Demographic Perspectives on Same-sex Couples

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Hawaii legislature enacts the reciprocal beneficiary registry (after marriage equality win in court followed by a constitutional ban on same-sex marriage) which allows two adults who are prohibited from marriage to access a limited number of benefits.
Percent US Population with some form of relationship recognition

36.1%

16 states and DC have some form of recognition
- Marriage equality in 5 states and DC.
- Marriage recognition in NY and MD.
- Civil union/Full DP in 5 states
- Limited recognition in 5 states

Legend
- Marriage
- Marriage Recognition
- Civil Union
- Full DP
- Limited DP
- Reciprocal/Designated Beneficiaries
Marriage restrictions for same-sex couples 2010

Percent US Population with some marriage equality prohibition

84.8%
Possible legal statuses for same-sex couples (no federal recognition)

- **Married**
  - Live in state that permits marriage
  - Live in state that recognizes marriage from outside but does not permit marriage

- **Civil Union**
  - “Unioned” and live in state that recognizes union
  - Married outside of state and recognized as civil union
  - Domestic partnership outside of state and recognized as civil union
  - Civil union and live in state without formal recognition

- **Registered Domestic Partnership (“equated” to marriage)**
  - Partnered and live in state that recognizes partnership
  - Partnered/”Unioned” outside of state and live in state that recognizes partnership
  - Partnered and live in state without formal recognition

- **Married outside of California after Prop 8 and live in California**
  - By state law: not married, not in domestic partnership, rights/responsibilities of marriage

- **Registered Domestic Partnership (limited)**

- **Reciprocal Beneficiary**

- **Designated Beneficiary**
Counting same-sex couples

Unmarried partner option has been included on Census since 1990

Census Bureau treatment of same-sex spouses varies over time:

1990: sex of partner edited to create a different-sex married couple

2000-2007: “husband/wife” edited to become “unmarried partner”

2008+: public release of some information on same-sex spouses, new data processing procedures, microdata still altered with 2000-2007 procedure
Editing creates a false positive measurement problem

- Household roster—householder identifies another adult of the same sex as:

  - **Unmarried Partner** → **Same-Sex Couple**
  - **Husband/Wife** → **Same-Sex Couple** who use the terms husband or wife
    → **Different-Sex Married Couple** with a sex miscode
New work examines American Community Survey

- Consider conceptual framework for assessing error
- Re-examine error using ACS
  - Estimate extent of error
    - Exploit CATI/CAPI feature that includes sex validation of spouses
- Offer guidance to researchers using public data samples
  - Different types of analyses require different methods to minimize effects of error
- Marital status allocation among SS couples provides evidence of original spousal designation
  - “Currently married” unmarried partners are hot-decked
- Sex of same-sex spouses verified among all CATI/CAPI respondents; no verification among mail-in respondents

**Confirmed SS Couples**
- CATI/CAPI respondents
- Mail-In respondents without marital status allocation

**Unverified SS couples**
- Mail-In respondents with marital status allocation

**DS married couples**
Error upper bound: ~40%

SS Male Couples
- Mail-in Allocated: 41%
- CATI/CAPI Allocated: 35%
- Mail-in No Allocation: 14%

SS Female Couples
- Mail-in Allocated: 36%
- CATI/CAPI Allocated: 39%
- Mail-in No Allocation: 15%
Conceptual framework

\[ \bar{X}_{\text{Unverified}} = e\bar{X}_{\text{Married}} + (1-e)\bar{X}_{\text{Confirmed}} \]

- **X** requires two distinctive features
  1. Delineates SS and DS couples
  2. Does not differ between same-sex couples who use the term unmarried partner vs. husband/wife

- **Example of problematic variable**
  - DS couples more likely to have children than SS couples
  - But SS couples who use husband/wife more likely to have children than SS couples who use unmarried partner
  - Therefore child-rearing is not an appropriate variable to use because SS confirmed couples are not an adequate predictor for SS couples in the unverified sample
Age difference between partners

<table>
<thead>
<tr>
<th></th>
<th>Mail-in</th>
<th>CATI/CAPI</th>
<th>Mail-in</th>
<th>CATI/CAPI</th>
<th>Mail-in</th>
<th>CATI/CAPI</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Marital Status Allocation</td>
<td>6.8</td>
<td>6.7</td>
<td>4.5</td>
<td>6.6</td>
<td>3.8</td>
<td>4.1</td>
</tr>
<tr>
<td>Same-sex male</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Error estimation technique

- DiNardo, Fortin, Lemieux (1996) Semi-parametric reweighting procedure
  - Control for distributional differences in age and race/ethnicity among confirmed SS couples, DS married couples and unverified SS couples
  - Any remaining differences in $X$ cannot be because of age or race/ethnicity differences between samples
  - Unlike probit analysis, DFL also allows for analysis of the distribution of $X$
Error within unverified sample

- Men: 87% (Different-Sex Married Couples: 13%)
- Women: 67% (Same-Sex Couples: 33%)

Error within full sample

- Men: 39%
- Women: 24%
- Combined: 30%
Changes to ACS survey and processing procedures may improve sex miscoding

25% drop in total same-sex couples: all due to decrease in same-sex spouses

Substantially more women among same-sex spouses
2010 Same-sex couple Survey

- Survey individuals from same-sex couples to assess:
  - Census participation
  - Legal relationship status
  - Responses to household roster
  - Exposure to LGBT outreach

- Harris Interactive uses existing Harris Poll Online respondents:
  - Access via email
  - Web-based survey
  - 602 individuals in same-sex couples
    - 197 non-white
Measurement error insights

- Assume ACS UMP figure is correct
- Assume survey Spouse/UMP ratio is correct
- Back out
  - $SS \text{ couples} = \frac{UMP_{ACS}}{\%UMP_{Survey}}$
  - Estimate “true” SS spouses and compare to ACS
- Using 2007 ACS figures
  - 33% of SS couples are DS miscodes
    - 38% among men/28% among women
- Using 2008 ACS figures
  - 10% of SS couples are DS miscodes
    - 9.7% among men/10.7% among women
Complex legal situation affects Census/ACS responses

<table>
<thead>
<tr>
<th></th>
<th>Marriage recognition</th>
<th>No recognition</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Married</td>
<td>89%</td>
<td>11%</td>
<td></td>
</tr>
<tr>
<td>CU/DP</td>
<td>24%</td>
<td>76%</td>
<td></td>
</tr>
<tr>
<td>Not married or CU/DP</td>
<td>6%</td>
<td>94%</td>
<td></td>
</tr>
</tbody>
</table>

- **Total:**
  - **Husband/wife:**
    - Married: 89%
    - CU/DP: 24%
    - Not married or CU/DP: 6%
  - **Unmarried partner:**
    - Married: 11%
    - CU/DP: 76%
    - Not married or CU/DP: 94%
Interpreting Census/ACS responses

Table 2. Legal relationship status and state recognition by responses to Census relationship question.

<table>
<thead>
<tr>
<th></th>
<th>Response to Census relationship question</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Husband/wife (17% of total) n=85</td>
</tr>
<tr>
<td>Legally married</td>
<td></td>
</tr>
<tr>
<td>Marriage recognized</td>
<td>49%</td>
</tr>
<tr>
<td>Marriage not recognized</td>
<td>22%</td>
</tr>
<tr>
<td>CU/RDP not recognized</td>
<td>8%</td>
</tr>
<tr>
<td>No legal relationship</td>
<td></td>
</tr>
<tr>
<td>Marriage recognized</td>
<td>3%</td>
</tr>
<tr>
<td>CU/RDP recognized</td>
<td>0%</td>
</tr>
<tr>
<td>No recognition</td>
<td>10%</td>
</tr>
<tr>
<td>Total</td>
<td>100%</td>
</tr>
</tbody>
</table>
Advice to researchers

• Trend analyses
  ▫ 1990+: Exclude all couples with marital status allocation
    • Limits samples to “unmarried partner” couples who may be quite different from spousal SS couples
  ▫ 2005+: Exclude all couples with marital status allocation except CATI/CAPI respondents

• Assessing traits of married same-sex couples
  ▫ Do not interpret use of spouse as clear indication of legal marriage among SS couples
  ▫ Use extreme caution as CATI/CAPI spousal couples are highly selected and biased
By the numbers: 2008 GSS

~ 9 million GLB or recent same-sex sexual activity (3.9%)

<table>
<thead>
<tr>
<th></th>
<th>3.9 million</th>
<th>2.8 million</th>
<th>1.4 million</th>
<th>920K</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gay/Lesbian (1.7%)</td>
<td>Bisexual (1.2%)</td>
<td>5 yrs exclusive SS sex (0.6%)</td>
<td>5 yrs SS &amp; DS sex (0.4%)</td>
<td></td>
</tr>
</tbody>
</table>

Source: Author calculations, 2008 General Social Survey
By the numbers: Same-sex couples

- **2008 ACS**
  - 565,000 same-sex couples
    - 415,000 unmarried partners
    - 150,000 same-sex spouses (in all states)

- **Relationship recognition in 2008 (SS couples)**
  - Legal marriage (in US): ~35,000
  - Non-marital forms of legal recognition: ~80,000

- **Relationship recognition in 2010 (SS couples)**
  - Legal marriage (in US): ~40,000
  - Legal marriage (outside US): ~35,000
  - Non-marital forms of legal recognition: ~90,000
Cohabitation common among lesbians and gay men

Proportion SS couples in legal relationships varies by state recognition

<table>
<thead>
<tr>
<th>Category</th>
<th>Married</th>
<th>CU/RDP</th>
<th>No legal relationship</th>
</tr>
</thead>
<tbody>
<tr>
<td>National</td>
<td>14%</td>
<td>15%</td>
<td>71%</td>
</tr>
<tr>
<td>Couples can marry</td>
<td>38%</td>
<td>7%</td>
<td>55%</td>
</tr>
<tr>
<td>Comprehensive CU/RDP</td>
<td>26%</td>
<td>39%</td>
<td>35%</td>
</tr>
<tr>
<td>Any legal recognition</td>
<td>25%</td>
<td>24%</td>
<td>51%</td>
</tr>
<tr>
<td>No legal recognition</td>
<td>7%</td>
<td>8%</td>
<td>85%</td>
</tr>
</tbody>
</table>

Author calculations, 2010 Same-sex Couple Survey, Williams Institute, UCLA School of Law
Many married couples had CU/RDP; 40% or legal relationships not recognized.

Author calculations, 2010 Same-sex Couple Survey, Williams Institute, UCLA School of Law
Evidence of selection into partnership

- Same-sex couples in registered partnership relative to unregistered cohabts
  - Older
  - Higher education
  - Longer duration relationships
  - More white
  - More likely to have been previously married
- Women only
  - More likely to be raising children
- Sex differences
  - Women more likely to partner/register
  - Men report longer duration relationships

Many gay/lesbian people have had or want to have children

Men and women, age 18-44
NSFG, 2002

- Want a child: 41% (Lesbian) vs. 52% (Gay men)
- Have had a child: 35% (Lesbian) vs. 16% (Gay men)

Men and women, age 18+
GSS, 2008

- Lesbians:
  - Ever had a child: 21%
  - Ever adopted a child: 9%
- Gay Men:
  - Ever had a child: 11%
  - Ever adopted a child: 9%

Source: Author calculations from National Survey of Family Growth (2002) and General Social Survey (2008)
Same-sex couples raising children

30%

13%

Source: Author calculations from American Community Survey PUMS (2008)
Many children of SS couples are likely from prior relationships.

GLB people have their first child earlier than heterosexuals

Age when fathered/gave birth to first child

<table>
<thead>
<tr>
<th></th>
<th>Men</th>
<th>Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heterosexual</td>
<td>25.4</td>
<td>23.3</td>
</tr>
<tr>
<td>Gay/Lesbian</td>
<td>22.3</td>
<td>22.9</td>
</tr>
<tr>
<td>Bisexual</td>
<td>20.0</td>
<td>22.5</td>
</tr>
</tbody>
</table>

Source: Author calculations from General Social Survey, 2008
Child-rearing inversely associated with education in same-sex couples

% Raising children, by educational attainment

Source: Author calculations from American Community Survey, 2008
Child-rearing higher among racial/ethnic minorities

Source: Author calculations from American Community Survey, 2008
Many same-sex couples are economically disadvantaged

Receipt of public assistance

<table>
<thead>
<tr>
<th></th>
<th>Same-sex male</th>
<th>Same-sex female</th>
<th>Different-sex married</th>
</tr>
</thead>
<tbody>
<tr>
<td>All</td>
<td>1.4%</td>
<td>2.6%</td>
<td>1.0%</td>
</tr>
<tr>
<td>Raising children</td>
<td>3.9%</td>
<td>5.8%</td>
<td>1.5%</td>
</tr>
</tbody>
</table>

Source: Author calculations from American Community Survey, 2008
### Same-Sex Couples 2008

**By Congressional District**

<table>
<thead>
<tr>
<th>District (110th Congress)</th>
<th>Same-sex couples per 1000 households</th>
<th>Congressperson</th>
</tr>
</thead>
<tbody>
<tr>
<td>California-8</td>
<td>35.80</td>
<td>Nancy Pelosi</td>
</tr>
<tr>
<td>New York-8</td>
<td>20.70</td>
<td>Jerrold Nadler</td>
</tr>
<tr>
<td>California-9</td>
<td>17.22</td>
<td>Barbara Lee</td>
</tr>
<tr>
<td>California-12</td>
<td>16.52</td>
<td>Jackie Speier</td>
</tr>
<tr>
<td>Washington-7</td>
<td>16.48</td>
<td>Jim McDermott</td>
</tr>
<tr>
<td>California-5</td>
<td>14.78</td>
<td>Doris O. Matsui</td>
</tr>
<tr>
<td>Georgia-5</td>
<td>14.63</td>
<td>John Lewis</td>
</tr>
<tr>
<td>California-45</td>
<td>14.23</td>
<td>Mary Bono Mack</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>14.12</td>
<td>Eleanor Holmes Norton</td>
</tr>
<tr>
<td>California-53</td>
<td>13.82</td>
<td>Susan A. Davis</td>
</tr>
</tbody>
</table>
African American Same-Sex Couples per 1,000 Households

Source: Census 2000
Probability samples are rare

- No government survey routinely asks sexual orientation/gender identity of a probability sample of adults
  - More common in health surveys
- Same-sex couples via household relationships
  - Census/ACS
    - Perhaps the most widely used data source to study LGBT demographics
  - CPS, SIPP
    - Small sample sizes limit analytical possibilities
Why ask?

- **Families**
  - LGBT people form committed relationships
  - LGBT people are raising children and many more want to raise children
  - Child-rearing highest among LGBT racial/ethnic minorities

- **Health Disparities**
  - Mental and physical health differ by sexual orientation
  - People in same-sex couples more likely to be uninsured
Why ask? Policy issues

• Employment and earnings/discrimination
  ▫ Gay men earn less than heterosexual men
  ▫ Lesbians earn more than heterosexual women

• Youth and education
  ▫ LGBT young people face pressure and prejudice in schools and from peers
  ▫ Rates of many risk behaviors, such as suicide attempts, are more common among LGBT youth
Why ask? Policy issues

• Business operations
  ▫ Competitive compensation packages include domestic partner coverage
    • How many people will sign up?
    • How large will the tax impact be for employer and employees?
  ▫ Inform diversity training and workplace climate policy
  ▫ LGBT market assessments tend to rely on convenience samples
    • Overestimates of size and affluence of the LGBT market
Why ask? Because we can

• Questions can be constructed with conceptual clarity regarding distinct dimensions of sexuality
  ▫ Sexual identity
  ▫ Sexual behavior
  ▫ Desire or sexual attraction

• Good survey design can minimize biases resulting from geographic, cultural, and age differences

• Extensive knowledge of validity and reliability of sexual orientation questions
  ▫ Comparable to other socio-demographic measures