvement and engagement in high-risk sexual behaviors among MSM. These behaviors include engaging in condomless anal sex (CAS),<sup>22,24</sup> exchanging sex for money or drugs,<sup>24</sup> and reporting a large number of sexual partners.<sup>22</sup> Further complicating the connection between risk behaviors and incarceration is the role that race plays. BMSM are arrested and imprisoned at substantially greater rates than other MSM,<sup>22,31</sup> yet also engage in significantly fewer high-risk sexual acts than non-Black MSM.<sup>32</sup> Within younger populations such as YMSM, long-term incarceration is a rare occurrence, but even the disruptive effect of being arrested can have major consequences on the life situation of disenfranchised individuals.<sup>33</sup> These relatively brief interruptions in an already unstable situation can quickly result in job loss leading to engagement in survival sex and other behaviors that place one at risk for HIV.

A recent study investigated the interaction between race and a lifetime history of arrest among YMSM on sexual risk behaviors; researchers found evidence for significant effect modification, but their analyses had several limitations.<sup>24</sup> Black and Latino MSM were grouped together in a single category, the use of a cross-sectional sample limited the ability to assess temporality, and CAS was measured as a dichotomous variable. Within the current study of YMSM, we conducted a more in-depth analysis of interaction effects of race and criminal justice involvement to address gaps in prior research. Specifically, we wanted to investigate whether there was a temporal relationship between a history of criminal justice involvement and engagement in high-risk sexual behaviors, and if sexual behaviors among Black MSM were more substantially impacted by arrest/incarceration than those of non-Black MSM.

## Methods

### Procedures

Data were collected within a longitudinal study of racially/ethnically diverse YMSM in Chicago beginning in December 2009 (Crew 450). Eligible participants were assigned male sex at birth, between 16 and 20 years of age, English speakers, reported a sexual encounter with a male or a gay/bisexual identity, and available for 2 years of follow-up. A modified form of respondent-driven sampling (RDS) was used to recruit 450 YMSM into this study.<sup>34</sup> Briefly, seeds were recruited through gay-straight alliances at Chicago area schools and other community venues, as well as through popular gay geosocial networking applications.<sup>35</sup> Sexual identity was ascertained by asking participants to self-identify on a scale from only straight/heterosexual to only gay/homosexual, including mostly straight/heterosexual, mostly gay/homosexual, bisexual, and other.

This manuscript uses data collected at the baseline (T1) and 6 month follow-up visits (T2). Follow-up retention at T2 was high, with 86.7% of individuals completing a visit. Participants were administered a computer-assisted self-interview (CASI) with audio instructions that took 60–90 minutes to complete. They were also tested for HIV, gonorrhea, and chlamydia at baseline. HIV status was assessed using a rapid oral screening test (OraQuick ADVANCE 1/2; OraSure Technologies, Bethlehem, PA) for participants with a negative or unknown status. For those who self-identified as HIV-positive or had a preliminary positive on the rapid oral screening test, 86.8% were confirmed by OraSure testing, medical records, or verification of prescribed antiretroviral medication. Urethral gonorrhea and chlamydia infections were determined via urine-based nucleic acid amplified testing (NAAT). Participants were compensated \$45 for each interview. All procedures were reviewed and approved by the Institutional Review Boards (IRBs) at the participating institutions.

### Measures

**Baseline**—Participants were asked questions about their age, race/ethnicity, sexual identity, and living situation. They were also asked to report information on their substance use in the prior 6 months: this included binge drinking (defined as 5 or more drinks in a 2 hour period),<sup>36</sup> marijuana use (*‘During the past 6 months, how many times did you use marijuana?’*), and use of other drugs such as cocaine and poppers (*‘During the past 6 months, how many times did you use...?’*). Finally, participants were asked about recent (past 6 months) and lifetime sexual behavior, including recent risk behaviors such as number of oral and anal sex partners and frequency of condom using during anal sex (both insertive and receptive).

The survey included items about criminal justice involvement. YMSM were asked if they had ever been in trouble with the police and if they had ever been arrested, using items from the Computerized Diagnostic Interview Schedule for Children.<sup>37,38</sup> For individuals who reported a history of arrest, they were asked a series of follow-up questions about the number of times they were arrested, age at first and most recent arrest, and reason for most recent arrest. In addition, YMSM who had ever been arrested were asked *‘Have you ever*

*been in jail/juvenile detention?;* number of times incarcerated, and the longest period of time in which they were incarcerated.

**6 Month Follow-Up**—Participants were asked about their sexual behaviors in the 6 months prior to the interview using the AIDS Risk Behavior Assessment (ARBA).<sup>39</sup> Specifically, participants were asked to report on the number of male partners with whom they had oral or anal sex, the number of male anal sex partners, and the number of male condomless anal sex (CAS) partners. Number of male anal sex partners was only assessed for participants who indicated at least 1 male partner; likewise, number of male CAS partners was only assessed for participants who reported at least 1 anal sex partner. Details about positioning (insertive vs. receptive) and HIV disclosure were only collected for the most recent partner.

### Statistical Analysis

First, univariable and bivariable statistics were calculated to assess demographic and behavioral associations with having ever been arrested and having ever been in jail or juvenile detention. For categorical variables, significant differences were assessed using  $\chi^2$  test statistics; for instances in which at least one cell had less than 5 observations, Fisher's Exact Test was used. Since age was not normally distributed ( $W = 0.96$ ;  $p < 0.0001$ ), the Kruskal-Wallis  $\chi^2$  test was used to identify significant differences.

Next, in order to both assess the temporal association between a history of arrest or incarceration at baseline and sexual behaviors at T2, and to understand how criminal justice involvement may disproportionately influence the risk behaviors of Black YMSM in particular, Poisson regression models were developed and tested. Three models were tested for each of sexual outcomes: number of male sex partners, number of male anal sex partners, and number of male CAS partners. The first model (a) assessed the unadjusted association between the predictor and the outcome; the second model (b) controlled for race (Black vs. non-Black), since it was highly associated with both the predictor and the outcome; and the third model (c) contained the interaction between race and arrest/incarceration. Each of the three models included sexual behavior at baseline as an independent variable. Due to the excellent retention rate at T2, casewise deletion was used to remove individuals without data at follow-up. No significant demographic differences were seen between those who completed the T2 visit and those who only had baseline data. All analyses were conducted using SAS v9.4 (Cary, NC).

### Results

More than one-half of YMSM were Black (53.3%), one-fifth identified as Hispanic (20.0%), and slightly less than one-fifth identified as White (18.0%) (Table 1). The mean age of participants was 18.9 years (standard deviation = 1.29), and 50.2% identified exclusively as gay or homosexual.

## Criminal Justice History

Over one-third of the 450 participants (37.8%) reported having ever been in trouble with the police in their lifetime. Nearly all of these 170 YMSM (80.0%) had been arrested at least once, and 70 (51.5%) were arrested multiple times. Arrested participants had a median of 2 lifetime arrests (interquartile range [IQR]: 1 – 5). When arrested for the first time, YMSM were a median age of 15 years (IQR: 13 – 16), with the earliest arrests occurring at 6 years (n = 1) and 9 years (n = 2) of age. For individuals who had been arrested more than once, the median age at the most recent arrest was 18 years (IQR: 17 – 19).

The 170 participants with a prior arrest reported a wide array of reasons for their most recent arrest (Table 2). The most frequently cited causes were theft, predominantly shoplifting (11.2%); fighting (11.2%); drug possession, mostly of marijuana (7.1%); trespassing (5.9%); and battery (5.3%). Other less commonly mentioned charges were sexual assault, domestic violence, underage drinking, violating probation, driving with a suspended license, and disorderly conduct. Finally, five participants said that their arrest was a result of mistaken identity.

At baseline, 47 YMSM (10.4%) had ever been in jail or a juvenile detention facility. While most had just been in jail (55.3%), 29.8% were only in juvenile detention and 14.9% had been in both. Individuals had been incarcerated a median of 2 times (IQR: 1 – 4).

## Baseline Associations

Participants who had ever been arrested were significantly older than those who had never been arrested (Kruskal-Wallis  $\chi^2 = 12.74$ ;  $p < 0.01$ ; Table 1). Compared with White YMSM, participants who had ever been arrested were also significantly more likely to be Black or another race/ethnicity. Participants were also more likely to identify as bisexual or heterosexual/another identity (vs. only/mostly gay), live in a shelter (vs. living elsewhere), and have used marijuana or ecstasy. Although there was no association between arrest history and laboratory-confirmed STIs, YMSM who had been arrested were nearly twice as likely to be HIV-positive; this association was marginally insignificant (odds ratio [OR] = 1.94; 95% confidence interval [CI]: 0.95, 3.95;  $p = 0.06$ ).

Among individuals who had been in jail or juvenile detention, similar associations were found between incarceration and basic demographics. However, use of marijuana, ecstasy, or any other drugs was not associated with incarceration.

## Follow-Up Associations with CAS

YMSM with at least one arrest at baseline reported significantly more male sex partners (Table 3, Model 1a; event rate ratio [ERR] = 1.22; 95% CI: 1.08, 1.36) and more male anal sex partners (ERR = 1.65; 95% CI: 1.44, 1.90), but fewer CAS partners at T2 (ERR = 0.74; 95% CI: 0.56, 0.97) than those with no baseline arrest history, controlling for baseline number of sex partners. Similar to those with a history of arrest, there were significant associations between having a history of incarceration at baseline and number of male sex partners (ERR = 1.62; 95% CI: 1.40, 1.88), number of male anal sex partners (ERR = 2.25; 95% CI: 1.89, 2.68), and number of CAS partners at T2 (ERR = 0.16; 95% CI: 0.08, 0.33)



when compared to those with no baseline incarceration history, after controlling for number of sex partners at baseline.

In models looking at the interaction between incarceration history and racial identity, there were significant inverse associations between a history of arrest and the number of male anal sex partners for non-Black participants (ERR = 0.46; 95% CI: 0.26, 0.82). Additionally, among those with no history of arrest, Black participants tended to have fewer male anal sex partners than non-Black participants (ERR = 0.75, CI: 0.64, 0.87).

### Interaction between Race and History of Criminal Justice Involvement

In the assessment of moderation effects, the interactions between baseline arrest history and race, as well as baseline incarceration history and race were significant in almost all models predicting sexual behavior at 6-month follow-up. The *post hoc* exploration of the interaction effect (see Figure 1), indicates higher numbers of total male sex partners, as well as anal sex partners for Black participants compared to non-Black participants with a history of criminal justice involvement (either arrest or incarceration) at T2.

## Discussion

This study is one of the first to investigate the prevalence and correlates of criminal justice involvement, as well as the influence of this involvement on future sexual risk behavior, within a diverse sample of YMSM. Overall, the proportion of YMSM who had been arrested (37.8%) was more than twice what was found within a study of YMSM in New York City.<sup>24</sup> This highlights one of the many social-contextual disparities facing sexual minority youth. Many explanations have been posited for the stark differences in arrests and incarceration between sexual minority and heterosexual youth, including use of alcohol and drugs to cope with sexual identity.<sup>22,40</sup> However, these individual-level factors alone cannot fully explain why twice as many YMSM in Chicago as in New York City had been arrested, lending credence to research highlighting the role that geographical and structural factors may play in driving the incarceration epidemic.

Similar to prior research, in cross-sectional analysis, we found that criminal justice involvement was significantly more common among Black,<sup>18,31,41</sup> non-gay,<sup>20,22</sup> and older MSM.<sup>20</sup> However, unlike prior studies, there was no significant relationship between a history of arrest/incarceration and HIV/STIs for YMSM, with the exception of the marginally insignificant positive association between lifetime arrest and HIV infection (the comparison with the largest cell size); this raises the potential that other associations were not witnessed due to a lack of power. As this sample was very young (mean age of 18.9 years), participants had fewer years to acquire HIV/STIs or become incarcerated than older samples of MSM included in prior studies;<sup>20–22</sup> thus, it is less likely that an association would be detected.

We found a significant association between criminal justice involvement and sexual behavior outcomes, which was apparent in bivariate models. Multivariable models controlling for the interaction of this involvement with Black race further revealed that race moderated the significant association. Similar to prior research, we found that a history of arrest had a

differential impact on sexual risk behavior for Black and non-Black men.<sup>16</sup> The *post hoc* analysis of the moderation effect indicated that the total numbers of male partners as well as male anal sex partners was greater among Black YMSM (vs. non-Black) with a history of criminal justice involvement (either arrest or incarceration), and this effect was reversed among non-Black YMSM with a history of criminal justice involvement. This reversal indicates that the interplay between race and criminal justice involvement is important to consider when interpreting sexual behavior, as opposed to simply examining the impact of race or criminal justice involvement alone. Future research on HIV disparities should continue to focus on the intersection between racial/ethnic identity and criminal justice involvement. Additionally, one curious aspect of our results is that CAS decreased among those with a history of arrest or incarceration, regardless of their race. Given the significant positive association present with race and criminal justice involvement, we feel that further research is needed to better understand this result.

One strength of our analysis was the ability to control for baseline sexual activity within our models. Multiple studies of non-MSM have documented increases in high-risk sexual behavior post-incarceration,<sup>42,43</sup> but the reasons for this increase have yet to be fully explained. In this sample, although YMSM who had been incarcerated had significantly more sex partners, they engaged in significantly less CAS. Several possible scenarios may explain this finding. For instance, incarceration could disrupt one's long-term relationship, meaning they would be more likely to have sex with one-night stands where CAS is less common.<sup>44</sup> Alternatively, YMSM may be engaging in sex with other men while they are in jail or juvenile detention; however, condoms would not be readily available in that environment.

The introduction of an interaction term into the models created major change in significant predictors. In all but one model (Model 1c), there was significant positive interaction between criminal justice involvement and race – number of male partners and number of male anal sex partners reported by BMSM was fairly consistent, regardless of a history of arrest/incarceration, but BMSM who had ever been arrested/incarcerated had a greater number of partners than those who had never been arrested/incarcerated. As cited above, arrest and incarceration are disruptive events in one's life that seemingly have a more profound effect on the sexual behaviors of BMSM than of other MSM, but the disproportionate effect may be missed without the inclusion the interaction between race and criminal justice involvement in models. Perhaps this is a function of disproportionate social and structural instability experienced by BMSM<sup>31</sup> – Black YMSM are less likely to return to a stable and supportive home, and thus may be more likely to turn to survival sex, resulting in a greater number of sex partners than prior to their arrest. Thus, future HIV research on the effects of involvement with the criminal justice system should be informed by these network-level differences in number of partners across race and ethnicity.

This study had several limitations. All data except HIV/STI test results were assessed through self-reported measures, which could contribute to a number of biases. The effect of these inherent biases was minimized through the use of ACASI technology (social desirability bias) and time-anchoring of questions to the last 6 months or year (recall bias). In terms of data-related limitations, due to small numbers of drug users within our sample,



we were unable to investigate the association between frequency of use and arrest/incarceration. Since all study participants were recruited from one urban setting, findings from this study may not be generalizable to the broader YMSM population in the US. Finally, as this study took place prior to the widespread implementation of biomedical HIV prevention modalities such as pre-exposure prophylaxis (PrEP), we were unable to assess the role that these factors might play in HIV risk management.

## Conclusion

The epidemic of arrest and incarceration in the US disproportionately affects youth, males, racial/ethnic minorities, and gay/bisexual individuals. Individuals with intersecting identities, such as Black YMSM, are at particularly high risk for involvement with the criminal justice system. Research has shown that arrest and incarceration within adolescence leads to a multitude of negative sequelae, including suicidal ideation and substance use. Germane to this paper is its connection to HIV infection through engagement in high-risk sexual behavior. We found that the intersection between race and criminal justice involvement plays a major role in subsequent sexual behaviors but did not find evidence of an association between criminal justice involvement and HIV/STI infection. More research is needed to understand why a history of arrest/incarceration has a much more profound effect on Black MSM than on non-Black MSM, and how it may impact specific sexual risk behaviors such as CAS.

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### **Implications and Conclusions**

This study demonstrates that the intersection between race and arrest/incarceration plays a major role in sexual behaviors of young men who have sex with men (YMSM). More research is needed to understand why a history of criminal justice involvement has a more profound effect on the sexual behaviors of Black MSM than on non-Black MSM.

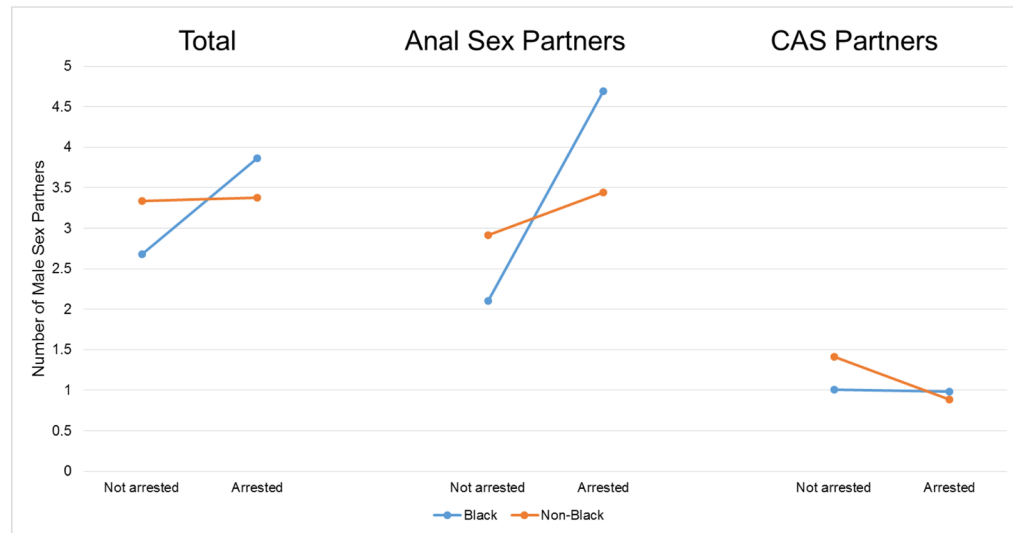
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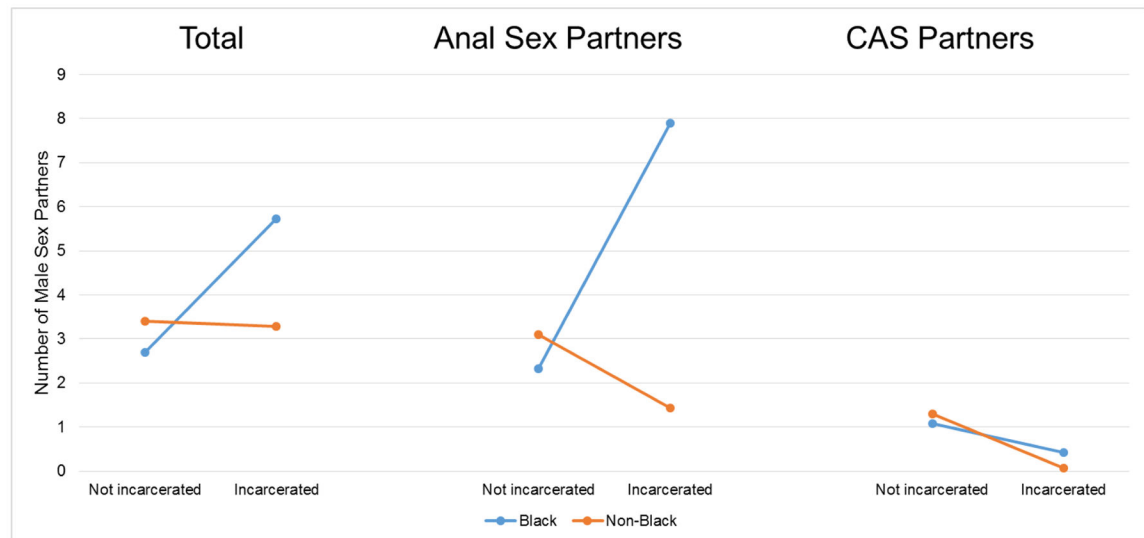
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**Ever arrested:**



**Ever incarcerated:**



**Figure 1. Interactions between race and history of criminal justice involvement on sexual behaviors**

Ever arrested:

Ever incarcerated:

Note: Number of male anal sex partners was only reported for participants who indicated at least one male sex partner. Number of male CAS partners was only indicated for participants with at least one male anal sex partner.

**Table 1**

Correlates of having ever been arrested or in jail/juvenile detention (n = 450).

	Total		Ever arrested		Never arrested		Ever in jail/JD*		Never in jail/JD*		$\chi^2$ (p-value)
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)		
<b>Race/ethnicity</b>											
Black	240 (53.3)	90 (37.5)	150 (62.5)	34 (14.2)	19.9 (<0.01)	206 (85.8)	14.7 (<0.01)				
White	81 (18.0)	12 (14.8)	69 (85.2)	3 (3.7)		78 (96.3)					
Hispanic	90 (20.0)	19 (21.1)	71 (78.9)	3 (3.3)		87 (96.7)					
Other	39 (8.7)	15 (38.5)	24 (61.5)	7 (18.0)		32 (82.1)					
<b>Sexual identity</b>											
Only gay	226 (50.2)	51 (22.6)	175 (77.4)	15 (6.6)	23.2 (<0.01)	211 (93.4)	18.5 (<0.01)				
Mostly gay	103 (22.9)	28 (27.2)	75 (72.8)	7 (6.8)		96 (93.2)					
Bisexual	96 (21.3)	46 (47.9)	50 (52.1)	20 (20.8)		76 (79.2)					
Heterosexual/other	25 (5.6)	11 (44.0)	14 (56.0)	5 (20.0)		20 (80.0)					
<b>Age, years (median, IQR)</b>	19.1 (2.03)	19.4 (1.72)	18.9 (2.04)	19.6 (1.49)	12.7 (<0.01)	19.0 (1.99)	11.9 (<0.01)				
<b>Living situation</b>											
Living alone	34 (7.6)	13 (38.2)	21 (61.8)	4 (11.8)	29.4 (<0.01)	30 (88.2)	33.0 (<0.01)				
Living with parents	233 (51.8)	58 (24.9)	175 (75.1)	16 (6.9)		217 (93.1)					
Living with other family members	28 (6.2)	13 (46.4)	15 (53.6)	7 (25.0)		21 (75.0)					
Living with a roommate	115 (25.6)	28 (24.4)	87 (75.7)	8 (7.0)		107 (93.0)					
Living with a boyfriend/girlfriend	11 (2.4)	5 (45.5)	6 (54.6)	2 (18.2)		9 (81.8)					
Living in a shelter	16 (3.6)	12 (75.0)	4 (25.0)	7 (43.8)		9 (56.3)					
Homeless	13 (2.9)	7 (53.9)	6 (46.2)	3 (23.1)		10 (76.9)					
<b>Changed residence, 6 months (T2)</b>	120 (31.2)	42 (35.9)	78 (29.1)	16 (43.2)	1.75 (0.19)	104 (29.9)	2.78 (0.10)				
<b>Binge drank, 6 months</b>	225 (50.0)	72 (52.9)	153 (48.7)	25 (53.2)	0.67 (0.41)	200 (49.6)	0.21 (0.64)				
<b>Used marijuana, 6 months</b>	253 (56.2)	87 (64.0)	166 (52.9)	28 (59.6)	4.75 (0.03)	225 (55.8)	0.24 (0.62)				
<b>Used any drug other than marijuana, 6 months</b>	81 (18.0)	29 (21.3)	52 (16.6)	11 (23.4)	1.46 (0.23)	70 (17.4)	1.04 (0.31)				
Cocaine	15 (3.3)	7 (5.2)	8 (2.6)	2 (4.3)	FET (0.16)	13 (3.2)	FET (0.66)				
Heroin	2 (0.4)	0 (0.0)	2 (0.6)	0 (0.0)	FET (0.99)	2 (0.5)	FET (0.99)				
Crystal meth	3 (0.7)	1 (0.7)	2 (0.6)	1 (2.1)	FET (0.99)	2 (0.5)	FET (0.28)				



	Total		Ever arrested		Never arrested		Ever in jail/JD*		Never in jail/JD*		$\chi^2$ (p-value)
	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)	n (%)		
Opiates	11 (2.4)	6 (4.4)	5 (1.6)	1 (0.3)	5 (1.6)	0 (0.0)	2 (4.3)	9 (2.2)	FET (0.32)		
Stimulants	31 (6.9)	9 (6.6)	22 (7.0)	0 (0.0)	22 (7.0)	0 (0.0)	4 (8.5)	27 (6.7)	FET (0.55)		
LSD	18 (4.0)	5 (3.7)	13 (4.1)	0 (0.0)	13 (4.1)	0 (0.0)	1 (2.1)	17 (4.2)	FET (0.71)		
Ecstasy	26 (5.8)	13 (9.6)	13 (4.1)	0 (0.0)	13 (4.1)	0 (0.0)	4 (8.5)	22 (5.5)	FET (0.33)		
GHB	1 (0.2)	1 (0.7)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (100.0)	0 (0.0)	FET (0.10)		
Ketamine	5 (1.1)	2 (1.5)	3 (1.0)	0 (0.0)	3 (1.0)	0 (0.0)	0 (0.0)	5 (1.2)	FET (0.99)		
Inhalants	11 (2.4)	3 (2.2)	8 (2.6)	0 (0.0)	8 (2.6)	0 (0.0)	0 (0.0)	11 (2.7)	FET (0.61)		
Poppers	24 (5.3)	9 (6.6)	15 (4.8)	0 (0.0)	15 (4.8)	0 (0.0)	4 (8.5)	20 (5.0)	FET (0.30)		
<b>HIV/STI</b>											
HIV-positive	34 (7.6)	15 (11.1)	19 (6.1)	0 (0.0)	19 (6.1)	0 (0.0)	5 (10.6)	29 (7.2)	FET (0.38)		
Chlamydia-positive	25 (5.6)	6 (4.4)	19 (6.1)	0 (0.0)	19 (6.1)	0 (0.0)	1 (2.1)	24 (6.0)	FET (0.50)		
Gonorrhea-positive	18 (4.0)	7 (5.2)	11 (3.5)	0 (0.0)	11 (3.5)	0 (0.0)	2 (4.3)	16 (4.0)	FET (0.99)		
<b>Sexual activity, 6 months (T2)</b>											
Exchange sex, money	9 (2.8)	4 (4.3)	5 (2.2)	0 (0.0)	5 (2.2)	0 (0.0)	1 (3.2)	8 (2.8)	FET (0.60)		
Exchange sex, place	7 (2.2)	3 (3.2)	4 (1.8)	0 (0.0)	4 (1.8)	0 (0.0)	1 (3.2)	6 (2.1)	FET (0.51)		

\* JD = juvenile detention; FET = Fisher's Exact Test

**Table 2**

Reason for most recent arrest at baseline (n=170).

<b>Reason</b>	<b>n</b>	<b>%</b>
Theft (e.g., shoplifting)	19	11.2
Fighting	19	11.2
Drug possession (predominantly marijuana)	7.1	12
Trespassing	10	5.9
Battery	9	5.3
Assault	6	3.5
Mistaken identification	5	2.9
Suspended license	5	2.9
Burglary	4	2.4
Disorderly conduct	3	1.8
Breaking curfew	3	1.8
Violation of probation	3	1.8
Underage drinking	3	1.8
Domestic violence	3	1.8
Failure to appear in court	2	1.2
Destruction of property	2	1.2
Driving while under the influence (DUI)	1.2	2
Disturbing the peace	1	0.6
Harassment	1	0.6
Jumping bail	1	0.6
Sexual assault	1	0.6
Gang activity	1	0.6
Vandalism	1	0.6
Sex work	1	0.6
Bomb threat	1	0.6
Drug trafficking	1	0.6
Hit and run	1	0.6

\* Not all participants reported a reason, so this does not sum to 170.

**Table 3**

Models of the interaction between baseline criminal justice involvement and number of sexual partners at T2.

	Number of male sex partners (T2)	Number of male anal sex partners (T2)	Number of male condomless anal sex partners (T2)
Event Rate Ratio (95% CI)			
<b>Model 1a</b>			
Ever arrested (T1)	1.22 (1.08, 1.36) ***	1.65 (1.44, 1.90) ***	0.74 (0.56, 0.97) *
<b>Model 1b</b>			
Ever arrested (T1)	1.24 (1.10, 1.39) ***	1.69 (1.47, 1.95) ***	0.77 (0.58, 1.02)
Black vs. non-Black	0.91 (0.82, 1.02)	0.92 (0.80, 1.05)	0.79 (0.62, 1.01)
<b>Model 1c</b>			
Ever arrested (T1)	1.01 (0.84, 1.21)	1.18 (0.94, 1.48)	0.63 (0.42, 0.93) *
Black vs. non-Black	0.80 (0.70, 0.92) **	0.72 (0.60, 0.86) ***	0.71 (0.53, 0.94) *
Interaction	1.43 (1.13, 1.81) **	1.89 (1.41, 2.55) ***	1.56 (0.90, 2.72)
<b>Model 2a</b>			
Ever in jail/juvenile detention (T1)	1.62 (1.40, 1.88) ***	2.25 (1.89, 2.68) ***	0.16 (0.08, 0.33) ***
<b>Model 2b</b>			
Ever in jail/juvenile detention (T1)	1.67 (1.43, 1.94) ***	2.31 (1.93, 2.77) ***	0.17 (0.08, 0.35) ***
Black vs. non-Black	0.89 (0.80, 1.00) *	0.91 (0.80, 1.05)	0.86 (0.67, 1.11)
<b>Model 2c</b>			
Ever in jail/juvenile detention (T1)	0.97 (0.73, 1.28)	0.46 (0.26, 0.82) **	0.06 (0.02, 0.21) ***
Black vs. non-Black	0.79 (0.70, 0.89) ***	0.75 (0.64, 0.87) ***	0.84 (0.65, 1.07)
Interaction	2.21 (1.61, 3.03) ***	7.31 (4.08, 13.1) ***	6.41 (1.54, 26.7) *

\* p < 0.05

\*\* p < 0.01

\*\*\* p < 0.001

Note: All models control for number of sex partners at baseline. Number of male anal sex partners was only reported for participants who indicated at least one male sex partner. Number of male CAS partners was only indicated for participants with at least one male anal sex partner.