

# Children are Sacred

## Fact Sheet for Two-Spirit Youth

Understanding Problematic Sexual Behavior in Youth – A Fact sheet for American Indian and Alaska Native Tribes.

### Two-Spirit Youth

Contemporary umbrella term that refers to the historical and current American Indian and Alaska Native people whose individual spirits were a blend of female and male. This term has been reclaimed by Native American LGBTQ+ communities to honor their heritage and provide an alternative to the Western labels of gay, lesbian or transgender.<sup>2</sup> Rates of PSB are not higher among two-spirit youth. LGBTQ+ youth are more likely to be charged and adjudicated for sexual offenses for developmentally appropriate and legal sexual behaviors because professionals perceive LGBTQ+ behaviors more harshly and aberrant and not because the actual sexual behavior is problematic or illegal.<sup>3</sup> Further, the stressors they may experience place them at higher risk for behavioral health problems. LGBTQ+ youth experience adverse outcomes because of their sexual minority status, of which mental and behavioral health issues – depression, anxiety, self-harm, substance use – are some of the most mentioned. Other adverse outcomes include family rejection, being bullied, homelessness, prostitution (typically survival-driven work due to homelessness), and general discrimination.

Problematic Sexual Behavior (PSB) is youth-initiated behavior that involves sexual body parts in a manner that is developmentally inappropriate and potentially harmful.<sup>1</sup>

### Stressors

Colonization, Western education systems and religion resulted in homophobia. Two-spirit people were misrepresented and misunderstood. Today, many two-spirit youth struggle to navigate judgment and discrimination with their tribal and sexual identities. Native two-spirit youth report stressors that affect their well-being. These youths may be targets for bullying, sexual harassment, verbal harassment, physical fights and assaults, exclusion and rejection, discrimination due to race or physical appearance, and destruction of personal property. Family and community disapproval and rejection

are also common, contributing to increased rates of emotional disturbance and suicidality.<sup>4</sup>

## Dispelling Misconceptions About PSB

### Myth 1:

“I am concerned that my son is gay because he abused a young boy.”

### Fact 1:

Adolescents commit sex offenses against both boys and girls. Offending is often opportunistic, typically reflecting easier access rather than gender preference. Care, compassion and communication from caregivers have been found to enhance youth well-being.

### Myth 2:

“Youth with PSB have been sexually abused.”

### Fact 2:

Many youth with PSB have no history of sexual abuse. A variety of other risk factors may have contributed to PSB, such as coercive environments, exposure to sexualized materials and individual factors. PSB may begin as curiosity or impulsive behavior that becomes concerning or even harmful.

### Myth 3:

“Youth with PSB are at greater risk for becoming sex offenders.”

### Fact 3:

When youth receive evidence-based interventions, risk of future illegal sexual behavior is low, with recidivism rates around 2%.<sup>5</sup>

## Context of Problematic Sexual Behavior

Being two-spirited is not PSB. Gender identity expression is part of the typical development process. During this process, some youth may identify as two-spirit. Two-spirit youth with PSB are different from adults with illegal sexual behavior.

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Multidisciplinary teams can help identify resources and treatment options for cases involving a two-spirit youth who is also demonstrating problematic sexual behavior. The current legal system was not designed to handle the special needs of two-spirit youth with PSB. Parents/ caregivers can provide a safe, loving and accepting environment for their two-spirit youth.

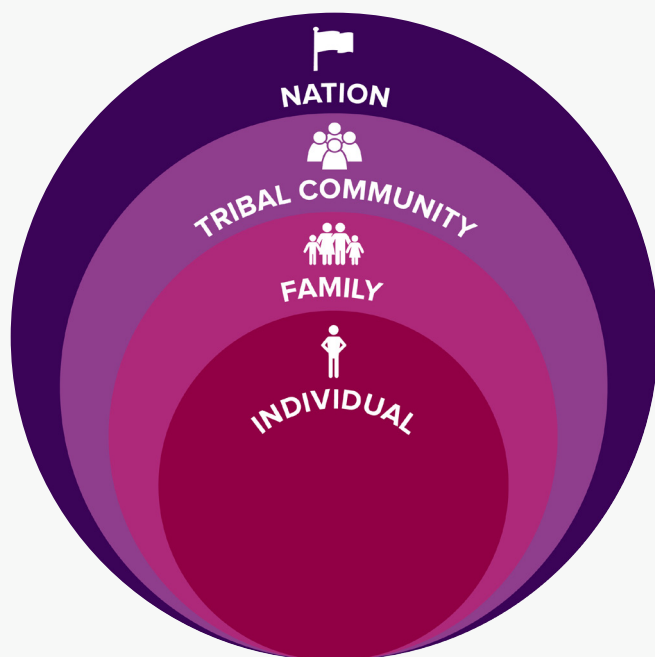
## Trauma

Addressing trauma, abuse and neglect in tribal communities is necessary for understanding PSB. Trauma-informed principles can help us support all youth and specifically two-spirit youth.<sup>6</sup>

Youth need safety, supervision, protection, guidance, monitoring and teachings. All youth must know they are connected, sacred and honored.<sup>6</sup>

## Research

PSB in youth occurs across sexual orientation, race, ethnicity or socioeconomic status.<sup>1</sup> Two-spirit youth are not more likely to have or show PSB than other youth. PSB in youth is a serious issue that is under-reported and not addressed in many communities. More than one-third of sexual offenses against children are committed by other youth.<sup>7</sup> Risk for problematic sexual behavior is greatest among youth 12-14 years of age.<sup>8</sup> Almost half of child victims of PSB are under 6 years old.<sup>9</sup> PSB occurs most often between children/youth who know one another. More than 25% of PSB cases involve family members.<sup>9</sup> The average sexual recidivism rate of adolescents with illegal sexual behaviors is less than 3%.<sup>5</sup>



**Information** - Empirically informed knowledge improves decision making

**Attitudes & Beliefs** - Healthy beliefs that are trauma informed

**Access** - Empirically based and developmentally appropriate policies and services

**Culture** - Culturally Congruent and Respectful Approaches



**NATION** - Empirically based and developmentally appropriate policies, laws, codes, registries, statutes



**TRIBAL COMMUNITY** - Supporting healthy relationships and behavior through schools, I.H.S., MDTs, law enforcement, BIA, social services, courts, behavioral health, State Department of Social Services, CPS, Boys and Girls Clubs, juvenile justice, tribal health, Tribal Child and Family Service, Child Assessment Center, tribal protocols, resolutions, procedures, registries



**FAMILY** - Teach, supervise, ensure privacy, address technology and pornography, address trauma, support healing, drug- and alcohol-free environment, rites of passage, coming of age ceremonies, culture, values



**INDIVIDUAL** - Healthy relationships, normal behaviors and sexual development, respect for other persons and boundaries, roles in family and community, spirituality

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## Treatment

Utilize traditional rites of passage, traditional healers, and restorative justice models for the treatment of problematic sexual behavior in youth, child victims, and families.

Effective interventions include active involvement of parents or other caregivers. Effective components of treatment address safety planning, sexual behavior rules, managing child behavior, boundaries, sex education, abuse prevention skills, child self-regulation and self-control skills. Treatment also may include emotional regulation skills, healthy coping skills, decision-making skills, social skills, restitution and amends.

## Two-Spirit Fact Sheet References

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3. Majd, K., Marksamer, J., & Reyes, C. (2009). Hidden Injustice: Lesbian, Gay, Bisexual and Transgender Youth in Juvenile Courts. Legal Services for Children, National Juvenile Defender Center, and National Center for Lesbian Rights.
4. Daly, K., & Wade, D. (2013). Sibling Sexual Abuse: Offending Patterns and Dynamics in Youth Justice Conferences. Forthcoming in A. Hayden, L. Gelsthorpe, V. Kizngin, and A. Morris (eds.), *Why Rock the Boat?*
5. Caldwell, M. F. (2016). Quantifying the Decline in Juvenile Sexual Recidivism Rates. *Psychology, Public Policy, and Law*, 22(4), 414-426. doi: 10.1037/law0000094
6. BigFoot, D. (2013). Child Trauma Series in Indian Country- Seven-part Series. Indian Health Service TeleBehavior Health Center.
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9. Snyder, H. (2000). *Sexual Assault of Young Children as Report to Law Enforcement: Victim, Incident and Offender Characteristics*. NCJ 182990. Available online from: <https://www.bjs.gov/content/pub/pdf/saycrle.pdf>



## Resources

Indian Country Child Trauma Center

[www.icctc.org/index.asp](http://www.icctc.org/index.asp)

National Center on the Sexual Behavior of Youth

[www.ncsby.org/](http://www.ncsby.org/)

National Child Traumatic Stress Network

[www.nctsn.org/](http://www.nctsn.org/)

Office of Juvenile Justice and Delinquency Prevention

[www.ojjdp.gov/](http://www.ojjdp.gov/)

Two-Spirited Web Booklet, Safe and Caring

[www.safeandcaring.ca/wp-content/uploads/2013/08/Two-Spirited-Web-Booklet.pdf](http://www.safeandcaring.ca/wp-content/uploads/2013/08/Two-Spirited-Web-Booklet.pdf)

U.S. Department of Health and Human Services Child Welfare Information Gateway on state and tribal laws and policies

[www.childwelfare.gov/topics/systemwide/laws-policies/state/?hasBeenRedirected=1](http://www.childwelfare.gov/topics/systemwide/laws-policies/state/?hasBeenRedirected=1)