



VIRGINIA
LGBTQ+
ADVISORY
BOARD

2024 Annual Report

Prepared by Members of the Virginia LGBTQ+ Advisory Board

Virginia LGBTQ+ Advisory Board Members

❖ Demas Boudreaux	Chair
❖ Thomas Turner	Vice Chair
❖ Preston Main	Secretary
❖ Michael Berlucchi	
❖ Teri Brown	
❖ Neil Butler	
❖ Clarke Cooper	
❖ Carson Cox	
❖ Jonathan Dromgoole	
❖ Kerry Flynn	
❖ Jason Geske	
❖ Clay Hamner	
❖ Kevin Han	
❖ Tuan Ho	
❖ Jeffrey Hoeflich-Nickels	
❖ Phil Kazmierczak	
❖ Alonzo Mable	
❖ Dr. Monica Motley	
❖ Derrick Pitts	

Ex Officio Members

Youngkin Administration

- ❖ Kelly Gee, Secretary of the Commonwealth
- ❖ Janet Kelly, Secretary of Health and Human Resources
- ❖ Caren Merrick, Secretary of Commerce and Trade
- ❖ Aimee Guidera, Secretary of Education
- ❖ Terrance Cole, Secretary of Public Safety and Homeland Security

Letter from the Chair

Dear Governor Youngkin,

On behalf of the members of the Virginia LGBTQ+ Advisory Board, we are honored to present our annual report for your review. This report is the product of months of hard work from our members to distill, refine and ultimately present recommendations that are relevant to both your administration and agenda, and the communities we represent as LGBTQ+ Virginians.

We have found that the issues affecting LGBTQ+ Virginians are universal to all Virginians, and center around “access:”

- Affirming healthcare;
- Quality and affordable housing;
- The ability to live and love without fear and in safety;
- An educational environment that affirms both developing learners and loving parents; and
- A robust economy that provides employment for workers of all backgrounds, educational attainment, and skill levels.

We appreciate and value your shared commitment to making Virginia the best place it can be for all who call it home.

In service to the Commonwealth,



Demas E. Boudreaux

Contents

Virginia LGBTQ+ Advisory Board Members	2
Ex Officio Members	2
Recommendations	5
Introduction	6
Committee Reports	7
Education & Workforce	7
Health	11
Housing & Infrastructure	13
Safety	15

Recommendations

The Board has prepared 9 recommendations to address emerging concerns faced by the Commonwealth's LGBTQ+ Community.

Recommendations

1. Education and Workforce Committee
 - a. Enhance LGBTQ+ Specific Training for School Personnel
 - b. Promote Policies for Healthier Lifestyles and Increased Mental Health Support
 - c. Develop LGBTQ+ Focused Talent Attraction Campaigns
2. Healthcare Committee
 - a. Promote Healthcare Equality and Access for LGBTQ+ Individuals through Educational Programming for Healthcare Professionals
 - b. Increase LGBTQ+ Individuals' Awareness of and Access to Available Healthcare Services through Greater Outreach Efforts
3. Housing and Infrastructure Committee
 - a. Allocate Funding via a Grant to a Virginia College or University to Study the Virginia LGBTQ+ Community to Ensure Consistent Data Points
4. Safety Committee
 - a. Express Public Support for LGBTQ+ Virginians through Executive Action
 - b. Bolster Law Enforcement Capabilities with Support for LGBTQ+ Liaison Programs
 - c. Support Removal of Obsolete Discriminatory Virginia Laws

Introduction

The Virginia LGBTQ+ Advisory Board was created by the General Assembly in 2021, with the first 21 members beginning their service on July 1, 2021. The Board's mission is to advise the Governor and Executive Branch regarding the development of economic, professional, cultural, educational, and governmental links between the Commonwealth and the LGBTQ+ community.

This year the Board held five meetings at various locations including, Longwood University (Farmville), Virginia Housing Center (Henrico), Emmanuel Episcopal Church (Staunton), Lloyd House (Alexandria), and one meeting was held virtually. Through these meetings, the Board was able to hear from many witnesses, members of the public, and members of the Executive Branch. In addition, individual members also engaged in outreach to let people know of the Board's existence and to gather information about the issues facing the Commonwealth's LGBTQ+ residents.

This is the third Annual Report submitted by this Board. The Board's four standing committees: Education & Workforce, Health, Housing & Infrastructure, and Safety held multiple meetings to gather facts and prepare the recommendations outlined in this report.

Education & Workforce

The Education and Workforce Committee will examine issues affecting Virginia's educational and workplace environments and formulate recommendations advancing the principles of inclusion and identity affirmation. The Committee recognizes students across the Commonwealth's educational spectrum are more deeply engaged in their intellectual and personal development, and faculty and staff are more committed to student success, when all are able to fully engage in their communities in ways affirming to their identities. Similarly, workplaces promoting diversity, equity, and inclusion invite higher levels of engagement, job satisfaction, and dedication among employees. Therefore, inclusive and affirming educational and workplace environments are critical to maintaining Virginia as a powerhouse of economic development, as the best state for business, and as a leader in education. The Education and Workforce Committee is committed to ensuring Virginia's educational and workplace environments are affirming of LGBTQ+ identities.

I. Summary

This report highlights the significant mental health challenges faced by LGBTQ+ youth in Virginia's public schools and the potential economic impact of fostering an inclusive environment for LGBTQ+ individuals. Key findings include higher rates of depression and suicide among LGBTQ+ youth, and the economic benefits of supporting LGBTQ+ entrepreneurs and employees. The Committee proposes three main recommendations: (1) enhancing LGBTQ+ specific training for school personnel; (2) promoting policies for healthier lifestyles and increased mental health support; and (3) developing LGBTQ+ focused talent attraction campaigns.

A. Mental Health Support for LGBTQ+ Youth in Virginia Public Schools

LGBTQ+ youth in Virginia face significant challenges that impact their mental health and overall wellbeing. The Youth Survey conducted by Fairfax County Public Schools in 2020 found that LGBTQ+ youth experience depressive symptoms (feelings of sadness or hopelessness for a period of two or more weeks) and thoughts of suicide at significantly higher rates than non-LGBTQ+ youth.¹ Among LGBTQ+ youth, 50% report depressive symptoms, 32% have considered suicide, and 14% have attempted suicide. Compared to non-LGBTQ+ youth, LGBTQ+ youth are nearly 4x as likely to attempt suicide. While LGBTQ+ and non-LGBTQ+ youth report similar levels of drug use (alcohol, tobacco, marijuana, opioids, and prescription drugs for non-medical purposes), LGBTQ+ youth who report having family or other adults for support are far less likely to engage in drug use or risky sexual behavior. These numbers from Virginia are consistent with national studies conducted by independent organizations. According to the Trevor

¹ See Fairfax Cnty., *Fairfax County Youth Survey: LGBG Youth in Fairfax County* (Nov. 2020), available at <https://www.fairfaxcounty.gov/health-humanservices/sites/health-humanservices/files/assets/documents/youth%20survey/ys%20fact%20sheets/lgbq%20-%20fcys%2019.pdf>.

Project, 73% of LGBTQ+ youth experience verbal threats due to their actual or perceived identity, and nearly 45% have seriously considered attempting suicide, with rates higher among transgender and non-binary youth.

LGBTQ+ youth represent a growing segment of the population, with a global survey finding that 1 in 10 adults identify as LGBTQ+, while as many as 17% of teenagers in Virginia self-identify as gay, lesbian, bisexual, or questioning.²

Disparities in transgender inclusivity and debates over gender identity in education are complicated by ongoing political debates. However, the evidence is clear that on the matter of mental health, LGBTQ+ youth in the Commonwealth are a deeply vulnerable population at high-risk of depression, suicide, and bullying. Failure to address the issue puts a significant portion of Virginia's youth at elevated risk of engaging in high-risk behaviors, including drug use.

The mental health crisis among LGBTQ+ youth necessitates urgent action to create supportive environments within educational institutions, and emphasizes the need for evidence-based, consistent policies that transcend politics.

B. LGBTQ+ Workforce and Economic Impact

Virginia consistently ranks among the top states to start a business. In 2024, CNBC ranked Virginia the top state for business for the 6th year in a row due to excellent schools and infrastructure. However, the Commonwealth also faces issues with attracting and retaining a highly educated workforce. As the Governor has acknowledged, over the past 10 years, more people have moved away from Virginia than have moved to it.³

The Committee commends the Governor for the successful efforts to grow the workforce in Virginia, adding over 240,000 jobs since taking office.⁴ To build upon these successes, the Committee recommends that the Governor appeal to the workforce-creating-potential of LGBTQ+ business leaders and highly skilled talent. A 2023 study of venture capital data and publicly available financing information found that LGBTQ+ founders created 36% more jobs, 114% more patents, and 44% more exits, when compared to non-LGBTQ+ founders.⁵ This may be attributed to the fact that LGBTQ+ entrepreneurs and business leaders disproportionately choose to live in areas with LGBTQ+ friendly policies and access to business capital (e.g. San Francisco, New York, Boston, Austin, and Miami).

Virginia risks losing talent, ideas, creativity, and significant buying power by not fostering safe educational and workforce environments for LGBTQ+ individuals. In 2021, Forbes reported

² See Julie Moreau, *Global Survey Finds 9% of Adults Identify as LGBTQ*, NBC News (June 1, 2023), available at <https://www.nbcnews.com/nbc-out/out-news/global-survey-finds-9-adults-identify-lgbtq-rcna87288>.

³ See Scott Cohn, *Virginia is America's Top State for Business in 2024, with the nation's best schools and solid infrastructure*, CNBC (July 11, 2024), available at <https://www.cnbc.com/2024/07/11/virginia-americas-top-state-for-business-nations-best-schools-solid-infrastructure.html>.

⁴ See *id.*

⁵ StartOut, *2023 State of LGBTQ+ Entrepreneurship Report* (Sept. 2023), available at <https://startout.org/wp-content/uploads/2023/09/2023-State-of-LGBTQ+-Entrepreneurship-Report.pdf>.

“[t]he LGBTQ+ market is currently the fastest-growing consumer market in the U.S. and is on target to grow by millions in the U.S. in the next few years as GenZennials and Millennials identify as LGBTQ+ in more significant numbers than previous generations.”⁶

II. Recommendations

In alignment with the Governor’s existing priorities to address youth mental health issues in the Commonwealth,⁷ the Education and Workforce Committee recommends that the Governor acknowledge and place additional focus on LGBTQ+ youth’s mental health, where the crisis is most acute. The Committee proposes three recommendations in this area:

A. Enhance LGBTQ+ Specific Training for School Personnel

Objective: Equip school personnel with the knowledge and skills to support the mental health of LGBTQ+ youth.

Action:

- Ensure all school counselors, administrators, and social workers receive training on the unique mental health needs of LGBTQ+ youth.
- Training should cover recognizing signs of trauma related to LGBTQ+ identity, providing appropriate support, and creating affirming environments.

Rationale: Properly trained personnel can identify and address mental health issues early, facilitating timely interventions that promote healing and long-term wellbeing. This approach will contribute to a generation of mentally stable adults, benefiting the Commonwealth through increased productivity and reduced healthcare costs.

B. Promote Policies for Healthier Lifestyles and Increased Mental Health Support

Objective: Improve the overall mental health of students, with a focus on the specific needs of LGBTQ+ youth.

Action:

- Support policies that encourage healthier diets and increased physical activity among students. Studies indicate that regular exercise can significantly reduce depression and suicidal ideation.⁸

⁶ Gillian Oakenfull, *Representing Fifty Shades of Gay in the LGBTQ+ Marketplace*, Forbes (June 2, 2021), available at <https://www.forbes.com/sites/gillianoakenfull/2021/06/01/representing-fifty-shades-of-gay-in-the-lgbtq-marketplace/>; see also M.V. Lee Badgett et al., *The Relationship Between LGBT Inclusion and Economic Development: Emerging Economies*, Williams Inst., U.C.L.A. Sch. of L. (Nov. 2014), available at <https://williamsinstitute.law.ucla.edu/publications/lgbt-inclusion-economic-dev/>.

⁷ Press Release, Off. of the Gov. of Va., *Governor Glenn Youngkin Unveils Youth Mental Health Strategy on the One Year Anniversary of Right Help, Right Now Initiative* (Dec. 14, 2023), available at <https://www.governor.virginia.gov/newsroom/news-releases/2023/december/name-1019004-en.html>.

⁸ See, e.g., Michael Grasdalsmoen et al, *Physical Exercise, Mental Health Problems, and Suicide Attempts in University Students*, BMC Psychiatry (Apr. 16, 2020), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7164166/>; Isabella Beradelli et al, *Lifestyle Interventions and Prevention of Suicide*, Front Psychiatry (Nov. 6, 2018), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6232529/>.

- Increase the number of mental health professionals in schools, advocating for legislation such as HB 181, which aims to bolster mental health services in educational settings.
- Expand and enhance school-based mental health services at both K-12 and higher education levels.

Rationale: Enhanced mental health support and healthier lifestyles can mitigate the adverse effects of mental health issues, particularly for vulnerable LGBTQ+ youth. By ensuring sufficient mental health resources and promoting wellness, schools can create a supportive environment conducive to learning and personal development.

On the matter of attracting LGBTQ+ workforce and high-skilled talent to the Commonwealth, the Committee proposes the following:

C. Develop LGBTQ+ Focused Talent Attraction Campaigns

Objective: Foster an LGBTQ+ inclusive environment that attracts business leaders and high-skilled talent to Virginia.

Action:

- Partner with LGBTQ+ professional and business leadership organizations to promote job opportunities in Virginia.
- Highlight Virginia’s commitment to LGBTQ+ inclusivity in state-sponsored job fairs and recruitment events.

Rationale: This approach directly addresses the need to attract a highly educated workforce to Virginia, targeting a demographic shown to contribute significantly to economic growth. By actively reaching out to LGBTQ+ professionals, Virginia can tap into a talented pool of workers, potentially reversing the trend of more people moving away from the Commonwealth than moving in. This initiative also aligns with the data showing that LGBTQ+ founders and business leaders contribute disproportionately to job creation, innovation, and business success.

III. Conclusion

Addressing the mental health needs of LGBTQ+ youth in Virginia is not only a matter of equality and justice but also a strategic imperative for fostering a productive and inclusive society. By implementing these recommendations, Virginia can lead the way in creating a safe and supportive environment for all students, ensuring that LGBTQ+ youth can thrive both academically and personally. Moreover, these initiatives are likely to yield significant economic benefits by attracting and retaining LGBTQ+ talent, fostering innovation, and tapping into the growing LGBTQ+ market, thereby strengthening Virginia’s position as a top state for business and economic growth.

Health

The Health Committee will assess the health of Virginia's LGBTQ+ citizens and will work to develop training, guidance, and recommendations removing barriers to positive health outcomes (e.g., discrimination, inaccessibility of healthcare services, and erasure). In collaboration with healthcare providers and state and local partners, the Health Committee will promote policies and practices facilitating cultural humility, access to health and wellness, and mitigation of the harmful health impacts LGBTQ+ Virginians face in relation to systematic marginalization.

I. Summary

It is essential that all Virginians have access to affordable health services and comprehensive coverage. Healthcare access is a critical issue for the LGBTQ+ community, which has historically been underrepresented and underserved. Members of the community often face barriers to receiving adequate care due to a variety of factors, including lack of resources, inadequate education/information among healthcare providers and the community itself, and social stigma. Without stable funding, it will be difficult to adequately address the social determinants of health the LGBTQ+ community—and all who intersect with it—faces. The administration has the unique power and opportunity to strategically invest resources and funding to the communities who are underfunded and underrepresented. Addressing the public health of the LGBTQ+ community helps address the public health of Virginia as a whole. With this in mind, the Health Committee hopes the administration will implement the two recommendations outlined below targeted at: (1) increasing education among healthcare professionals about the health-related needs and concerns of the LGBTQ+ community; and (2) raising awareness of available treatments and services among the LGBTQ+ community.

II. Recommendations

A. Promote healthcare equality and access for LGBTQ+ individuals through educational programming for healthcare professionals

While the medical industry has made great strides in recent decades both in terms of available treatments and services and access to healthcare, there are still many areas throughout the Commonwealth where LGBTQ+ individuals face lack of access to needed treatments, stigma against the LGBTQ+ community, and do not feel they have a safe place to discuss their health needs. In densely populated areas like northeast Virginia, opportunities are plentiful to safely obtain guidance and medical necessities appropriate to protect and provide for the community. But beyond the northeastern side of the Commonwealth, these resources are limited and, in some cases, nonexistent. In many communities, the closest opportunity is 3+ hours away. This poses a significant challenge for LGBTQ+ individuals seeking medical help or trying to access healthcare resources. Educating healthcare professionals in the Commonwealth on the specific health concerns and needs of the LGBTQ+ community will increase access to safe and adequate healthcare by ensuring LGBTQ+ individuals encounter healthcare professionals who are familiar with their health-related concerns and have the resources necessary to address them no matter where they are in the Commonwealth.

Therefore, the Committee recommends that the Governor direct the Virginia Department of Health to identify topics for health professionals' continuing education courses required for the renewal, reactivation, or reinstatement of health professional licenses, certifications, or registrations issued in Virginia that relate to understanding and effectively treating the LGBTQ+ community's health-related needs. Other jurisdictions, such as the District of Columbia, have recently taken similar measures, identifying topics for continuing education courses that include "identifying and reporting abuse," "sexual health," "ethics and appropriate patient interactions," and "cultural competence . . . in health and health care."⁹ Educating Virginia's health professionals on these issues will both better equip them to treat a significant—and growing—portion of patients in the Commonwealth and increase the LGBTQ+ community's access to adequate, safe healthcare services.

B. Increase LGBTQ+ individuals' awareness of and access to available healthcare services through greater outreach efforts

Separately, in much of the Commonwealth, there is a lack of knowledge or awareness among the LGBTQ+ community of the healthcare resources available to them. Outreach to the community is key to improving its members' healthcare-related knowledge and awareness. Therefore, the Committee recommends the Governor direct the Virginia Department of Health to take additional outreach measures to the LGBTQ+ community. Such outreach can be achieved through advertising, mailing, website info, and promoting the resources provided with the Board, local Diversity Centers, and LGBTQ+ organizations throughout the Commonwealth. For example, members of the LGBTQ+ community should be made aware of Virginia's Ryan White HIV/AIDS Program Part B Quality Management Program and the resources available to them and their healthcare providers through that program.¹⁰ Increasing the LGBTQ+ community's awareness of available healthcare resources is crucial as it can provide critical information to those who should consider accessing HIV medication and treatments and/or resources to prevent HIV and other STDs. Additionally, greater outreach efforts will benefit all communities in the Commonwealth—not just the LGBTQ+ community—by generally raising awareness of available medical treatments and services.

⁹ See Public Notice, D.C. Dep't of Health, *Identifying Public Health Issues for Continuing Education*, available at https://dchealth.dc.gov/sites/default/files/dc/sites/doh/page_content/attachments/DC%20Health%20Public%20Notice%20Regarding%20Public%20Health%20Topics%20for%20CE.pdf.

¹⁰ See Va. Dep't of Health, *Virginia Ryan White Part B Quality Standards* (Aug. 2024), available at <https://www.vdh.virginia.gov/disease-prevention/disease-prevention/hiv-care-services/ryan-white-part-b-standards/>.

Housing & Infrastructure

The Housing and Infrastructure Committee will examine gaps in fair housing regulations allowing for continued discrimination against LGBTQ+ individuals, as well as explore existing housing programs with how they might be expanded upon to provide greater and more equitable access to LGBTQ+ individuals. Housing will be examined as part of and contributory to the physical infrastructure of communities in which LGBTQ+ individuals live and work; the committee will explore and seek solutions to instances in which lack of access to or inadequate infrastructure hinders the full lives of the LGBTQ+ community in the Commonwealth.

I. Executive Summary

According to the UCLA School of Law Williams Institute on Sexual Orientation and Gender Identity Law and Public Policy, as of December 2023, 5.9% of Virginia's population identify as part of the LGBT community.¹¹ However, the latest breakdown of this data at the state level is as of 2019 which indicates a concerning lack of current data on the LGBTQ+ population in the Commonwealth. In Virginia, as of 2019, 26% of LGBT+ adults were raising children, 58% were White, 18% were Black, 11% were Latino, 8% were multiracial, and 5% were other races.¹² The same study found that: 9% of LGBTQ+ individuals are unemployed as compared to 5% of the non-LGBTQ+ population in Virginia; 17% are uninsured as compared to 11% of the non-LGBTQ+ population; 27% are food insecure as compared to 13% of the non-LGBTQ+ population; and 21% of LGBTQ+ individuals in Virginia have an income less than \$24,000 per year as compared to 16% of non-LGBTQ+ individuals in Virginia.¹³ National data also shows that LGBTQ+ adults and couples are significantly less likely to own their own homes. Only 49.5% of LGBTQ+ adults own their homes while 70.1% of non-LGBTQ+ individuals are homeowners. And homeownership is even lower among LGBTQ+ racial minorities. Home ownership is higher among married couples, but same sex married couples are still about 7.4% less likely to own their own homes as compared to their heterosexual counterparts. Recent data also indicates that LGBTQ+ individuals are at greater risk of experiencing homelessness with LGBTQ+ individuals aged 18–25 being 2.2x more likely to be homeless than non-LGBTQ+ individuals and up to 45% of America's homeless youth identifying as LGBTQ+.¹⁴

¹¹ See Williams Inst., U.C.L.A. Sch. of L., LGBT Data & Demographics (Jan. 2019), available at <https://williamsinstitute.law.ucla.edu/visualization/lgbt-stats/?topic=LGBT&area=51#about-the-data>.

¹² See *id.* at Characteristics of LGBT People: Virginia.

¹³ See *id.* at Socioeconomic Indicators: Virginia.

¹⁴ See Shenandoah LGBTQ Center, Hope House, *Annual Report: 2023*, available at https://www.shenlgbtqcenter.org/_files/ugd/DCF254_fb1d202bd28948afadb7847496a743df.pdf.

II. Recommendation

A. Allocate Funding via a Grant to a Virginia College or University to Study the Virginia LGBTQ+ Community to Ensure Consistent Data Points

Given the troubling nature of the available data concerning housing among the LGBTQ+ community and the lack of recent studies in this area, the Committee recommends that the Governor commission a college or university within the Commonwealth to study Virginia's LGBTQ+ community and provide a public report of their findings. Gathering current and accurate data concerning the demographic makeup and socioeconomic indicators of the LGBTQ+ community in Virginia is essential to the government's ability to assess and effectively address the community's needs. Several LGBTQ+ organizations have conducted comprehensive studies at the regional level in Virginia, which can be looked to as exemplars for the type of data that should be gathered and analyzed at the state-wide level.¹⁵

¹⁵ See *id.*; see also LGBT Life Center, *Resources* (2024), available at <https://lgbtlifecenter.org/help/resources/>.

Safety

The Safety Committee will examine the safety trends and concerns of LGBTQ+ Virginians and promote a safer Commonwealth for all people to live, work, and visit. The Safety Committee will collaborate with the LGBTQ+ community, subject matter experts, and federal, state, and local public safety agencies to facilitate dialogue and recommend policies to Virginia's Executive Branch to advance long-term mutual trust, understanding, and respect for and within the Commonwealth. This effort will be executed with accounting for the impacts on the LGBTQ+ community with acknowledgement community engagement, community policing, and procedural justice require consistent leadership to effectively build trust with the community.

I. Executive Summary

The Commonwealth has made great strides to ensure the safety of the LGBTQ+ community, but the Committee finds that additional efforts to mitigate crime and bolster community safety remain necessary. While LGBTQ+ individuals make up less than 5% of the population nationally and in Virginia,¹⁶ LGBTQ+ Americans are nearly three times more likely to be a victim of violent crime than individuals who do not identify as a member of a sexual or gender minority.¹⁷ Crimes targeted against LGBTQ+ people are reportedly steadily rising in the United States, according to the U.S. Department of Justice Federal Bureau of Investigation (FBI) statistics on hate crimes.¹⁸ Virginia did have a slight reduction of reported hate crimes against LGBTQ+ persons across the Commonwealth from 2019 through 2021.¹⁹ It is worth noting, however, because of the shift to the National Incident-Based Reporting System (NIBRS)-only data collection, law enforcement agency participation in submitting all crime statistics, including hate crimes, fell significantly from 2020 to 2021.

Virginia recently became the first and only Southern state to pass a law amending the Code of Virginia to curtail the use and effectiveness of the LGBTQ+ “panic” defense.²⁰ Such public and bi-partisan action by the Commonwealth is a recent example of tangible support for the safety of all Virginians. Beyond supporting such pragmatic legislation benefiting all Virginians, the Executive Branch has viable options to engender public support and the safety of the LGBTQ+ community through public posture and Executive Actions to enable best practices for law

¹⁶ See Williams Inst., U.C.L.A. Sch. of L., *LGBT Data & Demographics* (Jan. 2019), available at <https://williamsinstitute.law.ucla.edu/visualization/lgbt-stats/?topic=LGBT&area=51#about-the-data>.

¹⁷ See Andrew R. Flores et al., *Victimization Rates and Traits of Sexual and Gender Minorities in the United States: Results from the National Crime Victimization Survey, 2017*, *Science Advances* Vol. 6, Issue 40 (Oct. 2, 2020), available at <https://www.science.org/doi/10.1126/sciadv.aba6910>.

¹⁸ See Jennifer L. Truman, Ph.D & Rachel E. Morgan, Ph.D., *Violent Victimization by Sexual Orientation and Gender Identity, 2017–2020*, U.S. Dep’t of Just., Bureau of Just. Stats. (June 2022), available at <https://bjs.ojp.gov/content/pub/pdf/vvsogi1720.pdf>.

¹⁹ See U.S. Dep’t of Just., Fed. Bureau of Investigation, *Hate Crimes Fact Sheet, Virginia: Hate Crime Incidents in 2021* (2021), available at <https://www.justice.gov/hatecrimes/page/file/1576616/dl?inline=>.

²⁰ See Va. Code § 18.2-37.1

enforcement and public safety. Accordingly, the Committee submits the following three recommendations for the Governor’s consideration.

II. Recommendations

A. Express Public Support for LGBTQ+ Virginians Through Executive Action

In line with the Governor’s existing policy priorities and the findings of this Committee, the Committee first recommends that the Governor issue an executive order, proclamation, or public statement affirming the dignity of the LGBTQ+ community in Virginia. This could be done in conjunction with Pride Month or any other designated Commonwealth Day that is significant to the LGBTQ+ community. The committee also recommends that the Governor publicly recognize and express support for LGBTQ+ events and commemorations, such as Pride Month and LGBTQ+ History Month, as they take place in the Commonwealth, and historic LGBTQ+ Virginians who significantly contributed to the success and cultural advancement of the Commonwealth. Importantly, the Committee believes these public actions and acknowledgements will help ensure representation of LGBTQ+ individuals among gubernatorial and Commonwealth appointees.

B. Bolster Law Enforcement Capabilities with Support for LGBTQ+ Liaison Programs

Second, the Committee recommends that the Governor publicly recognize the Virginia law enforcement agencies currently operating a LGBTQ+ Liaison program and encourage agencies to increase engagement with the LGBTQ+ community.²¹ Relatedly, the Committee recommends that the Governor support the 2024 Out to Protect LGBTQ+ Liaison Accreditation Program and encourage Virginia law enforcement jurisdictions to become accredited.²² To receive accreditation, agencies would need to demonstrate that they have satisfied the following six standards: (1) the LGBTQ+ Law Enforcement Liaison Program is institutionalized and sustainable; (2) the LGBTQ+ Liaison builds community relationships and trust; (3) the LGBTQ+ Liaison has established communications pathways; (4) the LGBTQ+ Liaison is engaged with the community throughout the year; (5) the LGBTQ+ Liaison is a resource for the law enforcement agency; and (6) a full-time employee is currently assigned and trained to serve as the LGBTQ+ Liaison.

²¹ See Michael Berlucchi, *Continuing the Work of Connecting Hampton Roads Law Enforcement, LGBTQ Communities*, The Princess Anne Independent News (Apr. 19, 2017), available at <https://princessanneindy.com/2017/04/19/berlucchi/>; Michael Lavers, *All Hampton Roads Cities Now Have Police LGBT Liaisons*, Washington Blade (Mar. 21, 2017), available at <https://www.washingtonblade.com/2017/03/21/hampton-roads-cities-now-police-lgbt-liaisons/>; Kate Mishkin, *With New Appointment In Newport News All Hampton Roads Cities Have LGBTQ Liaisons*, The Virginian- Pilot (Aug. 12, 2019), available at <https://www.pilotonline.com/2017/03/14/with-new-appointment-in-newport-news-all-hampton-roads-cities-have-lgbtq-liaisons/>; Press Release, City of Norfolk, Sheriff’s Office, *Norfolk Sheriff’s Office Implements First LGBT Liaison* (Feb. 22, 2017), available at <https://norfolk-sheriff.com/news/news-releases/norfolk-sheriff-s-office-implements-first-lgbt-liaison>; Becca Mitchell, *Virginia Beach Sheriff’s Office Appoints LGBT Liaison*, 3WTKR News (Aug. 11, 2017), available at <https://www.wtkr.com/2017/08/11/virginia-beach-sheriffs-office-appoints-lgbt-liaison>.

²² U.S. Dep’t of Just., *Increasing Engagement with the LGBTQ+ Community*, Community Policing Dispatch Vol. 16, Issue 6 (June 2023), available at https://cops.usdoj.gov/html/dispatch/06-2023/LGBTQ_engagement.html.

C. Support Removal of Obsolete Discriminatory Virginia Laws

Last, the Committee recommends that the Governor support the removal of the Marshall-Newman Amendment. Section 15-A of Article I of the Constitution of Virginia banning same-sex marriage, known as the Marshall-Newman Amendment after the legislators who proposed it, remains a blemish on our Bill of Rights despite being found unconstitutional in *Bostic v. Schaefer* (formerly *Bostic v. McDonnell* and *Bostic v. Rainey*).²³ This language should be amended to reflect the right to form personal relationships, especially through marriage, that are based on love, commitment, care, and mutual support regardless of the gender of the individuals involved.

²³ See Va. Const. art. I, § 15-A.

