
LAW ENFORCEMENT VIOLENCE
AGAINST WOMEN OF COLOR
& TRANS PEOPLE OF COLOR:

*A Critical Intersection Of
Gender Violence & State Violence*



AN ORGANIZER'S RESOURCE AND TOOL KIT
FROM INCITE! WOMEN OF COLOR AGAINST VIOLENCE

INCITE! Women of Color Against Violence
PO Box 226, Redmond, WA 98073

www.incite-national.org
incite_national@yahoo.com
484.932.3166

INTRODUCED BY ANGELA Y. DAVIS

INVISIBLE NO MORE

POLICE VIOLENCE AGAINST
BLACK WOMEN AND WOMEN OF COLOR



ANDREA J.
RITCHIE

THE DEMAND IS STILL



#DEFUNDTHEPOLICE

#FundThePeople #DefendBlackLives

Lessons From 2020

**IC INTERRUPTING
CRIMINALIZATION**

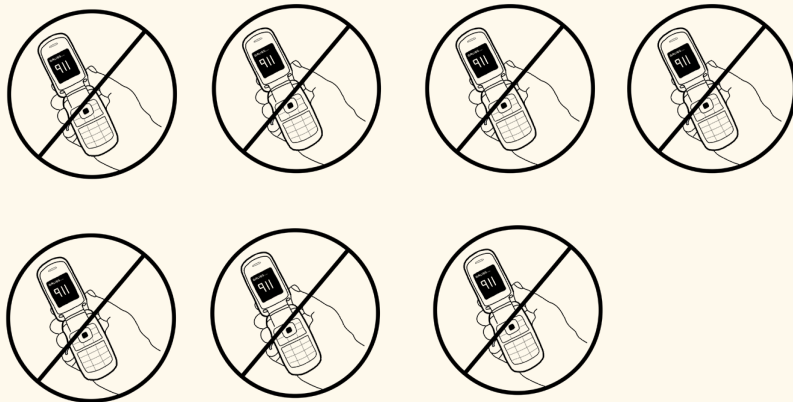
WHY DEFUNDING POLICE IS A SURVIVOR-LED SAFETY STRATEGY

CRIMINALIZATION HAS NOT STOPPED OR REDUCED SEXUAL VIOLENCE

- Rates of sexual violence continue to rise in spite of spending over \$100 billion a year on policing
- Police don't prevent sexual violence – at best they respond after the fact
- Punishment doesn't prevent sexual violence – at best it moves it behind prison walls
- Criminalization does not equal accountability - the vast majority of people who engage in sexual violence are never held accountable
- Criminalization does not transform the conditions that produce sexual violence – in fact, it perpetuates them by looting resources needed to advance equity and reduce sexual violence – housing, health care, accessible, sustainable, living wage employment, child care, elder care, care for disabled people, transportation, and more.
- **Criminalization produces and perpetuates sexual violence**

70% OF SURVIVORS CHOOSE NOT TO REPORT THEIR SEXUAL ASSAULT TO POLICE.

Any response to violence that begins with “rethinking” policing begins with a full 70% of survivors excluded.



In a 2015 survey, the National Domestic Violence Hotline found that 80% of survivors are afraid to call the police, 30% of survivors felt less safe after calling the police, and 24% of survivors who called the police were arrested or threatened with arrest.

80% OF SURVIVORS **KNOW** THEIR RAPISTS.

In our current reality, the rapists are our friends, our family, our neighbors, classmates, and co-workers – or the police themselves. For those reasons, and so many others, survivors rarely choose to, or indeed do, call the police.

SURVIVORS DON'T CALL 911 BECAUSE

- fear of retaliation
- fear of arrests
- fear of incarceration
- fear they will not be believed
- fear they will not be respected
- fear of immigration
- fear of child protective services
- loss of income
- loss of housing
- loss of benefits
- intoxication
- drug use
- it hasn't helped before
- they've been hurt by police
- they've been harassed by police
- they've been raped by police
- they are disabled
- they're a sex worker
- they're a gang member
- they don't speak English
- they are houseless
- they're LGBTQ
- they're gender nonconforming
- they didn't say no
- they didn't fight "hard enough"
- time has passed
- they don't want to do a rape kit
- they don't want to testify
- they don't want people to know
- they have a criminal record
- they are on probation
- they fear police sexual violence
- they fear someone will get shot
- they fear someone will die...



CRIMINALIZATION LEAVES THE MAJORITY OF SURVIVORS BEHIND

- Over 70% of survivors of sexual assault don't report their assault to police – that number is increasing, not decreasing
- **For every Black woman who reports her rape, at least fifteen do not.** Many cite a fear that they will not be believed by authorities or subjected to further violence and criminalization.
- **67% of Black trans respondents** to the U.S. Trans Survey (USTS) said they would be uncomfortable asking for help from the police if they needed it.
- The answer is not more or better policing or training. The reasons people offer are:
 - They don't want the person who harmed them to be locked up or criminalized – 80% of survivors know and trust the person who assaulted them
 - They fear being disbelieved, criminalized, or harmed
 - They want safety, not punishment – housing, health care, income support
- **Criminalization leaves survivors of police sexual violence and sexual violence of prisons behind**



“...despite the specific origins of “me too.” in conversations among Black women and girls, Black women and girls’ stories, narratives, and experiences remain largely at the margins of mainstream #MeToo conversations.”



THE MISSING STORY OF #METOO: POLICE SEXUAL VIOLENCE

EXPANDING OUR FRAME

DEEPENING OUR DEMANDS FOR SAFETY
AND HEALING FOR BLACK SURVIVORS
OF SEXUAL VIOLENCE



A Policy Brief

by Andrea J. Ritchie
for the National Black
Women's Justice Institute

February 2019



THE MISSING STORY OF #METOO: POLICE SEXUAL VIOLENCE

“

These silences are particularly pronounced when it comes to sexual violence experienced by Black women, girls, trans, gender nonconforming and nonbinary people in the context of policing, criminalization, and punishment.

”

THE MISSING STORY OF #METOO: POLICE SEXUAL VIOLENCE

Shrouded *in Silence*

**POLICE SEXUAL VIOLENCE:
WHAT WE KNOW & WHAT
WE CAN DO ABOUT IT**

**IC INTERRUPTING
CRIMINALIZATION**

BREAKING THE SILENCE:

Supporting Survivors of
Police Sexual Violence

**A Curriculum For Sexual
Assault Service Providers**

**IC INTERRUPTING
CRIMINALIZATION**

bit.ly/PSVCurriculum

THE MISSING STORY OF #METOO: POLICE SEXUAL VIOLENCE





TIAWANDA MOORE



JANNIE LIGONS





CHARNESIA CORLEY



14 2. C.R., then a 16 year old was returning to her home in the United States from Mexico on
15 September 5, 2017 at around 7:30 pm with her two adult sisters. All three of them were
16 attempting safe and lawful passage at San Ysidro International Border Crossing pedestrian gate
17 west. Upon C.R. entering the United States, C.R. was flagged for secondary search by United
18 States Customs and Border Patrol ("CBP") agents. This set off a sequence of searches conducted
19 by CBP agents, escalating without probable cause to the next level and in violation of several
20 protocols ending in an abusive, cavity search with the minor having to disrobe in front of agents,
21 suffering humiliation without parental consent.

22 3. Over the course of the next couple hours, Defendants subjected C.R. to a series of highly
23 invasive searches, any one of which would have been humiliating and demeaning. First,
24 government agents patted her down and frisked her in secondary. Finding nothing, defendants
25 then subjected C.R. to a strip search and made a visual and manual inspection of her genitals and
26 anus. C.R. was forced to remove her clothing, squat, and expose her genital and intimate areas in
27 plain view of other agents even through her tears and emphatic statements of not having done

ANNA CHAMBERS



- Second most frequently reported form of police misconduct after excessive force – *Cato Institute* (2010)
- An officer is caught in an act of sexual misconduct every 5 days – *Buffalo News* (2015)
- “Law enforcement’s nasty little secret” – *Stamper* (2003)
- “There is this culture in law enforcement . . . you don’t tell on your buddies. . . . You get so bought into this police culture . . . you don’t see anything wrong with it. It’s like as a badge of honor, how many women in the community you can have sex with, and the younger the better.” – *Harrington* (2006)

HOW PERVASIVE IS IT?

“The badge gets you the pussy,
the pussy gets your badge, you
know?”

– Michael Garcia, 15 year veteran of the Las Cruces, NM police department previously assigned to the child abuse and sex crimes investigation units, who was convicted of sexually assaulting an intern in a police-youth engagement program during a ride-along.

➤ Traffic stops

- 34% of cases of police sexual violence reported in the media in single year involved traffic stops.
- In a study of over 8,300 incidents of police sexual violence, the most common was sexually motivated traffic stops.

WHERE DOES IT HAPPEN?

➤ Youth engagement programs

- 40% of cases of police sexual violence reported in the media in single year involved teenagers and police youth engagement programs.

➤ Schools

Youth and youth advocates routinely report sexual harassment and police efforts to date young women. For example,

The New York City Commission to Combat Police Corruption reported a case in which a school safety agent engaged in improper sexual relations with a 17 year old student. The same school officer had other allegations of inappropriately touching a student and having sexual relations with multiple students, including impregnating one of them.

- Young women and trans youth report that searches by officers stationed at metal detectors, and searches conducted by police and school officials for the purposes of finding drugs are experienced as sexually degrading, humiliating, and assaultive.

WHERE DOES IT HAPPEN?

➤ Policing of prostitution and trafficking

- People in the sex trades routinely report that police extort sex, engage in sexual humiliation, and sexually assault them.
- In several states it is legal for officers to engage in sexual conduct with people in the sex trade before arresting them, in spite of the fact that only a verbal agreement to engage in sexual conduct in exchange for something of value is required to establish a prostitution-related offense.

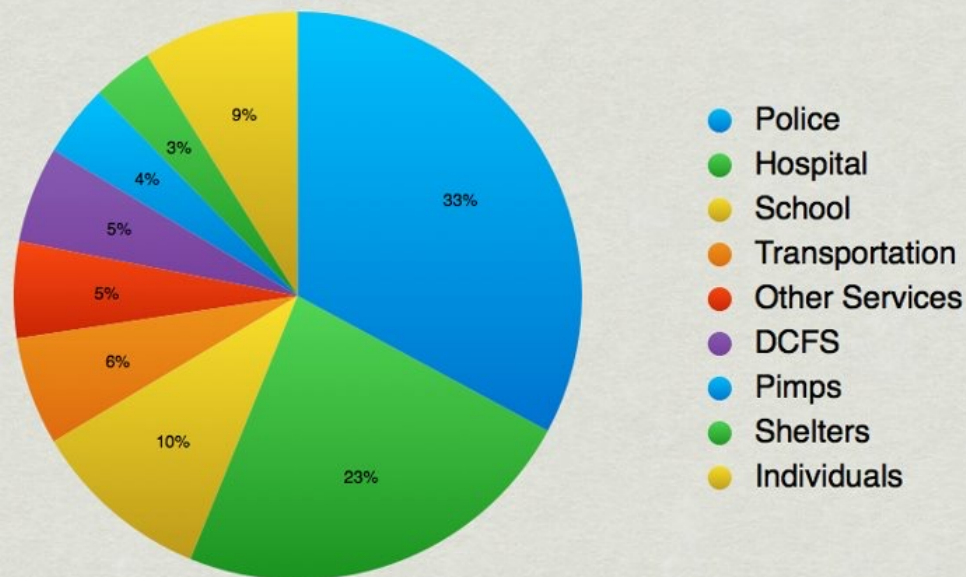
For instance, one service provider working with survivors of trafficking into the sex trade said of the local vice squad:

the typical stuff that I hear is that they are having sex [with women who have been trafficked] they are getting blow jobs or hand jobs, then they turn around and arrest people. They are not letting them use the bathrooms afterward, and girls have pissed themselves. Then they steal from them. I have heard that from a lot of people

WHERE DOES IT HAPPEN?

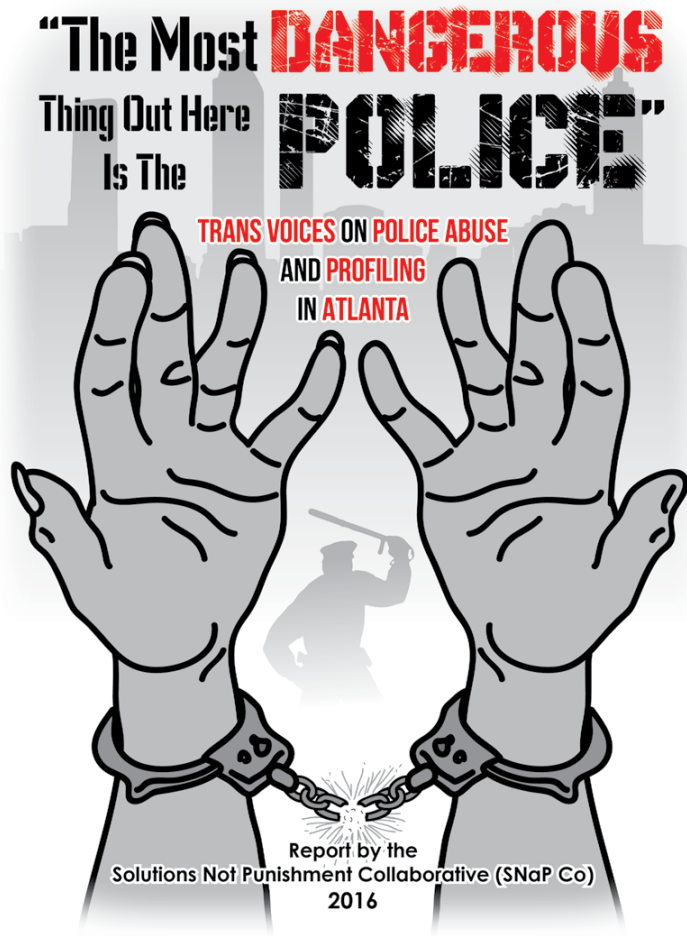
POLICING OF YOUTH IN THE SEX TRADES

Bad Encounters: Reports from Youth



Source: Young Women's Empowerment Project

Gender and sexuality policing



QUEER (IN)JUSTICE

THE CRIMINALIZATION OF LGBT PEOPLE IN THE UNITED STATES

JOEY L. MOGUL,
ANDREA J. RITCHIE,
and KAY WHITLOCK



WHERE DOES IT HAPPEN?

➤ Drug law enforcement

- A study published in the American Journal of Public Health Found that 25% of women enrolled in drug courts in St. Louis, MO (70% of whom were Black) experienced police sexual extortion and violence. Among this group, 96% reported sexual extortion by on-duty officer and 30% described the officers' actions as rape.
- Strip searches and body cavity searches are routine forms of policing in the context of the “war on drugs,” and are regularly experienced by survivors as sexual assault.

WHERE DOES IT HAPPEN?

➤ “Broken Windows” policing

- The NYPD officers Anna Chambers reported for raping her initially stopped her and her companions for “being in a park after dark,” a broken windows offense.

Former Oklahoma police officer Daniel Holtzclaw routinely stopped women on the pretext of enforcing minor offenses before sexually assaulting them.

Stop and frisk is a common site of police sexual violence, often referred to by young women, queer and trans people in New York City as “stop and grope.”



WHERE DOES IT HAPPEN?

➤ Probation/Parole enforcement

- “As long as you fulfill my needs, you stay on the street.”

➤ Immigration Enforcement

Mandated drug treatment & medical care

Child welfare enforcement

Foster system

Anywhere law enforcement officers have power over people

WHERE DOES IT HAPPEN?

➤ Calls for Help

- One North Carolina sheriff's domestic violence investigator bragged that "finding dates working with victims of domestic violence is like shooting fish in a barrel."

A Pennsylvania state trooper convicted of multiple sexual assaults in 2000 said "I would see women that were vulnerable where I could appear as a knight in shining armor...I'm going to help this woman who's being abused by her boyfriend, and then I'll ask for sexual favors."

WHERE DOES IT HAPPEN?

➤ **Survivors, witnesses, informants**

- 70% of 700 cases over a 10 year period involved motorists, youth, victims, witnesses and informants

➤ **Trans women**

- 25% of Latinx immigrant trans women in Los Angeles
- 59% of Black trans youth in New Orleans

➤ **Homeless and low income women & women living in public housing**

➤ **Disabled women**

WHO IS TARGETED?

➤ **Black, Native, Asian, disabled and migrant women, LGBTQ people and youth**

➤ **Youth**

- Half to three quarters of arrests of officers for sexual misconduct nationally involved minors, with half of these cases involving on-duty conduct;
- 2 in 5 young women in NYC report sexual harassment by police. They are overwhelmingly young women of color: 38% Black, 39% Latinx and 13% Asian/Pacific Islander;
- According to the Public Science Project, LGBTQ youth in New York City are twice as likely to report a negative sexual encounter with police than heterosexual youth.

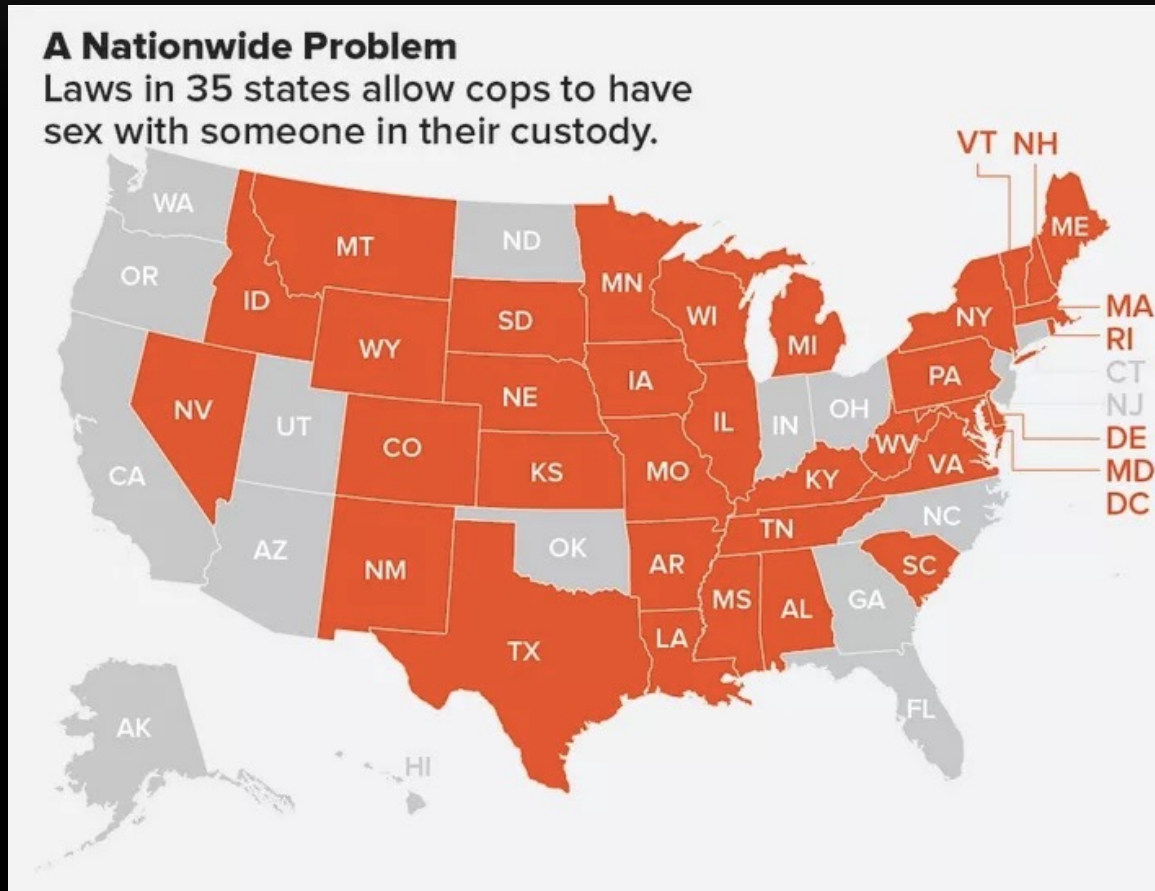
WHO IS TARGETED?

➤ **Women who are or are profiled as being involved in the drug or sex trades**

- 11% of all incidents of violence reported by young people in the sex trades in Chicago involved police sexual violence, and police sexual violence made up 15% of all complaints of police violence.
- 1 in 5 people in the sex trades in D.C. had been approached for sex by an officer 17% of indoor and outdoor sex workers report sexual harassment or violence by law enforcement
- Of drug court participants, 15.4 % of women reported being forced to have sex with a police officer, almost half (45.5%) had engaged in paid sex with police, and 18% reported being extorted for free sex.
- More than 25% of respondents to the 2015 US Transgender Survey who were or were perceived to be involved in the sex trades were sexually assaulted by police, and an additional 14 percent experienced harassment

WHO IS TARGETED?

THE SO CALLED “CONSENT LOOPHOLE”



THE CONSENT DEFENSE HAS ONLY BEEN
ASSERTED 26 TIMES OVER A DOZEN YEARS

WHY ELIMINATING THE CONSENT DEFENSE IS NOT ENOUGH

- Small percentage of cases come forward
 - “I didn’t think nobody was going to believe me anyway. . . . I’m a drug addict.” T.M
 - “Who are they going to believe? It’s my word against his because I’m a woman and, you know, like I said, he’s a police officer.” – C.J.
- Fewer continue with complaint
- Must be believed
- Must be investigated
- Must be sustained -
- Must be deemed triable
- THEN officer must assert consent as a defense
- Prosecution can overcome defense
- Prosecutions legitimize the system that perpetrates, condones, conceals and promotes police sexual violence

- **DATA COLLECTION & DISSEMINATION**
- **PUBLIC AWARENESS**
- **SUPPORT & HEALING**
- **PREVENTION**
- **DETECTION**
- **ACCOUNTABILITY**

BEYOND THE CONSENT DEFENSE

Gathering and Sharing Information

60 MINUTES

Start by discussing why none of the stories discussed in the previous sections come to mind when we think of sexual violence or police violence:

- » Why don't we know more about police sexual violence?
- » What could we do to rectify this?

Brainstorm:

How could you/your organization help gather and share more information about sexual violence by police?

- » Do you currently document sexual violence, harassment and extortion by police officers your clients/constituents experience? If so how?

Use the organizational assessment tool below to assess where and how you gather information about sexual violence by police and support survivors.

SUPPORTING SURVIVORS OF POLICE SEXUAL VIOLENCE: A SELF-ASSESSMENT TOOL					
Question	Response				
	<i>Never</i>	<i>Rarely</i>	<i>Sometimes</i>	<i>Often</i>	<i>What is stopping us from doing this?</i>
DIRECT SERVICES AND OUTREACH					
Do you ask crisis line callers whether the person who assaulted them was a police officer?					

Building a Movement to End Police Sexual Violence

60 MINUTES

Based on the information in Police Sexual Violence: What We Know, the information below and in the appendices, and what you've learned about police sexual violence so far, invite participants to discuss how they would respond to the the following initiatives or campaigns in the community and why?

The police are proposing to increase youth engagement programs where youth intern at police departments and police host after school programs to “build community trust.”

- » A significant number of complaints of police sexual violence take place in the context of youth engagement programs - one study found that 38% of complaints reported in a single year were connected to police Explorer programs.

Politicians are proposing to increase police presence in LGBTQ and Asian communities in response to a rise in violence targeting these demographic groups.

- » Trans people report some of the highest levels of police sexual violence
- » Lesbians routinely report homophobic police sexual harassment and violence by police
- » Asian women report frequent profiling and sexual harassment and assault by police.

Sexual assault providers are proposing to increase police presence in hospitals to make it easier for survivors to report sexual assaults to police.

- » As noted in the “On the Stroll” example in the What Would We Do exercise, many survivors are deterred from seeking treatment and reporting sexual assaults at hospitals due to presence of police. This is particularly true of criminalized survivors and survivors who experience police violence, including police sexual violence.

ENDING VIOLENCE WITHOUT VIOLENCE

Organizers across the state are calling for the decriminalization of drugs.

» The criminalization of drugs is one of the primary drivers of police sexual violence - from strip searches and cavity searches to extortion of sex in exchange for leniency to sexual assault fueled by the knowledge that people who use drugs or who are involved in the drug trades are less likely to be believed and more likely to be charged if they come forward.

Local organizers are calling for an end to “broken windows” policing.

» Stop and frisk practices and criminalization of acts such as drinking in public, disorderly conduct, and presence in public spaces are prime sites of sexual harassment, extortion, and assault.

Local organizers launch a campaign to decriminalize sex work.

» Policing of prostitution and trafficking-related offenses is one of the primary contexts in which police sexual harassment, extortion, assault and violence takes place. Up to 30% of people in the sex trades report sexual violence by police, and one study by and about youth in the sex trade conducted by the Young Women’s Empowerment Project named police as a primary source of violence.

Local organizers launch a campaign to defund police.

» See the Interrupting Criminalization Domestic Violence Awareness [fact sheet](#) and the Moment of Truth [statement](#) in the appendices (p 82).

Migrant justice groups are calling for decriminalization of migration.

» Sexual violence by Border Patrol, immigration authorities and police against migrants, and particularly undocumented migrants is pervasive and often takes place with impunity due to fear of retaliation or deportation.

Sexual assault advocates are calling for the elimination of the consent defense for police charged with sexual violence against people in their custody.

» Read this [article](#) discussing the consent defense in the context of police sexual violence.

APPENDIX E

MOMENT OF TRUTH: STATEMENT OF COMMITMENT TO BLACK LIVES FROM DOMESTIC VIOLENCE SERVICE PROVIDERS

Published June 30, 2020

In the wake of George Floyd's murder, 46 sexual assault and domestic violence coalitions signed on to the following statement.

This is a moment of reckoning. The murder of George Floyd broke the collective heart of this country, and now, finally, millions of people are saying their names: George Floyd, Breonna Taylor, Tony McDade, Ahmaud Arbery – an endless list of Black Lives stolen at the hands and knees of police. The legacies of slavery and unfulfilled civil rights, colonialism and erasure, hatred and violence, have always been in full view. Turning away is no longer an option. Superficial reform is not enough.

We, the undersigned sexual assault and domestic violence state coalitions call ourselves to account for the ways in which this movement, and particularly the white leadership within this movement, has repeatedly failed Black, Indigenous, and people of color (BIPOC) survivors, leaders, organizations, and movements:

We have failed to listen to Black feminist liberationists and other colleagues of color in the movement who cautioned us against the consequences of choosing increased policing, prosecution, and imprisonment as the primary solution to gender-based violence.

We have promoted false solutions of reforming systems that are designed to control people, rather than real community-based solutions that support healing and liberation.

We have invested significantly in the criminal legal system, despite knowing that the vast majority of survivors choose not to engage with it and that those who do are often re-traumatized by it.

We have held up calls for "victim safety" to justify imprisonment and ignored the fact that prisons hold some of the densest per-capita populations of trauma survivors in the world.

WHY DEFUNDING POLICE IS A SURVIVOR-LED SAFETY STRATEGY

- Most anti-violence work is unfunded/underfunded
- Currently most funding available for anti-violence work is for response *after the fact* – the goal is prevention.
- Currently most funding available for anti-violence work requires collaboration with law enforcement, excluding and deterring many survivors including undocumented, criminalized, queer/trans and many members of BIPOC communities.
- Defunding police can redirect funds to go directly to prevention, intervention, safety and healing anti-violence programs independent from law enforcement
- Defund also makes funds available to meet basic needs like housing, mental health care, employment and income support, child care which survivors name as important prevention/intervention tools
- Defund interrupts criminalization of survivors

DECRIMINALIZATION

- Reducing power/tools/opportunity
 - drug decriminalization
 - decriminalize “broken windows” offenses
 - decriminalize prostitution uncouple mental health response from police
- Remove police from schools, community programs, spaces of access to youth
- Develop alternate responses to violence

WHEN SOMETHING CAN'T BE FIXED
THEN the QUESTION IS
WHAT CAN WE BUILD
INSTEAD?



@MICAHBAZANT

— Mariame Kaba

COMMUNITY ACCOUNTABILITY



CREATIVE INTERVENTIONS TOOLKIT

A Practical Guide to Stop Interpersonal Violence



Companion to Creative Interventions Workbook:
A Short and Practical Guide to Stop Interpersonal Violence

www.creative-interventions.org



A COMMUNITY EFFORT

A collective community is behind this community-based response to violence. Many of us as individuals and as organizations are working together to challenge violence in all of its forms. Many have been involved in working both on the Community-Based Interventions Project that has generated this Toolkit.

The key partner organizations towards the creation of this Toolkit are:

Incite! Women of Color against Violence (National). Creative Interventions is an affiliate of this national organization and is a creation of the social movement that Incite! represents.

Creative Interventions (Oakland, CA) (with many, many individual supporters – volunteers, board members, advisory board members, staff, organizational partners, large and small funders)

Asian Women's Shelter (Oakland, CA)

Narika (Oakland, CA)

Shimtuh, a project of Korean Community Center of the East Bay (KCCCEB) (Oakland, CA)

La Clinica de la Raza (Oakland, CA)

StoryTelling & Organizing Project (STOP) (National). STOP is a spin-off project of Creative Interventions and is working with a partnership of community organizations to promote community-based responses to violence through story telling and organizing around successful strategies for communities to challenge violence in all of its forms. See www.stopviolenceeveryday.org.



M.H.FIRST

COMMUNITY FIRST RESPONSE

OAKLAND

- Mental health crisis response
- Domestic violence safety planning
- Substance use and mental health support and destigmatization

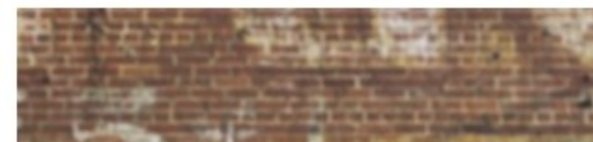
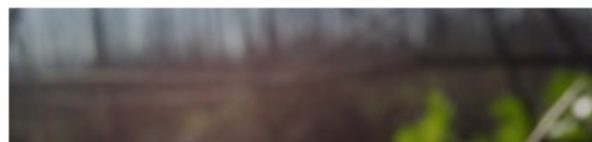
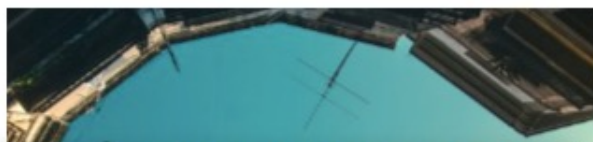
8PM – 8AM • FRIDAY & SATURDAY

Call 510-999-9MH1 or message us on social media

BATJC



Focus Areas



EXPLORE



**COMMUNITY-BASED
SAFETY STRATEGIES**



www.MillionExperiments.com

by Project Nia & Interrupting Criminalization



- Cis and transgender women and girls and GNC people experience gender-based and sexual violence not only by individuals but by these and other systems that are rooted in histories of slavery, colonization, patriarchy, homophobia and transphobia;
- We are punished for the ways we survive the abuse, violence and exploitation we experience and the historical trauma and oppression of our families and communities;
- a society based on equity, transformative justice, the recognition of full human rights, the protection of and access to basic needs for all – without discrimination based on race, gender, sexuality, class, immigration status, ability or age and that seeks to reverse intergenerational poverty and historic trauma.

WE HAVE
WORK TO DO.

