

Serving All: Understanding and Supporting LGBTQ Veterans

Presented by:
Andy Blevins, Vice President of Operations & Strategy
Kai River Blevins, Director of Education & Veteran Services

Facilitator Introduction: Andy Blevins (he/him)



- VP, Operations & Strategy, OutServe-SLDN
- JD/MBA candidate, Willamette University
- Navy Veteran (cryptologic technician)
- Spouse of Army Veteran
- Prior military/veteran advocative experience with:
 - Oregon State Bar's Military and Veteran Law Section
 - the Military Family Advisory Network (MFAN)
 - the American Military Partners Association (AMPA)
 - the Military Partners and Families Coalition (MPFC)
 - Joining Forces (Mrs. Obama's WH military support initiative)

Facilitator Introduction: Kai River Blevins (they/them)



- Director of Education & Veteran Services, OutServe-SLDN
- Master's of Legal Studies, Willamette University
- Army Veteran (Airborne medic)
- Prior LGBTQ & veteran advocative experience with:
 - the Military Partners and Families Coalition (MPFC)
 - Oregon Housing & Community Services

Learning Objectives

- Basic understanding of LGBTQ military and veteran communities
- Basic understanding of issues our LGBTQ veterans are facing
- Basic understanding of gender identity and sexual orientation
- Learn best practices for interacting with LGBTQ veterans
 - Respectful language, avoiding assumptions, learning through case scenarios

Equip YOU with some basic tools to talk to YOUR veterans

I. OutServe-SLDN & the LGBTQ Military Community

OutServe: A Basic Overview



- Non-partisan, non-profit (501c3), legal services, watch-dog, and policy organization
- Provide free and direct legal and advocative services to the LGBT military and veteran communities
- 80 chapters throughout the world, serving over 7,000 active members
- 75,000 active, contributing supporters throughout the world

The Merger of Two Powerhouses

- SLDN: 1993
 - In response to DADT
- OutServe: 2011
 - To give a voice to those silently serving
- OS-SLDN Merged: 2012
 - Combination of SLDN's legal and policy work, OS's membership and community organizing work, and introducing a platform for LGBT military/veteran community
- OS-SLDN Merged with MPFC: 2017
 - Strengthened focus on partners and families, introduced education programming



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International panelist discussion from 2016 Leadership Conference

Our Workforce

Our Board and Advisory Council


- Board of Directors
 - Thirteen members
 - Nine veterans or actively-serving
- Military Advisory Council
 - Fifteen members
 - All veterans or actively-serving

Our Staff, Interns, and Volunteers

- President & CEO: Matt Thorn
- VP, Operations & Strategy: Andy Blevins
- Legal Director: Peter Perkowski
- Ed. & Vets Director: Kai River Blevins
- Legal & Policy Department
 - Four dedicated staffers and clerks
 - Eleven dedicated pro-bono partners
 - Twenty-one community and government partnerships
- Approximately 400 volunteers!

DADT: A Brief History

- **1950:** President Truman enacts UCMJ, which establishes discharge rules for homosexual service members
- **1982:** President Regan issues a DoD Directive 130426 stating homosexuality is "incompatible with military service"
- **1993:** DADT is introduced, as a compromise, when President Clinton attempts to lift the ban on LGB serving in the armed forces
- **2010:** Defense Secretary Gates issues report stating homosexuality is considered low risk to armed forces' abilities and effectiveness
- **2010:** Senate voted, 65-31, to repeal DADT
- **2011:** DADT officially repealed, allowing LGB svms to openly serve



UNDER SECRETARY OF DEFENSE
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SEP 20 2011

PERSONNEL AND READINESS

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS

SUBJECT: Correction of Military Records Following Repeal of Section 654 of Title 10, United States Code

Pursuant to the Don't Ask, Don't Tell Repeal Act of 2010, the President, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff have certified that the Department of Defense is prepared for the repeal of section 654 of Title 10, United States Code, commonly referred to as Don't Ask, Don't Tell (DADT). Repeal will take effect on September 20, 2011. Upon repeal, some former Service members discharged under DADT or prior policies may request a correction of their military records from either their Service Discharge Review Board (DRB) or their Service Board for Correction of Military/Naval Records (BCM/NR). To help ensure consistency across the Services and to address what may be a large number of similar applications arising from the repeal of DADT, this memorandum provides supplemental policy guidance for DRB and BCM/NR action on such applications. As an initial matter, the repeal of DADT will be considered a sufficient basis to support reconsideration of such requests for applicants who have previously filed with either their Service DRB or BCM/NR.



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PERSONNEL AND READINESS

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS


SUBJECT: Clarifying Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Considering Requests by Veterans for Modification of their Discharge Due to Mental Health Conditions, Sexual Assault, or Sexual Harassment

In December 2016, the Department announced a renewed effort to ensure veterans were aware of the opportunity to have their discharges and military records reviewed. As part of that effort, we noted the Department was currently reviewing our policies for the Boards for Correction of Military/Naval Records (BCM/NRs) and Discharge Review Boards (DRBs) and considering whether further guidance was needed. We also invited feedback from the public on our policies and how we could improve the discharge review process.

As a result of that feedback and our internal review, we have determined that clarifications are needed regarding mental health conditions, sexual assault, and sexual

Our LGBT Military Community

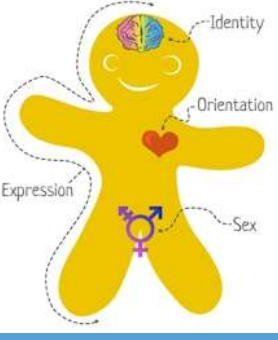
- More than 75,000 LGB persons are actively-serving today
 - Representing more than 5-percent of all actively-serving
 - For reference: 3-percent of Americans openly identify as LGB
- More than 1-million LGB veterans have served
 - An estimated 14,500 individuals were discharged under DADT
 - Approximately 1,000 individuals have sought an upgrade (8%)
- More than 15,000 Trans persons are actively-serving today
 - Representing approximately 1-percent of all actively-serving
 - For reference: 0.6-percent of Americans openly identify as T
- More than 163,000 Trans veterans currently in the US



II. Gender Identity

Definitions

- Gender Identity
 - Internal sense of self
 - Everyone has one
- Gender Expression
 - Clothes, hair, colors, etc.
- Sex Assigned at Birth
 - Assignment by doctor based on a number of factors



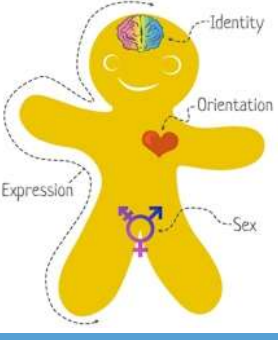
What Does "Transgender" Mean?

- People who do not identify with their sex assigned at birth
 - Often experience "Gender Dysphoria"
 - Often transition
- Transition **may** include:
 - New wardrobe, name, and pronouns (**gender expression**)
 - Hormone Replacement Therapy (HRT) and/or surgeries
 - Gender therapy
- People come out as transgender at every stage of life
 - No "single" transgender narrative!

III. Sexual Orientation

Definitions

- **Sexual Orientation**
 - Identity term to describe which gender(s) a person feels physical and emotional attraction to
- **Sexual Behavior**
 - How and with whom people engage in sex
- **Identity Terms**
 - Lesbian, gay, bisexual, straight, asexual, etc.



The diagram shows a yellow gingerbread man with a brain in its head, a heart in its chest, and a purple and blue gender symbol on its waist. Dashed lines with arrows point from the labels 'Identity', 'Orientation', 'Expression', and 'Sex' to the corresponding parts of the gingerbread man.

“Outing”

- When a person’s sexual orientation or gender identity is disclosed without that person’s permission
- Takes away a person’s choice, resulting in many negative consequences
 - Disempowering, negative health consequences
 - Puts physical and emotional safety at risk
 - Potential for losing job, house, and support system
- NEVER out someone without their permission, and only speak about a person’s sexual orientation/gender identity on a need-to-know basis
 - Ex: Coworker/team assisting on a case

LGBTQ Policies and Statistics*

- Only 13 states ban conversion therapy
 - Condemned by nearly every medical, mental health, and educational association in the US, starting in 1993
- It is legal to discriminate against LGBTQ people in 28 states
 - Healthcare, housing, public accommodations, employment, & credit/lending
- “Gay panic defense” and “trans panic defense” are legal in 48 states
 - Used to lighten sentences and blame victims for “bringing it on themselves”
 - Former police officer cleared of murder in April 2018 after using this defense
- 38 states have “HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV”
 - Only 6 states have no known prosecutions or HIV-specific statutes

*Movement Advancement Project

IV. Respecting LGBTQ Veterans through Language

The Importance of Respectful Language

- Respectful language makes your client feel secure and respected
- Misgendering and incorrect assumptions communicate a lack of respect or awareness
- It is necessary for effective communication:
 - Gains client’s trust
 - Allows you to deliver same high-quality services as non-LGBTQ veterans

Avoid Assumptions

- Don't assume all LGBTQ veterans had the same experience in the military – remember timeline of policy changes, including overlap
- Don't assume all LGBTQ veterans know nondiscrimination laws and policies, or that they know their rights
- Don't assume someone's pronouns or identity from how they dress, speak, or act

Pronouns

- Pronouns are words that stand in the place of a person's name
 - She/her/hers
 - he/him/his
 - they/them/their
- Avoid gendered language
 - Instead of "guys" or "ladies," use "folks" or "everyone"

SUBJECT	OBJECT	ADJ POSSESSIVE	POSSESSIVE	REFLEXIVE
I	ME	MY	MINE	MYSELF
YOU	YOU	YOUR	YOURS	YOURSELF
HE	HIM	HIS	HIS	HIMSELF
SHE	HER	HER	HERS	HERSELF
IT	IT	ITS	ITS	ITSELF
WE	US	OUR	OURS	OURSELVES
YOU	YOU	YOUR	YOURS	YOURSELVES
THEY	THEM	THEIR	THEIRS	THEMSELVES

Names

- Use whatever name and pronouns a transgender person tells you, and be sure to ask all of your clients if they have a preferred name
- Trans people often change their names, and this may or may not be reflected on legal documents
 - There are many barriers to legal name changes for transgender people, particularly legal and class barriers

Communicating Effectively

- Instead of asking unnecessary or intrusive questions, contact our organization or research before meeting with the client
 - Focus on what you need to know
- Always wait for someone to disclose their sexual orientation or transgender status, never ask them outright
- Ask for feedback!

V. Putting Knowledge into Action: Using Cases to Build Skills

Case Scenario 1: Kristin

- Kristin enters a VSO's office, seeking information about the VA Home Loan program.
- During the intake, the VSO sees that Kristin has a different name listed on her records. The VSO asks Kristin, "Is this your real name listed on the DD-214? Are you a transgender?"
- Kristin gets uncomfortable, asks for her DD-214, and leaves.
 - Why was Kristin upset?
 - What could the VSO do differently to verify the client's information and discuss a record correction?

Case Scenario 2: Casey

- Casey and his husband enter the VSO's office, seeking information about enrolling in the CHAMPVA program.
- After checking in at the reception desk, Casey and his husband sit in the waiting area where Casey puts his arm around his husband. The receptionist approaches them, asking them to stop physical displays of affection because they are making others uncomfortable.
- Casey and his husband are upset, ask for a complaint form, and leave.
 - Why were Casey and his husband upset?
 - How should the receptionist respond to complaints of this nature?
 - How can the space communicate inclusivity outside of personal interactions?

Additional Resources

- Andy Blevins, OutServe-SLDN
phone: 202-738-9292
email: ablevins@outserve.org
- Kai River Blevins, OutServe-SLDN
phone: 202-505-8923
email: kblevins@outserve.org
- Legal Department, OutServe-SLDN
phone: 1-800-538-7418
email: legal@outserve.org
- VA LGBT Health Program:
<https://patientcare.va.gov/lgbt>
- Practicing Pronouns:
www.minus18.org.au/pronouns-app/Links
- LGBTQ+ Glossary (Health-Focused):
https://www.lgbthealtheducation.org/wp-content/uploads/LGBT-Glossary_March2016.pdf
