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Incarceration Rates and Traits of Sexual Minorities in the United States: National Inmate Survey, 2011–2012

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Abstract

Objectives—To report characteristics of sexual minority US inmates.

Methods—We drew our data from the National Inmate Survey, 2011–2012, a probability sample of inmates in US prisons and jails. We determined weighted proportions and odds ratios with 95% confidence intervals to estimate differences between sexual minority and heterosexual inmates.

Results—Sexual minorities (those who self-identify as lesbian, gay, or bisexual or report a same-sex sexual experience before arrival at the facility) were disproportionately incarcerated: 9.3% of men in prison, 6.2% of men in jail, 42.1% of women in prison, and 35.7% of women in jail were sexual minorities. The incarceration rate of self-identified lesbian, gay, or bisexual persons was 1882 per 100 000, more than 3 times that of the US adult population. Compared with straight inmates, sexual minorities were more likely to have been sexually victimized as children, to have been sexually victimized while incarcerated, to have experienced solitary confinement and other sanctions, and to report current psychological distress.

Conclusions—There is disproportionate incarceration, mistreatment, harsh punishment, and sexual victimization of sexual minority inmates, which calls for special public policy and health interventions.

Little is known about incarcerated sexual minorities. Early research that discussed the incarceration of sexual minorities, often in the context of the criminalization of sodomy, presupposed that sexual minorities were the aggressors or "abnormal deviants."[1(p81)] After the mid-1970s, with the beginning of the decriminalization of sodomy, scholars and advocates shifted the discourse to understanding sexual minorities through the lens of antidiscriminatory principles to see lesbian, gay, and bisexual (LGB) people as a group targeted in hate crimes and other forms of bias.[1–3] Public health researchers have focused on incarceration as a risk for adverse health outcomes, primarily HIV in men who have sex with men (MSM).[4–6] Although some studies have suggested that incarceration itself leads to an increased risk of HIV infection,[7] 1 meta-analysis does not support this assertion.[8]

Since the passage of the Prison Rape Elimination Act of 2003 in the United States, studies have focused on sexual assault during incarceration.[9–11] Among other stipulations, the law

CONTRIBUTORS

I.H. Meyer and A. R. Flores conducted data analyses. All authors contributed to the writing of the article.

HUMAN PARTICIPANT PROTECTION

The study was approved by the University of California, Los Angeles institutional review board.

required the US Department of Justice Bureau of Justice Statistics (BJS) to collect data on the sexual victimization of inmates. BJS analyses using these data showed that sexual minority inmates are at high risk for sexual victimization in jails and prisons and that they experience high rates of administrative segregation (e.g., solitary confinement). For example, BJS reported that 12.2% of sexual minorities in prisons and jails reported being sexually victimized by another inmate and 5.4% reported being sexually victimized by staff, compared with 1.2% and 2.1%, respectively, of heterosexual inmates.[13]

We sought to advance knowledge of the characteristics of incarcerated sexual minorities using the Prison Rape Elimination Act data that describe a probability sample of US LGB inmates in jails and prisons. To our knowledge, our study provides the first description of these rich data by independent researchers outside BJS and demonstrate the scale of LGB incarcerations. We have presented information on offense history and sentence, childhood victimizations, mental health, and victimization and consensual sexual activity while incarcerated. Additionally, we are the first, to our knowledge, to describe both identity and sexual behavior measures of sexual orientation and to describe incarcerated sexual minority men and women separately.

METHODS

In the National Inmate Survey, 2011– 2012 (NIS-3), a probability sample of 106 532 US inmates was interviewed between February 2011 and May 2012 in 233 state and federal prisons and in 358 jails and 15 special facilities (e.g., military, Indian country, and Immigration and Customs Enforcement facilities). BJS defines jails as “locally operated, short term facilities that hold inmates awaiting trial or sentencing or both, and inmates sentenced to a term of less than 1 year, typically misdemeanants” and prisons as “long term facilities run by the state or the federal government … [that] typically hold felons and inmates with sentences of more than 1 year.”[14] Of the 106 532 interviews conducted in the NIS in 2011–2012, a random sample of n = 13 617 were excluded who were administered different, unrelated questionnaire sections; n = 1738 respondents younger than 18 years and n = 10 576 respondents had missing data. We analyzed the data of 80 601 respondents.

NIS interviews averaged 35 minutes. They were conducted privately in each facility with the inmate. Computer-assisted personal interviewing started the interview, and, after a brief interview, the respondent completed the remainder of the interview using a touchscreen and synchronized audio instructions delivered via headphones using audio computer-assisted self-interviewing. In the audio computer-assisted self-interviewing portion of the interview the interviewer provided privacy by walking away from the computer.

The NIS-3 data are managed by the BJS and are available to the public through the National Archive of Criminal Justice Data at the Interuniversity Consortium for Political and Social Research. To minimize the risk of breach of confidentiality of survey participants, BJS modified the NIS-3 public data set as follows: removed obvious identifiers, recoded continuous measures to ordinal, and deleted original variables and random perturbations (a method that removes sensitive variables from the data for confidentiality concerns) that may add noise to the data but not alter any estimate. To minimize disclosure risk, BJS did not

disclose the specific procedures of perturbation, but notes for the NIS-3 state that there are minimal differences between weighted estimates before and after perturbation.[13]

In accordance with numerous conditions of usage set by the BJS and National Archive of Criminal Justice Data—including, but not limited to, significant restrictions on the number of tables we could produce—we performed all data analyses during 4 visits to the restricted data enclave at the Interuniversity Consortium for Political and Social Research in Ann Arbor, Michigan. The tables we produced there were subject to review by BJS and National Archive of Criminal Justice Data staff before being released to us.

Measures

Inmates were asked 2 questions related to sexual orientation: “Do you consider yourself to be heterosexual or ‘straight,’ bi-sexual, or homosexual or gay [or lesbian, for women]?” and “Before you entered this facility, had you had sex with men only, women only, or both men and women?” We categorized inmates as LGB if they identified as such in response to the first question. We categorized men and women who reported any same-sex sexual behavior before entering the facility but did not identify as LGB as MSM or women who have sex with women (WSW). We categorized inmates who neither identified as LGB nor reported having same-sex sexual partners before incarceration as straight.

We categorized respondents on the basis of their reply to ethnicity and race questions as Hispanic (including Latino and Spanish origin), non-Hispanic White, non-Hispanic Black (or African American), and non-Hispanic other (including American Indian or Alaska Native, Asian, Native Hawaiian or other Pacific Islander, and multiracial). The age groups were 18 to 29 years, 30 to 44 years, and 45 years and older. We dichotomized education to indicate whether the respondent completed less than high school or completed high school or more years of education (including some college or associate degree and college degree or higher). We conducted our analyses stratified by sex as coded in NIS-3.

Incarceration-Related Factors

Respondents reported the nature of the offense for which they were incarcerated at the time of the interview. We used the recoded variable (MOST_SERIOUS_OFFENSE) provided by NIS-3 to create 3 categories: violent sexual, violent nonsexual, and other (including property and drug offenses and parole violation).

Respondents also reported sentence length, and we categorized it for prisons as less than 1 year, 1 to 5 years, 5 to 10 years, 10 to 20 years, and more than 20 years (including life and death sentences); and for jails as less than 1 year, 1 to 5 years, and 5 years or more. Respondents reported whether they “spent any time in disciplinary or administrative segregation or solitary confinement.”

Health Outcomes

Respondents were given the K-6 scale[15]—a screening scale asking for symptoms of distress in the 30-day period before the interview.

High scores on the scale are associated with a greater likelihood of the presence of a mental disorder. We used the NIS-3 calculated scale score (MH_K6_SCORE1), which provides a dichotomized indicator of no versus likely presence of mental disorder (defined as a score above 7 on the scale).

Sexual Victimization and Consensual Sex

We used the variable of childhood sexual assault, which asked respondents whether they were "physically forced, pressured, or made to feel [they] had to have sex or sexual contact" before age 18 years.

Respondents were asked whether they had unwanted sexual contact with other inmates or any sexual contact with staff in the 12 months before the interview. Sexual victimization included touching or being touched in a sexual way, oral sex, vaginal sex, and anal sex.

We used the NIS-3 recoded variable (INMATE_CONSENSUAL), which describes whether the respondent had consensual ("wanted or voluntary") sex with other inmates in the 12 months before the interview.

Analytic Strategy

We weighted data to account for probability of selection, nonresponse, and post-stratified to reflect a facility's population by inmate age, gender, race, time since admission, and sentence length. All the parameter estimates are weighted, and the SEs account for the complex design of the NIS-3. Further details of sampling and weighting procedures can be found in BJS reports on the NIS-3.[13]

We have reported all results separately for men and women. We have reported pro-portions weighted for the complex sampling procedure of the NIS-3 by sexual orientation analytic groups (LGB vs MSM or WSW vs straight). We have further reported odds ratios (ORs) and 95% confidence intervals (CIs) from logistic regressions that adjusted for demographics and, as indicated, the length of time in the facility when this could affect the risk for the dependent variable (e.g., the risk for an inmate to be sexually victimized may increase the longer an inmate is in a facility).

RESULTS

The sample included 47 471 (unweighted) inmates older than 18 years in jails and 33 130 (unweighted) inmates older than 18 years in prisons. Of the men in jails, 6.2% were sexual minorities, including 3.3% (SE = 0.1) gay or bisexual men and an additional 2.9% (SE = 0.1) who reported having had sex with men before arrival at the facility but did not self-identify as gay or bisexual (MSM). Among men in prisons, 9.3% were sexual minorities, including 5.5% (SE = 0.2) gay or bisexual men and 3.8% (SE = 0.1) MSM.

Among women in jails, 35.7% were sexual minorities, including 26.4% (SE = 0.7) lesbian or bisexual women and 9.3% (SE = 0.4) who reported sex with women before arrival at the facility but did not identify as lesbian or bisexual (WSW). Among women in prison, 42.1%

were sexual minorities, including 33.3% (SE=0.6) lesbian or bisexual women and 8.8% (SE = 0.4) WSW (all proportions are weighted).

Demographic Characteristics of Incarcerated Sexual Minorities

Table 1 (prisons) and Table A (jail; available in a supplement to the online version of this article at http://www.ajph.org) show that compared with straight men, both gay or bisexual men and MSM tend to be older (prisons: OR = 1.4; 95% CI = 1.2, 1.6 and OR = 2.0; 95% CI = 1.7, 2.3, respectively; jails: OR = 1.4; 95% CI = 1.2, 1.6 and OR = 2.3; 95% CI = 1.9, 2.7, respectively). Gay or bisexual men were less likely than were heterosexuals to be Black (prisons: OR = 0.5; 95% CI = 0.5, 0.7; jails: OR = 0.6; 95% CI = 0.5, 0.7) or Hispanic (prisons: OR = 0.5; 95% CI = 0.4, 0.6; jails: OR = 0.7; 95% CI = 0.6, 0.9). The racial/ethnic composition of MSM was similar to that of gay or bisexual men. The educational attainment of sexual minority men was similar to that of straight men, except that gay or bisexual men in jails were more likely than were straight men to have attained higher educational levels (OR = 1.4; 95% CI = 1.2, 1.6).

Table 1 shows that, by contrast to men, lesbian or bisexual women and WSW tended to be younger than were straight women (prisons: OR = 0.3; 95% CI = 0.3, 0.4 and OR = 0.8; 95% CI = 0.7, 1.0, respectively; jails: OR = 0.5; 95% CI = 0.4, 0.5 and OR = 0.9; 95% CI = 0.8, 1.1, respectively). Sexual minority women tended to have more mixed patterns of race/ethnic distribution than did sexual minority men. For example, lesbians or bisexual women in prisons were more likely than were straight women to be Black (OR = 1.2; 95% CI = 1.0, 1.4) and of other non-Hispanic, non-White races (OR = 1.4; 95% CI = 1.2, 1.7). However, WSW in prisons were less likely than were straight women to be Black (OR = 0.7; 95% CI = 0.5, 0.9) or Hispanic (OR = 0.4; 95% CI = 0.3. 0.5). Lesbian or bisexual women and WSW tended to have lower education attainment than did straight women (prisons: OR = 0.75; 95% CI = 0.66, 0.84 and OR = 0.77; 95% CI = 0.64, 0.94, respectively; jails: OR = 0.81; 95% CI = 0.70, 0.94 and OR = 1.07; 95% CI = 0.88, 1.31, respectively).

Mental Health and Childhood Sexual Victimization

Table 2 (prisons) and Table B (jails; available as a supplement to the online version of this article at http://www.ajph.org) show results for mental health problems and history of childhood sexual victimization. Both gay or bisexual men and MSM in both prisons and jails had a higher prevalence of poor mental health than did straight men. Among women, mental health problems were similar for sexual minority and straight women with one exception: lesbian or bisexual women in prisons had a higher prevalence of poor mental health than did straight women in prisons.

Table 2 also shows that for men and women in both prisons and jails, LGB, MSM, and WSW had higher odds of sexual victimization in childhood than did their straight counterparts. These associations had very strong effect sizes, with ORs ranging from 4.2 to 7.0 among men and 2.2 to 2.7 among women.

Criminal History and Sentence Length

Table 2 and Table B also show results for offense, sentence length, and administrative segregation. With a few exceptions—most notably women in jails—sexual minority men and women were more likely than were straight men and women to be incarcerated for violent sexual and nonsexual crimes rather than crimes related to property, drugs, or parole violations. We found the most consistent differences in sentence lengths to be between lesbian or bisexual women and straight women. In both prisons and jails, lesbian or bisexual women were sentenced to longer periods than were straight women. The only significant difference between WSW and straight women was that WSW were more likely to have a sentence of longer than 20 years in prison. Among men, the only significant difference was that gay or bisexual men, but not MSM, were more likely than were straight men to have sentences longer than 10 years in prison.

In general, sexual minority men and women were significantly more likely to have spent time in disciplinary or administrative segregation or solitary confinement in both prisons and jails than were straight men and women (this relationship was not significant for WSW in jails; Table 2).

Sexual Victimization in Jails and Prisons

Table 3 (prisons) and Table C (jails; available as a supplement to the online version of this article at http://www.ajph.org) show the 1-year history of sexual victimization. Among men, sexual minorities (both gay or bisexual men and MSM) had a much higher risk than did straight men of being sexually victimized by staff and other inmates in both prisons and jail. Among women, the patterns were similar, with sexual minority women showing a greater risk of sexual assault. There was 1 distinct difference: staff sexual victimization in prisons and jails was not higher for lesbian or bisexual women or WSW than for straight women. Assault by another inmate was higher for LGB women than straight women in both prisons and jails and for WSW in prisons but not for WSW in jails. Gay or bisexual men, MSM, lesbian or bisexual women, and WSW were more likely than were straight inmates to have had consensual sex with other inmates (Table 3).

DISCUSSION

We found that 5.5% and 3.3% of men in prisons and jails, respectively, identify as gay or bisexual, a proportion that is similar or somewhat higher than the 3.6% proportion of gay or bisexual men in the US population.[16] An additional 3.8% and 2.9% of men in prisons and jails, respectively, reported having had sex with another man (but do not identify as gay or bisexual) before entering their facility. By contrast, we found that 33.3% and 26.4% of women in prisons and jails, respectively, identified as lesbian or bisexual, a proportion that is about 8 to 10 times greater than the 3.4% of lesbian or bisexual women in the US population.[17] An additional 8.8% and 9.3% of women in prisons and jails, respectively, had sex with another woman (but are not lesbian or bisexual identified) before entering their facility. It should be noted that these proportions, which include people who self-identified as gay, lesbian, or bisexual as well as people who have had sex with a same-sex partner

before arrival at their facility, are lower than are proportions reported in some nonprobability samples for same-sex sexual behavior while incarcerated.[17]

On the basis of the estimated number of men and women who are incarcerated in US prisons and jails[18] and using the weighted proportion of incarcerated sexual minorities we have reported, we estimate that there are approximately 94 900 gay and bisexual men, 69 600 MSM, 56 400 lesbian and bisexual women, and 17 000 WSW in prisons and jails. In total, approximately 238 000 sexual minorities are incarcerated (151 300 LGB and 86 600 MSM or WSW). On the basis of the population estimate of about 8 039 000 LGB persons (4 008 000 men and 4 031 000 women) in the United States,[16] this corresponds to an incarceration rate of 1882 per 100 000 LGB people, or 2368 per 100 000 gay or bisexual men and 1399 per 100 000 lesbians or bisexual women. These figures show that the rate of incarceration of LGB persons is approximately 3 times higher than is the already high general US incarceration rate of 612 per 100 000 US residents aged 18 years or older in 2014.[19]

Limitations

We are limited to presenting descriptive data, which cannot offer explanations for causes of the observed patterns. We would like to know much more about the pathways to incarceration for sexual minorities, their physical and mental health, access to care within the penal system, and prejudice and stigma faced by sexual minority populations in the criminal justice system (including before and after incarceration). Our data are also limited by self-reports that cannot be verified by more objective data. For example, inmates' report of their crimes and sentences may be biased by poor memory or a limited understanding of the particular legal codes under which they were sentenced.

Despite these limitations, the Prison Rape Elimination Act data, using a probability sample of US inmates, offer the most comprehensive view of incarcerated sexual minorities to date. Three findings are among many that deserve further research to inform public policy. We offer insight on the basis of research and theory to provide guidance for future research.

Overrepresentation of Sexual Minority Women

Some readers may find our report of a high proportion of sexual minorities among the incarcerated surprising. Understanding the pathways that lead sexual minorities to incarceration and explain disparities in incarceration rates would require further research. A theory of prejudice, stigma, and social disadvantage suggests one direction: prejudice toward sexual minorities may lead to discriminatory treatment, from initial contact with police through various stages of the criminal justice system. For example, the profiling of sexual minority people as more likely to engage in sex work or commit sexual offenses may lead to overpolicing and subsequent incarceration.[20]

Among factors that may increase the risk of incarceration of sexual minorities are stressors related to family rejection, the use of illegal drugs, and community-level marginalization related to the stigmatization of lesbian, gay, bisexual, and transgender people.[21] Also, especially regarding the high representation of sexual minority women among the incarcerated, gender analysis may be instructive. To the extent that sexual minority women are perceived as failing to conform to societal norms of femininity (e.g., by being labeled as

masculine or aggressive),[22, 23] individuals and institutions might stereotype them as threatening or dangerous, thus leading to more punitive treatment.

Punishing Consensual Sex Among Inmates

Perhaps not surprisingly, because of sex segregation in carceral institutions, we found that sexual minority inmates are more likely than are straight inmates to have consensual sex with other inmates. Consensual sexual contact among inmates is typically a violation of institutional rules in prisons and jails. Indeed, sexual minority inmates are routinely punished for such behavior, with consequences that can affect parole, housing, access to programs, and family visitation.24 The National Standards to Prevent, Detect, and Respond to Prison Rape under the Prison Rape Elimination Act do not address consensual same-sex sexual behavior. Sexual contact between inmates raises safety concerns when officials cannot discern consent, for example, when victimized inmates are coerced into sex and do not complain for fear of retribution. Distinguishing abusive from nonabusive sex is challenging, but the risks of overpolicing consensual behavior ought not to be ignored. Paradoxically, regulations and procedures that aim to prevent sexual victimization, which disproportionately affects sexual minorities, may also lead to unintended harm when these populations face serious consequences for nonabusive behavior that is related to their sexual orientation. Moreover, studies have shown that because sexual minorities transgress societal norms, they are more likely than are their straight peers to be disciplined for even nonsexual behaviors (e.g., attire, gender expression).24 The impact of rules prohibiting consensual sex in prisons and jails has not received sufficient attention from researchers or practitioners, despite their disproportionate and serious consequences for sexual minority populations.17

Psychological Distress

In addition to punishing inmates for consensual same-sex sexual behavior, some facilities isolate sexual minority individuals, purportedly for their own protection, in administrative segregation. We found that sexual minority inmates (except for WSW in jails) were significantly more likely to have experienced administrative or punitive segregation than were straight inmates. The deprivation inherent in many forms of segregation is severe. In turn, segregation is also related to adverse health and mental health outcomes.[25]

Our finding of a high prevalence of psychological distress among sexual minority inmates probably reflects a variety of causes that need to be assessed.[26] First, sexual minorities may have higher rates of distress predating their incarceration. Sexual minorities in the general population have a higher prevalence of distress than do heterosexuals, which is caused by exposure to minority stress—stress related to homophobia, including events occurring in childhood.[27]

Second, incarceration itself has a strong independent impact on psychological distress and is considered a social determinant of mental health problems.[28] Although incarceration can lead to distress in both sexual minorities and heterosexuals, we found that sexual minorities in jails and prisons experience harsher conditions—including disproportionate sexual victimization, administrative or punitive segregation, and longer sentences—which may place them at higher risk for distress than that of the heterosexual incarcerated population.

Although medical care in prisons and jails is legally mandated for all inmates, the quality of services "lags far behind the standard of care in the community."[29(p389)] The high prevalence of psychological distress we found among sexual minority inmates raises great concerns about the quality of their mental health treatment while incarcerated.

Conclusions

Observing lesbian, gay, bisexual, and transgender people in prisons, Borchert commented,

> The mistreatment of LGBT prisoners goes above and beyond the normal degradation meted out by the state, enacting a disparate set of punishments for LGBT people markedly different than prisoners perceived as heterosexual and/or gender conforming.[24(p210)]

Our findings are consistent with this view and suggest that sexual minority inmates are, in many of the measured characteristics, distinct from their heterosexual counterparts and that they experience higher rates of mistreatment, harsh punishment, and victimization.

The disproportionate overrepresentation of sexual minorities among the incarcerated, particularly among women, indicates an urgent need to incorporate this new insight into public health and criminal justice approaches to incarceration. For sexual minority inmates more generally, the increased likelihood of consensual sex with other inmates places them at disproportionate risk for punitive sanctions. Sexual minority inmates, who are put into segregation in significantly greater numbers, experience deprivation that is psychologically difficult to endure. Widespread sexual victimization compounds the risk these inmates often face. Our finding that sexual minority inmates have a higher prevalence of psychological distress than do their heterosexual counterparts raises serious concerns about exposure to harm while incarcerated as well as access to much needed mental health care.

Sexual minority populations are, therefore, in need of special attention as the rollout of the National Standards to Prevent, Detect, and Respond to Prison Rape under the Prison Rape Elimination Act continues. In particular, awareness of the heightened risk that sexual minority populations face for sexual victimization, isolation, disproportionate punishment, and psychological distress ought to guide both officials working in these settings and public health professionals. In addition, all BJS studies (rather than a select few) should include data disaggregated by sexual minority status to better illuminate the circumstances faced by this uniquely vulnerable population.

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TABLE 1

Demographic Characteristics by Sexual Orientation Among Inmates in US Prisons: National Inmate Survey, 2011–2012

	Men, Weighted % (SE)				Women, Weighted % (SE)			
Characteristics	**GB**	**MSM**	**Straight**	**Unweighted Sample No.**	**LB**	**WSW**	**Straight**	**Unweighted Sample No.**
Age, y								
18–29	21.5 (1.5)	15.3 (1.5)	28.6 (0.4)	8 437	43.0 (1.1)	22.9 (1.8)	22.2 (0.7)	1 995
30–44	41.6 (1.7)	41.9 (2.0)	44.6 (0.4)	10 776	45.8 (1.1)	51.3 (2.2)	46.5 (0.9)	3 287
≥ 45	36.9 (1.7)	42.7 (2.1)	26.7 (0.4)	6 914	11.2 (0.7)	25.9 (2.0)	31.3 (0.8)	1 721
Race/ethnicity								
White	45.1 (1.7)	41.7 (2.0)	30.8 (0.4)	9 107	39.0 (1.1)	56.8 (2.2)	44.8 (0.8)	3 275
Black	27.1 (1.6)	34.3 (2.0)	35.7 (0.4)	9 111	23.8 (0.9)	19.9 (1.9)	21.6 (0.7)	1 561
Hispanic	14.1 (1.3)	12.6 (1.4)	22.5 (0.3)	4 777	20.1 (1.0)	10.1 (1.4)	20.4 (0.7)	1 172
Other	13.0 (1.1)	10.6 (1.2)	9.9 (0.3)	2 853	16.6 (0.9)	12.9 (1.5)	12.6 (0.6)	956
Education								
< high school	51.1 (1.8)	53.0 (2.1)	56.4 (0.4)	14 803	57.1 (1.1)	52.6 (2.2)	47.7 (0.9)	3 620
≥high school	48.9 (1.8)	46.9 (2.1)	43.6 (0.4)	11 287	42.9 (1.1)	47.4 (2.2)	52.3 (0.9)	3 371

Note. GB = gay or bisexual men; LB = lesbian or bisexual women; MSM = men who have sex with men but do not identify as gay or bisexual; WSW = women who have sex with women but do not identify as lesbian or bisexual. The unweighted sample size was n = 33 130.

TABLE 2

Mental Health, Childhood Sexual Assault, and Criminal History by Gender and Sexual Orientation Among Inmates in US Prisons: National Inmate Survey, 2011–2012

		Men						Women				
Variable	No.	GB, Weighted % (SE)	GB vs Straight, OR (95% CI)	MSM, Weighted % (SE)	MSM vs Straight, OR (95% CI)	Straight, Weighted % (SE)	No.	LB, Weighted % (SE)	LB vs Straight, OR (95% CI)	WSW, Weighted % (SE)	WSW vs Straight, OR (95% CI)	Straight, Weighted % (SE)
Has poor mental health	4087	29.3 (1.7)	2.5 (2.1, 3.0)	19.2 (1.5)	1.5 (1.2, 1.8)	13.6 (0.3)	1426	24.7 (1.0)	1.3 (1.2, 1.6)	18.5 (1.7)	1.0 (0.7, 1.2)	18.8 (0.7)
Experienced childhood sexual assault	2433	33.4 (1.7)	6.9 (5.8, 8.2)	27.2 (1.9)	5.2 (4.2, 6.3)	6.3 (0.2)	2851	53.7 (1.1)	2.5 (2.2, 2.8)	56.1 (2.2)	2.7 (2.2, 3.2)	31.4 (0.8)
Criminal history												
Other[a]	12 405	27.1 (1.6)	1 (Ref)	39.4 (2.1)	1 (Ref)	52.4 (0.4)	5119	65.2 (1.1)	1 (Ref)	76.0 (2.1)	1 (Ref)	81.5 (0.7)
Violent, sexual	4464	38.2 (1.7)	4.1 (3.4, 4.9)	28.2 (1.8)	2.0 (1.64, 2.47)	15.3 (0.3)	145	2.9 (0.5)	2.2 (1.4, 3.4)	3.2 (0.7)	1.9 (1.1, 3.3)	1.6 (0.2)
Violent, nonsexual	8357	34.7 (1.7)	2.2 (1.8, 2.6)	32.4 (2.0)	1.4 (1.1, 1.7)	32.2 (0.4)	1489	31.9 (1.1)	2.4 (2.0, 2.7)	20.8 (2.0)	1.4 (1.1, 1.8)	16.8 (0.7)
Sentence length, y												
< 1	967	1.8 (0.4)	1 (Ref)	3.1 (1.0)	1 (Ref)	3.1 (0.1)	786	8.4 (0.6)	1 (Ref)	12.6 (1.5)	1 (Ref)	14.8 (0.6)
1–5	6795	13.9 (1.1)	0.9 (0.5, 1.5)	18.9 (1.6)	0.7 (0.4, 1.5)	25.2 (0.3)	2969	40.6 (1.1)	1.6 (1.3, 2.0)	42.8 (2.2)	1.1 (0.8, 1.4)	46.5 (0.9)
5–10	5877	13.8 (1.0)	1.0 (0.6, 1.6)	15.6 (1.4)	0.6 (0.3, 1.3)	23.5 (0.4)	1439	22.2 (0.9)	2.1 (1.7, 2.7)	21.9 (2.0)	1.3 (0.9, 1.8)	19.9 (0.7)
10–20	5295	24.7 (1.7)	1.9 (1.1, 3.1)	22.4 (1.6)	0.9 (0.5, 1.9)	21.8 (0.4)	906	15.2 (0.8)	3.2 (2.5, 4.1)	11.4 (1.6)	1.3 (0.9, 2.0)	10.3 (0.5)
> 20 (including life and death)	6957	45.7 (1.8)	2.7 (1.6 4.5)	40.0 (2.0)	1.2 (0.6, 2.5)	26.3 (0.4)	778	13.6 (0.8)	4.6 (3.5, 6.0)	11.2 (1.3)	1.7 (1.1, 2.5)	8.4 (0.4)
Has experienced solitary segregation	20 424	73.2 (1.4)	1.8 (1.6, 2.2)	78.9 (1.6)	1.4 (1.2, 1.7)	81.8 (0.3)	5438	62.8 (1.1)	2.9 (2.5, 3.4)	81.5 (2.0)	1.6 (1.2, 2.1)	87.3 (0.6)

Note. CI = confidence interval; GB = gay or bisexual men; LB = lesbian or bisexual women; MSM = men who have sex with men but do not identify as gay or bisexual; OR = odds ratio; WSW = women who have sex with women but do not identify as lesbian or bisexual. All nos. are unweighted. The unweighted sample size was n = 33 130.

[a]Property, drugs, or parole violation.

TABLE 3

History of Victimization Among Inmates in US Prisons: National Inmate Survey, 2011–2012

	Men						Women					
Variable	**No.**	**GB, Weighted % (SE)**	**GB vs Straight, OR (95% CI)**	**MSM, Weighted % (SE)**	**MSM vs Straight, OR (95% CI)**	**Straight, Weighted % (SE)**	**No.**	**LB, Weighted % (SE)**	**LB vs Straight, OR (95% CI)**	**WSW, Weighted % (SE)**	**WSW vs Straight, OR (95% CI)**	**Straight, Weighted % (SE)**
Has been assaulted by inmate or staff	1063	17.5 (1.3)	8.3 (6.6, 10.3)	8.2 (1.1)	3.81 (2.8, 5.2)	2.65 (0.1)	583	13.1 (0.8)	1.8 (1.5, 2.3)	7.7 (1.1)	1.4 (1.0, 2.0)	5.7 (0.4)
Has been assaulted by staff	661	6.1 (0.9)	3.6 (2.5, 5.2)	4.8 (0.8)	3.05 (2.1, 4.5)	1.94 (0.1)	180	3.3 (0.4)	1.1 (0.8, 1.7)	1.8 (0.4)	1.0 (0.6, 1.7)	1.7 (0.2)
Has been assaulted by another inmate	516	14.0 (1.1)	18.5 (14.2, 24.2)	5.3 (0.8)	7.25 (4.9, 10.6)	0.85 (0.1)	479	11.4 (0.8)	2.1 (1.6, 2.7)	6.7 (1.0)	1.5 (1.0, 2.2)	4.5 (0.4)
Has had consensual sex with inmate	764	23.7 (1.4)	23.2 (18.2, 29.5)	6.2 (0.8)	5.26 (3.7, 7.4)	1.27 (0.1)	1040	30.7 (1.0)	5.4 (4.5, 6.4)	13.2 (1.6)	2.3 (1.7, 3.2)	6.1 (0.4)

Note. CI = confidence interval; GB = gay or bisexual men; LB = lesbian or bisexual women; MSM = men who have sex with men but do not identify as gay or bisexual; OR = odds ratio; WSW = women who have sex with women but do not identify as lesbian or bisexual. All nos. are unweighted. The unweighted sample size was n = 33 130.