
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**

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TABLE OF CONTENTS

INTRODUCTION	1
I. FACT SHEETS	
➤ Policing Gender	5
➤ Khaki & Blue: A Killer Combination	9
➤ Immigration Enforcement	13
➤ “Quality of Life” or “Zero Tolerance” Policing	17
➤ Cops...In Schools??!!	21
➤ Policing Sex Work	25
➤ The War on Drugs	29
➤ Police Violence Against Native Women, Native Trans People, & Two Spirit People	33
➤ Police Violence and Domestic Violence	37
➤ Rape, Sexual Assault, and Sexual Harassment	43
➤ Law Enforcement Violence & Disaster: Police Brutality in the Wake of Hurricane Katrina	49
II. ORGANIZING TOOLS	
➤ Resisting Law Enforcement Violence - Some Ideas	53
• Making the Links – Sista II Sista – From Bushwick to Baghdad!	59
• Young Women in Brooklyn Speak Out Against Violence	60
• Know Your Rights	61
• Critical Lessons from the New Jersey 7	65
➤ Organizing for Community Accountability	69
• Sista II Sista – Sistas Liberated Ground	71
• Audre Lorde Project - Safe OUTside the System Collective (SOS)	73
• SOS - Living Against Violence	75
• CARA - Making Connections	77
➤ What is Participatory Action Research?	79
• Sista II Sista Community Survey & Fact Sheet	83
• Still We Rise Community Survey	86
• FIERCE! Community Survey	89
• Coalición de Derechos Humanos Abuse Documentation Form	91
• National Network for Immigrant and Refugee Rights: Hurricane	93
• Safe Streets Survey	97
• Different Avenues Survey	101
➤ Five Questions: Sample Workshop on Law Enforcement Violence Against Women and Trans People of Color	103
➤ Critical Resistance-INCITE! Statement on Gender Violence and the Prison Industrial Complex	107
III. RESOURCES	
➤ List of Resources & Organizations	111
➤ Resource CD – Table of Contents	115
IV. EVALUATION	117



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TOC

INTRODUCTION

⇒ WHO IS INCITE! WOMEN OF COLOR AGAINST VIOLENCE?



INCITE! Women of Color Against Violence is a national activist organization of radical feminists of color advancing a movement to end violence against women of color and their communities through direct action, critical dialogue and grassroots organizing. Nationally, INCITE!'s work is coordinated by a collective of women of color from across the country who work to support local grassroots organizing activities that challenge all forms of violence against women of color and their communities. INCITE! is a national network of local chapters and affiliates in over 10 cities, and a broad base of individual members and supporters across the country and transnationally.

⇒ WHY THIS TOOLKIT?

INCITE! created this toolkit to support the work of our local chapters, affiliates, and allies in raising awareness around and challenging an often invisible form of violence against women of color in the U.S.

When we think about police brutality, we tend to think primarily about the experiences of young men of color perceived to be heterosexual, and not about police brutality women and trans people of color experience daily.

When we think about violence against women, we tend to think about interpersonal and community violence, like domestic violence and sexual assault, and not gender-based violence by law enforcement agents. As a result, very little information and very few resources on police brutality and other forms of law enforcement violence against women of color and trans people of color exist at the national level. The marginalization of a gendered political analysis of state violence also de-prioritizes the work of developing community alternatives for safety, support, healing, and accountability from domestic violence, sexual violence, homophobic/transphobic violence, and other kinds of gender-based violence within our communities.

To support women of color and trans people of color survivors of police brutality, as well as individuals and groups who are working to raise awareness of and fight police brutality against women and trans people of color, we wanted to bring together as much information as possible, as well as resources and organizing tools and ideas developed by groups across the country, in one place. It is intended as an educational resource for activists and organizers, and provides some examples of organizing tools and strategies.



Art by Cristy C. Road, croadcore.org

⇒ WHAT DO WE MEAN WHEN WE SAY “WOMEN OF COLOR & TRANS PEOPLE OF COLOR?”

Recognizing that police brutality and other forms of law enforcement violence often serve as tools for policing and enforcing gender and sexual conformity along with power relations based on race, class, immigration status and ability, this toolkit focuses on the experiences of people of color who experience gender-based state violence. When we say “women of color and trans people of color” we mean people of color who experience law enforcement violence and who identify as women, transgender, queer, Two-Spirit, lesbiana/lesbian, bisexual, bulldaggers, aggressives, dykes, gay, butch, genderqueer or gender non-conforming, whose experiences are generally marginalized by movements resisting state violence.



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INTRODUCTION

⇒ WHAT IS “LAW ENFORCEMENT VIOLENCE?”

In this toolkit, we use the term "law enforcement violence" to include violence against women of color and trans people of color by local and state police, immigration authorities (i.e. ICE, DHS and Border Patrol), federal law enforcement agencies (i.e. FBI, DEA, Customs and Border Protection), military forces, and private security.

⇒ WHAT IS THE “PRISON INDUSTRIAL COMPLEX?”

Critical Resistance, a national grassroots organization formed to abolish the prison-industrial complex (more info at <http://www.criticalresistance.org>), defines the prison-industrial complex or PIC, as a complicated system situated at the intersection of governmental and private interests that uses prisons and policing as a failed "solution" to social, political and economic problems. The PIC depends upon the oppressive systems of racism, classism, sexism, and homophobia. It includes human rights violations, the death penalty, industry and labor issues, policing, courts, media, community powerlessness, the imprisonment of political prisoners, and the elimination of dissent.

⇒ WHAT IS IN THIS TOOLKIT?

The toolkit includes:

- ⇒ **Fact sheets** describing different kinds and locations of law enforcement violence experienced by women and trans people of color;
- ⇒ **Ideas** for documenting and organizing around law enforcement violence against women and trans people of color and for building responses to violence in our communities that don't rely on law enforcement;
- ⇒ Sample **workshops**;
- ⇒ Sample **surveys** and **flyers**;
- ⇒ A list of **resources**;
- ⇒ A **resource CD** with reports, tools and other information about law enforcement violence against women and trans people of color, participatory research and organizing strategies.

⇒ WHO CONTRIBUTED TO THIS TOOLKIT?

We are incredibly grateful to all of the chapters, affiliates, allies and partners who participated in and contributed to the creation of this toolkit, including the INCITE! Law Enforcement Violence Working Group (INCITE! Binghamton, INCITE! Denver, INCITE! New Orleans, Sisterfire NYC, INCITE! DC, Sista II Sista, October 22nd Coalition, Escuela Popular Norteña, RFR, Prison Moratorium Project, BlackOUT! Arts Collective, Southwest Youth Collaborative, Critical Resistance, Creative Interventions, and Coalición de Derechos Humanos), Communities Against Rape and Abuse (CARA), FIERCE!, the Sylvia Rivera Law Project, the Audre Lorde Project, the Sex Workers Project of the Urban Justice Center, Community United Against Violence (CUAV), and the Young Women's Empowerment Project.

Art work by the inimitable and inspiring Cristy C. Road! <http://www.croadcore.org/>



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INTRODUCTION

⇒ HOW CAN I USE THIS TOOLKIT?

We hope that this toolkit will help to:

- ⇒ **Integrate a gender analysis** into our conversations and action around police brutality, the prison industrial complex, and state violence;
- ⇒ **Connect, support, and advance local organizing** that addresses all forms of violence against women and trans people of color, including police brutality and other forms of state violence;
- ⇒ **Uncover and address the impacts of police brutality** on all members of our communities, including women of color and trans people of color;
- ⇒ **Develop base-building projects** that center the experiences of leadership of women and trans people of color who live at the dangerous intersections of multiple forms of interpersonal, community, and state gender-based violence, including youth, sex workers, poor and working class women and trans people of color, formerly incarcerated women and trans people of color, immigrants, and Native people;
- ⇒ **Challenge society's primary reliance on law enforcement agents** to protect us from domestic violence, sexual assault, homophobic and transphobic violence and other forms of interpersonal and community violence;
- ⇒ **Collectively develop alternative responses to violence** that do not rely on law enforcement agents who often perpetrate and permit violence against us rather than protect us.

⇒ WHAT OTHER TOOLS ARE AVAILABLE?

The toolkit is intended to be used along with INCITE!'s brochure *Police Brutality Against Women of Color & Trans People of Color: A Critical Intersection of Gender Violence and State Violence*. Copies of the brochure are available at <http://www.incite-national.org> or by writing us at incite_national@yahoo.com.

STOP! Police Brutality Against Women of Color and Trans People of Color posters and palm cards are also available for local outreach.

⇒ WE NEED YOUR FEEDBACK!

Please fill out the evaluation form at the back of the toolkit - tell us what you thought about it, how you used it, what was missing, what resources you are aware of that should be included, and anything else that would help us make it better! You can also fill out the evaluation form online at <http://www.incite-national.org/index.php?s=128>

THE ENTIRE CONTENTS OF THIS TOOLKIT AND THE ACCOMPANYING RESOURCE CD
ARE AVAILABLE ONLINE AT
<http://www.incite-national.org>

Feel free to copy, download, distribute!



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POLICING GENDER

Gender policing has, like race-based policing, always been a part of this nation's bloody history.

- TransJustice¹, Call To First Annual Trans Day of Action for Social and Economic Justice, 2005

Law enforcement agencies not only enforce systemic power relations based on race and class through racial profiling, race-based policing, and targeting of low-income communities of color, they also police gender lines, enforcing dominant racialized gender norms. Yet, the gendered aspects and manifestations of law enforcement violence are often invisible in organizing and advocacy around both police brutality and gender-based violence.

⇒ ENFORCING THE GENDER BINARY

Sometimes police enforcement of the gender binary — the idea that there are only two genders, male and female, each of which is characterized by specific conduct and appearance — is obvious. For instance, until just a few decades ago, cops used to enforce what were known as “sumptuary laws,” which required individuals to wear “gender appropriate” clothing, and subjected people to arrest for “impersonating” another gender.² Today, such regulations remain in effect in prisons, and are enforced through disciplinary infractions and punitive segregation.³ These regulations still inform law enforcement conduct - for instance, the **New York City Police Department's current arrest paperwork still has a box to check for “impersonating a female.”**

Additionally, requests for identification, which may not match a person's gender identity, often lead to police presumptions that transgender people are fraudulent, deceitful, or inherently suspicious. **This can in turn lead to verbal abuse, harassment, and physical abuse.** Law enforcement officers also regularly subject trans and gender non-conforming people to invasive and abusive searches to satisfy their curiosity, humiliate, or to involuntarily assign a gender based on genital status.⁴

An African American transgender woman arrested by LAPD and taken to the county jail reported: “The officers wanted to see my chest. They wanted to see if I had tits or not.” They reportedly came into her cell and instructed her to remove her shirt. After she complied, they left.⁵

A transgender man was arrested during a political protest in San Francisco. He showed the officer a drivers' license that identified him as legally male and was placed in a holding pen with the other male detainees. One officer got curious about the activist's gender status and came into the cell, then reportedly pushed him around, dragged him out and belligerently accused him of having a fraudulent identification card. A second officer asked him if he had a “dick” and groped his crotch and chest to “verify his gender.”⁶



POLICING GENDER

Trans and gender non-conforming people of color are also often arbitrarily **arrested and subjected to brutality by police for using the “wrong bathroom”** — even though there is generally no law requiring individuals who use bathrooms designated as for “men” or “women” to have any particular set of characteristics.⁷ **For instance:**

In Washington, D.C., in 2004 an African American woman who plays on a women's football team was violently arrested after using the women's bathroom at a local restaurant.

The Esperanza Center in San Antonio, TX reports that, in 2003, a female attorney wearing a suit and tie was arrested for using the women's bathroom.

The Sylvia Rivera Law Project in New York City has organized around the case of Christina Sforza, a transgender woman of color who went with two friends to a McDonald's in New York City in 2006. When Ms. Sforza went to use the bathroom, the men's toilet was out of order and a McDonald's employee told her to use the women's. While she was inside, someone began yelling “I'm going to kill you, faggot. I'm going to kill you” while banging on the door. When she opened the door, a man in a blue McDonald's shirt hit her repeatedly about the head and body with a lead pipe and then choked her, saying, “I'm going to kill you, you fucking fag, I don't want any fags in here.” A crowd of McDonald's staff and customers cheered, yelling “kill the fag.” Fearing for their safety, one of Ms. Sforza's friends called the police for help. When the cops arrived on the scene, they talked to the man who had beaten Ms. Sforza, who told them that she had attacked him. Ms. Sforza was arrested, placed in handcuffs despite injuries to her arm, refused medical treatment, and subsequently charged with “assault with intent to cause physical injury” and “harassment in the second degree.” She later attempted to file a criminal complaint against the man who beat her, only to be turned away on six different occasions, the last time on threat of arrest for “attempting to make a false report.”⁸

Fear of such abuse and arbitrary arrests leads many trans and gender non-conforming people of color to avoid using bathrooms in public places, often leading to severe and painful health consequences.



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POLICING GENDER

⇒ PUNISHING GENDER NON-CONFORMITY

White trans activist, Leslie Feinberg, described her experience of gender policing as follows: “[t]he reality of why I was arrested was as cold as the cell’s cement floor: I am considered a masculine female. That’s a gender violation, even where the laws are not written down, police are empowered to carry out merciless punishment for sex and gender difference.”⁹ In addition to arbitrary and punitive arrests and prosecutions, trans and gender non-conforming people, and particularly trans and gender non-conforming people of color, are also **subjected to**

transphobic and homophobic verbal abuse and punishment, in the form of physical violence, for failure to “comply” with existing racialized norms of gender identity and expression. For instance:

**I know it wasn't because of me
Let the justice system call it
I'm a big black dyke
With no fears and not afraid to fight**

- excerpt from poem by Terrain Dandridge, one of the New Jersey 7.¹⁰ For more info about the New Jersey 7, please see the Sep 2008 LeftTurn article in this toolkit, "Re-Thinking 'The Norm' In Police/Prison Violence & Gender Violence: Critical Lessons From the New Jersey 7"

A Black butch lesbian arrested in Boston for “disruptive behavior” was handcuffed excessively tightly. When she complained, an officer responded “you want to act like a man, I’ll treat you like a man!” and punched her in the chest, yelling at her to “shut up bitch!” She was subsequently shackled and charged with assault on a police officer.¹¹

According to the New York City AIDS Housing Network, a police officer walked a Latina butch lesbian arrested at a demonstration in New York City by cells holding men, telling her “you think you’re a man, I’ll put you in there and we’ll see what happens to you.”

Recently, Duanna Johnson, a Black transgender woman arrested in Memphis, refused to respond to an officer who called her a “he-she” and “faggot” and was savagely beaten by one officer while another restrained her. No other officer in the area where she was being held intervened to stop the violence, demonstrating the systemic and uncontested nature of gender and homophobic policing.¹²

Sometimes gender policing is not so obvious, but is just as profound and devastating. Police officers also engage in more subtle gender policing: individuals perceived to be violating racialized gender norms are consciously or subconsciously framed by police as inherently “disorderly,” and therefore more likely to become objects of police suspicion and surveillance, and to be presumed to be threatening, criminal, fraudulent, deceitful, mentally unstable, substance abusers, or potentially violent. Such presumptions result in profiling, harassment, verbal abuse, arbitrary stops and detentions, invasive and abusive searches, use of excessive force during encounters with police, and ultimately, arrest and “punishment” or denial of protection by law enforcement as crime victims. Vaguely worded “quality of life regulations” [see fact sheet on “Quality of Life Policing” in this toolkit] provide law enforcement officers with even greater discretion and latitude to police race and gender, allowing for arbitrary arrests for vague offenses such as “disorderly conduct,” “lewd conduct,” or “loitering.”



POLICING GENDER

⇒ ENDNOTES

¹ TransJustice is a New York City-based political group created by and for Trans and Gender Non-Conforming people of color. For more info, go to: <http://www.alp.org/whatwedo/organizing>.

² “In the era of Stonewall, laws against cross dressing were common. Indeed, the most recent case of such archaic laws being stuck down was in San Diego, just a handful of years ago...Many of them required that a person...had to be wearing three items of their birth gender’s clothing. Some were more stringent, with some biological females having to get special licenses in order to wear pants in public.” Gwen Smith, *Transsexual Terrorism*, Washington Blade, October 3, 2003; see also Leslie Feinberg, *Trans Liberation: Beyond Pink or Blue*, Beacon Press (1999); Phyllis Frye, http://www.transhistory.org/history/TH_Phyllis_Frye.html (citing Houston Code struck down in 1981).

³ Personal communication, Julia Sudbury, author, *Global Lockdown: Race, Gender and the Prison-Industrial Complex* (Routledge 2005).

⁴ Amnesty International, *Stonewalled: Police Abuse and Misconduct Against Lesbian, Gay, Bisexual and Transgender People in the U.S.* 13, AMR 51/122/2005 (2005).

⁵ *Id.* at 54.

⁶ *Id.*

⁷ *Id.* at 20.

⁸ See also, Amnesty International Action, USA-New York Police Department – Serious allegations of abuse of transgender women (update), http://www.amnestyusa.org/outfront/Chris_and_Mariah_update_July_2007.pdf, July 2007.

⁹ Leslie Feinberg, *Trans Liberation: Beyond Pink or Blue*, Beacon Press (1999).

¹⁰ The excerpt from Terrain Dandridge’s poem is available as a result of the media justice work done by the Bay Area NJ4 Solidarity Committee. The New Jersey 7 is a group of seven young Black lesbians profiled and arrested by police, four of whom were also incarcerated, for defending themselves from a homophobic attack and sexual assault. For more information, see “Re-Thinking ‘The Norm’ In Police/Prison Violence & Gender Violence: Critical Lessons From the New Jersey 7,” Left Turn Magazine, September 2008. (Reprinted in this toolkit.)

¹¹ Amnesty International, *Stonewalled: Police Abuse and Misconduct Against Lesbian, Gay, Bisexual and Transgender People in the U.S.* 64, AMR 51/122/2005 (2005) and personal communication, Dr. Rebecca Young, Barnard College.

¹² LeiLani Dowell, *Memphis Cops Brutally Beat Transwoman*, Workers World, July 9, 2008.



KHAKI & BLUE: A KILLER COMBINATION

In the aftermath of Hurricane Katrina, the US Army was deployed to “protect” displaced women while the National Guard was in Iraq. Many poor Black women were raped while the US Army “guarded” shelters in the South.¹ Meanwhile, many of our troops in Iraq were engaging, and continue to engage, in the rape, torture, and murder of innocent civilians.

As military and domestic police forces work ever closer together in a hyper-militarized world, women, children and trans folks of color — both here and abroad — are increasingly subjected to law enforcement violence that shares many characteristics, forms, tactics, targets, language and even personnel with the US and other military forces.²



Art by Cristy C. Road, croadcore.org

⇒ IN IRAQ

An Iraqi woman in her 70s had been harnessed and ridden like a donkey by U.S. soldiers at Abu Ghraib after being arrested without charge in July 2003.³

Images of US female soldiers engaging in the sexual torture of imprisoned Iraqi men have been sensationalized, and made national and international headlines for weeks. In reality, **the majority of rape and sexual torture by US military forces is at the hands of American male soldiers, against Iraqi women and children as well as fellow US women soldiers.** These atrocities are far more prevalent, but they go unreported, since they are “business as usual.”⁴

The US Military has trained the new Iraqi police force, who now follow the model of a hostile occupying army, and engage in arbitrary arrests of civilians, as well as widespread torture of detainees, including women and children, in pre-trial detention facilities.⁵

Hundreds of innocent Iraqi girls and women (some as young as 9, others in their 70s) have been arrested, detained, abused, raped and tortured by US-trained Iraqi police, in some cases to pressure them to collaborate with the Occupation, and to inform against the resistance.⁶

⇒ IN THE U.S.

Since SWAT teams, modeled on the US Military’s Special Forces, were introduced in the 1970s, police departments of major US cities such as Seattle, New York, and Los Angeles have increasingly been trained in aggressive military philosophy, strategy, tactics, and weaponry, and to perceive entire groups of people and neighborhoods as “threats.” In fact, most police units in the US have trained with active duty military experts in special operations or police officers with military special operations experience.⁷ Police officers’ training in “counter-terrorism” is often conducted through videos produced by the Israeli Army, which is known for discriminatory policies and its brutality against Palestinian women and children.⁸

Over the past two decades, policing of the border between the US and Mexico has become increasingly militarized, as evidenced by the introduction and integration of military units in the border region and changes to Border Patrol to make it more like the US military in equipment, structure, and tactics.⁹



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KHAKI & BLUE: A KILLER COMBINATION

“Many women who cross the border report that rape was the ‘price of not being apprehended, deported, or of having their confiscated documents returned.’”

-- Sylvanna Falcon¹⁰

These military tactics include the use of rape as a weapon to literally enforce the border on women’s bodies. Rape of Mexican, Central American, and Latina women at the border by Border Patrol and military forces is widespread.

Policing of political demonstrations is also evidence of increasing militarization, as officers are trained to use military formations and weapons to disrupt and disperse lawful protests.¹¹

⇒ IN PALESTINE

In August 2007, there were 572 Israeli roadblocks within the Occupied West Bank, a 52% increase over August 2005, not including checkpoints along the Green Line. These “chokingpoints,” every single one of which is illegal, severely restrict women and children’s movement through militarized police blockades.

Data released by the United Nations indicates that Palestinian stillbirths increased by 56% in one year (from 1999 to 2000), following the Israeli clampdown on the West Bank, carried out in response to the popular uprising against the illegal occupation. Because of the checkpoints, hundreds of pregnant women deliver their babies in dangerous situations and locations because Israeli soldiers prevent them from reaching a hospital.¹³

On September 4, 2008, Naheel Abu Ridah, seven months pregnant, was rushed to the hospital in severe pain. When she reached the Huwara checkpoint with three relatives, soldiers refused to let them cross by car despite the family’s plea’s. She delivered in the car, and the baby was born dead. The checkpoint commander was sentenced in a disciplinary hearing to 14 days in an army prison.¹²

⇒ IN THE U.S.

In many communities of color across the US, and most recently and obviously in New Orleans, police set up “checkpoints” in neighborhoods and public housing, routinely stopping, demanding identification from, questioning and searching residents.¹⁴

⇒ IN AFGHANISTAN

In 2006, US-appointed Afghan President Hamid Karzai drafted a proposal to re-establish the Department for the Promotion of Virtue and Prevention of Vice, raising serious concerns about potential abuse of the rights of women and vulnerable groups. Under the Taliban, the vice and virtue police ruthlessly beat women publicly for, among other things, showing their wrists, hands, or ankles, or not being accompanied by a close male relative. They stopped women from educating girls in home-based schools, working, and begging.¹⁵



Art by Favianna Rodriguez, favianna.com

⇒ IN THE U.S.

Women of color, and particularly transgender women of color, are routinely profiled as sex workers. Police often cite what we are wearing, who we are talking to and where we are hanging out as evidence that we are engaged in “lewd” conduct or soliciting sex for money, and as an excuse to verbally and physically abuse us, refer to us as ‘ho’s, “bitches” and prostitutes, to sexually harass us, and arbitrarily search, question, detain, and arrest us.¹⁶



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KHAKI & BLUE: A KILLER COMBINATION

➔ ENDNOTES

¹ See, for example, C. Neville, *How We Survived the Flood*, and A. Bierria, M. Liebenenthal, and INCITE! Women of Color Against Violence, *To Render Ourselves Visible: Women of Color Organizing and Hurricane Katrina*, both in *What Lies Beneath: Katrina, Race, and the State of the Nation*, Ed. South End Press Collective. Cambridge, MA: South End Press, 2007 (28-30, and 31-47); *Katrina Rapes Counted; U.S. Cuts Social Programs*, <http://www.womensenews.org/article.cfm?aid=2583>.

² See T. McClary and A. Ritchie, *In the Shadows of the War on Terror: Persistent Police Brutality and Abuse in the United States* 19, a shadow report to the UN Human Rights Committee, May 2006.

³ L. Harding, *Women--the Other Iraqi Prisoners*, *The Guardian*, May 20, 2004, Online at: www.religiousconsultation.org/News_Tracker/women_the_other_Iraqi_prisoners.htm

⁴ L. Harding, *Women--the Other Iraqi Prisoners*, *The Guardian*, May 20, 2004, Online at: www.religiousconsultation.org/News_Tracker/women_the_other_Iraqi_prisoners.htm; Z. Byron Wolf, *Sex Assaults Against Women in the Military 'Epidemic': GAOReport*, *abcnews.go.com*, July 31, 2008.

⁵ See, for example, Yifat Sussking: "Iraqi Police Commit Rape__Armed,Trained, and Funded by the US" February 22, 2007, *CommonDreams.org*, <http://www.commondreams.org/views07/0222-25.htm>.

⁶ Women are arrested in violation of international law, not because of crimes they have committed, but because of their "potential intelligence value," as daughters or wives of Baa'th party members. Since November 2005, the Organization of Women's Freedom in Iraq (OWFI) has conducted a Women's Prison Watch project and has found that "torture and rape are common procedure of investigation in police stations." At least nine Iraqi organizations, as well as Amnesty International, the U.N. Assistance Mission in Iraq and the Brussels Tribunal have documented the sexualized torture of Iraqi women while in police custody. These include [Women's Will](#), Occupation Watch, the [Women's Rights Association](#), the Iraqi League, the [Iraqi National Association of Human Rights](#), the Human Rights' Voice of Freedom, the Association of Muslim Scholars, the Iraqi Islamic Party and the Iraqi National Media and Culture Organization. Most of this documentation is available in the OWFI annual reports, available online through www.madre.org.

⁷ P. Kraska, *Militarizing Criminal Justice: Exploring the Possibilities*, *J. Pol. & Mil. Soc.* 27:205-215 (1999).

⁸ In addition to the Israeli military training the police forces of major US cities, private companies staffed by Israeli military officers hold training camps in the US for various "private security" businesses here. One such business venture is the Instinctive Shooting International, whose home-page proudly asserts:

Since 1993, ISI, Inc. has successfully provided high caliber training and consulting services to Police Departments, SWAT teams, Military Personnel, Government Agencies and Private Security entities throughout the United States.

At ISI, Inc., we believe in training that not only meets, but exceeds current professional training standards. We firmly believe in proactive, innovative and practical training methods that work in the real world. "

http://isittrainingcenter.com/index.php?option=com_frontpage&Itemid=1.

⁹ National Network for Immigrant and Refugee Rights. "Preliminary Report and Findings of the Emergency National Border Justice and Solidarity Community Tour: Militarization and Impunity at the Border." October 2006; Dunn, Timothy, *The Militarization of the US-Mexico Border 1978-1992: Low-Intensity Conflict Doctrine Comes Home*. Center for Mexican American Studies, University of Texas at Austin, 1996.

¹⁰ Sylvanna Falcon, "Rape as a Weapon of War: Advancing Human Rights or Women at the US-Mexico Border," *Social Justice*, Summer 2001; 28-2, pp 31-50.

¹¹ See K. Williams, *Our Enemies in Blue* 224-27, Soft Skull Press, 2004 (republished, South End Press 2006).

¹² *Soldiers Prevent Pregnant, Bleeding Woman From Crossing Checkpoint And She Gives Birth To A Stillborn Baby*, *Palestine Monitor*, September 18, 2008, <http://www.palestinemonitor.org/spip/spip.php?article639>

¹³ See, for example, http://news.yahoo.com/s/afp/20080912/wl_mideast_afp/mideastconflictwestbankdeath_080912120500

Israeli soldier gets 14 days in prison after a Palestinian delivered a stillborn baby after being delayed at checkpoint. The article reports that, between 2000 and 2006, at least 68 Palestinian women gave birth at Israeli checkpoints, including 35 who miscarried and five who died in childbirth.

¹⁴ See, e.g., *New Orleans to Combat Crime Wave with Overnight Checkpoints*, *Fox News*, January 10, 2007; *Latino Groups Slam Richmond Police Checkpoints*, *cbs4.com*, August 28, 2008; Corey Roush, *Warrantless Public Housing Searches: Individual Violations or Community Solutions*, *American Criminal Law Review*, Vol. 34, 1996.

¹⁵ See the news archive of the Revolutionary Afghan Women's association, at

<http://www.rawa.org/temp/runews/2006/07/17/afghanistan-vice-and-virtue-department-could-return.phtml?story=Kabul>.

¹⁶ For more information, see the *Policing Sex Work* fact sheet in this toolkit.





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IMMIGRATION ENFORCEMENT

⇒ LAW ENFORCEMENT VIOLENT AGAINST MIGRANT WOMEN & TRANSPeOPLE

Law enforcement violence against migrant women and transpeople — including sexual abuse — is enabled by U.S. immigration policy. The U.S. government's strategy of militarization of the U.S.-Mexico border, and anti-immigrant interior enforcement through the use of raids, expansion of immigration detention facilities, and collaboration between federal immigration enforcement and local police agencies¹ creates an environment where immigrant women are vulnerable to violence and sexual assault.

⇒ BACKGROUND FACTS

Women and Migration. The International Organization for Migration estimates that there are over 192 million migrants in the world today, over 3% of the world's total population. Over 95 million of these migrants are women.² In the U.S., over 55% of immigrants — both documented and undocumented — are women.³

Anti-Immigrant Law Enforcement. During the past fifteen years, the U.S. government has increased its spending on anti-immigrant law enforcement almost tenfold since 1993 (\$1.5 billion: INS). In 2008, President Bush's budget called for a total of \$13.6 billion for anti-immigrant law enforcement. This total included \$8.8 billion to hire 17,800 border patrol agents, and provide for the construction of 370 miles of fencing along the U.S.-Mexico Border.⁴

⇒ VIOLENCE AT THE BORDER

Violence against migrant women at the border is not random or isolated: as representatives of the UN Development Fund for Women report, at least 60 to 70% of undocumented women migrants who cross the border alone experience sexual abuse.⁵ The danger is even greater for migrants from Central American countries, who must pass through two militarized borders—between Guatemala and the U.S. and between Mexico and the U.S.

Border Patrol and other law enforcement agents prey on migrant women's vulnerability: "many women who cross the border report that rape was the 'price of not being apprehended, deported, or of having their confiscated documents returned.'" For example:

Luz Lopez and Norma Contreras were repeatedly sexually assaulted by a Border Patrol agent who captured them crossing the Rio Grande near El Paso, TX. "We are not the first, nor the last," Contreras said.⁶

A California INS officer was convicted in 2004 of demanding sex and cash from two Chinese women seeking asylum.⁷

On September 3, 1993, Juanita Gomez and her female cousin crossed the border between Nogales, Sonora, and Nogales, Arizona to meet two male friends to go shopping. Larry Selders, a Border Patrol Agent, stopped all four people, but only detained Gomez and her cousin. Selders then told Gomez and her cousin that he would not take them to the Border Patrol department for deportation if they would have sex with him; after both women refused, he raped Gomez.⁸
A detective investigating the women's complaint told them he didn't believe them, asking "Isn't it true that you are a prostitute?"⁹



IMMIGRATION ENFORCEMENT

Haime Flores was stopped at a checkpoint and taken to a Border Patrol station. After it was determined that her documents were valid, the agents went on to detain her for six hours and order a search, during which a female agent inserted her finger into Flores' vagina while three male officers laughed and joked. No contraband was found.¹⁰

While anti-immigrant forces have focused on alleged rapes by fellow migrants and “coyotes” as justification for stirring up racist anti-immigrant sentiment and calling for enhanced border enforcement and militarization, they have been notably silent on rapes by Border Patrol and other law enforcement agents, as well as the increased vulnerability to sexual abuse created by intensified anti-immigrant measures forcing migrant women into more desperate and desolate border crossings.

➤ VIOLENCE IN THE INTERIOR

Since 1996, the U.S. government has engaged in what it views as a “comprehensive interior enforcement strategy.” The objective: to “protect” communities by identifying and deporting individuals in violation of immigration laws in non-border areas. Immigration law enforcement officials have conducted raids at schools, shopping centers, and workplaces, sweeping the area for undocumented immigrants.¹¹

In February 2007 ICE agents stormed into Nelly Amaya's home. When she asked to see a warrant -- which the agents did not have -- they roughed her up, injuring her arm, as they frisked and arrested her, and took her away in her pajamas. While in detention she suffered an asthma attack, but was denied treatment. She was released 10 hours later in her pajamas with no money in the dead of winter.¹²

INS officer James Riley was arrested in May 1990, after conducting an unauthorized immigration “one-man raid at gunpoint at a Van Nuys bar.” Riley abducted and raped a 24-year-old woman from the bar after telling her that she was under arrest for lacking legal documents to be in the United States. One month later, over seventeen women had filed charges against him, recounting similar abuse.¹³

Saida Uzmanzor's nursing nine-month old daughter was removed from her by ICE agents and placed in foster care after she was detained during a raid.¹⁴

In addition, the federal government has begun to enter into “memorandums of understanding” with local police offices, deputizing local law enforcement agencies to act as immigration agents. In 2008, President Bush's immigration budget called for \$4.8 billion for interior enforcement of immigration law, which included funds to train state and local law enforcement officials in immigration enforcement.¹⁵ The increasing presence of immigration enforcement in the interior leads women of color to see law enforcement agents and the criminal legal system as further threats to their safety.

In December 2007, Miriam Aviles was pulled over by Tucson police and asked for identification. The officer called Border Patrol, and then induced labor in Ms. Aviles by physically forcing her into the Border Patrol vehicle. Ms. Aviles spent the night in immigration detention, and was not taken to a clinic until the following day, where she was badgered by a Border Patrol agent to “hurry up” and have her baby.¹⁶



IMMIGRATION ENFORCEMENT

A school-based police officer arrested five months pregnant 18 year-old high school student Karina Acosta in her classroom, and held her until ICE came to take her away. She had been cited for a parking violation and not having a drivers' license three days before.¹⁷

Terwinder, a Sikh mother of two U.S. born children, was arrested and subject to deportation after police officers who were helping her with a flat tire found out she had an outstanding deportation order. She had lived in the U.S. for 12 years with her family, running a small business.¹⁸

Fear of deportation was identified as the primary reason that 64% of undocumented women in a San Francisco study did not seek social services.¹⁹

⇒ VIOLENCE IN IMMIGRATION DETENTION

In 1996, Congress passed immigration reform legislation that led to the explosion of the immigration detention system. It is now the fastest-growing incarceration program in the country, leading the rapid expansion of the prison-industrial complex in the U.S. In 2005, the Department of Homeland Security detained 237,667 individuals: an average of 19,619 per day.²⁰

Christina Madraso, a transsexual woman, sought asylum in the U.S. after being badly beaten based on her gender identity in Mexico. However, her nightmare continued when she was detained in the Krome Service Processing Center, where she was placed in the men's ward, and faced harassment by guards and other detainees. She was then transferred into an isolation unit, where she was sexually assaulted twice by the same guard. After the second rape, INS officials told her that she could either transfer to a mental institution, county prison, or give up her asylum claim.²¹

A Chinese immigrant woman miscarried her twins after she appeared for a routine interview with Immigrations and Customs Enforcement (ICE) officials, and unexpectedly became subject to a violent deportation attempt. Another pregnant immigrant woman from Cameroon miscarried while she was under ICE custody after her requests for medical care went ignored for two days.²²

Victoria Arellano, an undocumented transgender woman with HIV, died in an ICE detention facility in California after being denied necessary medication to prevent opportunistic infections, despite organizing efforts by fellow detainees to obtain medical treatment for her.²³

The National Network for Immigrant and Refugee Rights has launched HURRICANE, an initiative to document and collectively organize around violations of migrants' rights – for more info, go to:
<http://www.nnirr.org/hurricane/index.php>



Please visit www.incite-national.org for more info!

IMMIGRATION ENFORCEMENT

⇒ ENDNOTES

- ¹ *Over-Raided, Under Siege: U.S. Immigration Laws and Enforcement Destroy the Rights of Migrants*, National Network for Immigrant and Refugee Rights, 2008; H. Nimr, *Human Rights & Human Security At Risk: The Consequences of Placing Immigration Enforcement and Services in the Department of Homeland Security*, National Network for Immigrant and Refugee Rights, 2003; National Network for Immigrant and Refugee Rights, *Preliminary Report and Findings of the Emergency National Border Justice and Solidarity Community Tour: Militarization and Impunity at the Border*, October 2006; T. Dunn, *The Militarization of the US-Mexico Border 1978-1992: Low-Intensity Conflict Doctrine Comes Home*, Center for Mexican American Studies, University of Texas at Austin, 1996
- ² Andrew Morrison, et al., *THE INTERNATIONAL MIGRATION OF WOMEN*, World Bank: 2007.
- ³ Min Zhou, *Contemporary Female Immigration to the United States: A Demographic Profile*, WOMEN IMMIGRANTS IN THE UNITED STATES (ed. Philippa Strum & Danielle Tarantano, 2002), 26.
- ⁴ Julia Gelatt, President Calls for \$13 Billion in Border and Enforcement Funding in 2008, MIGRATION POLICY INSTITUTE (2008), available at: <http://www.migrationinformation.org/USFocus/display.cfm?ID=584>.
- ⁵ Jennifer L. Pozner, Women's Debate Show Exposes Rape as Cost of Entry for Female Immigrants, WIMN's Voices Blog, (available at: <http://www.wimnonline.org/WIMNsVoicesBlog/?p=150>). Sylvanna Falcon, "Rape as a Weapon of War: Advancing Human Rights or Women at the US-Mexico Border," *Social Justice*, Summer 2001; 28-2, pp 31-50; Gabriela Diaz and Gretchen Kuhner, *Women Migrants in Transit and Detention in Mexico*, Migration Policy Institute, 2007 (available at: <http://www.migrationinformation.org/Feature/display.cfm?id=586>).
- ⁶ J. Light, *Rape on the Border – Baiting Immigrants – Border Patrol Abuses; anti-immigrant politics*, The Progressive, September 1996.
- ⁷ "Former INS Officer Gets 4-year Prison Term," *Los Angeles Times*, November 23, 2004.
- ⁸ *Crossing the Line: Human Rights Abuses Along the U.S. Border with Mexico Persist Amid Climate of Impunity*, Human Rights Watch, 1995; *Border Patrol Agent Pleads No Contest In Rape of Illegal Immigrant*, ARIZONA REPUBLIC, July 28, 1994. See also Sylvanna Falcon, *Rape as a Weapon of War: Advancing Human Rights for Women at the U.S.-Mexico Border*, 28 SOCIAL JUSTICE 31 (2001).
- ⁹ *Crossing the Line: Human Rights Abuses Along the U.S. Border with Mexico Persist Amid Climate of Impunity*, Human Rights Watch, 1995.
- ¹⁰ *Crossing the Line: Human Rights Abuses Along the U.S. Border with Mexico Persist Amid Climate of Impunity*, Human Rights Watch, 1995.
- ¹¹ *Over-Raided, Under Siege: U.S. Immigration Laws and Enforcement Destroy the Rights of Migrants*, National Network for Immigrant and Refugee Rights, 2008.
- ¹² *Over-Raided, Under Siege: U.S. Immigration Laws and Enforcement Destroy the Rights of Migrants*, National Network for Immigrant and Refugee Rights, 2008.
- ¹³ Michael Connelly and Patricia Lerner, *INS Agent Faces More Sex Charges*, LOS ANGELES TIMES, June 15, 1990.
- ¹⁴ *Over-Raided, Under Siege: U.S. Immigration Laws and Enforcement Destroy the Rights of Migrants*, National Network for Immigrant and Refugee Rights, 2008.
- ¹⁵ Julia Gelatt, President Calls for \$13 Billion in Border and Enforcement Funding in 2008, MIGRATION POLICY INSTITUTE (2008), available at: <http://www.migrationinformation.org/USFocus/display.cfm?ID=584>.
- ¹⁶ *Over-Raided, Under Siege: U.S. Immigration Laws and Enforcement Destroy the Rights of Migrants*, National Network for Immigrant and Refugee Rights, 2008.
- ¹⁷ *Over-Raided, Under Siege: U.S. Immigration Laws and Enforcement Destroy the Rights of Migrants*, National Network for Immigrant and Refugee Rights, 2008.
- ¹⁸ *Over-Raided, Under Siege: U.S. Immigration Laws and Enforcement Destroy the Rights of Migrants*, National Network for Immigrant and Refugee Rights, 2008.
- ¹⁹ Leslye Orloff & Rachel Little, *Overview of Domestic Violence and Battered Immigrant Issues*, available at <http://girlarmy.org/reader/DV%20Immigrant%20Women.pdf> (citing CHRIS HOGELAND AND KAREN ROSEN, DREAMS LOST, DREAMS FOUND: UNDOCUMENTED WOMEN IN THE LAND OF OPPORTUNITY 63 (Coalition for Immigrant and Refugee Rights and Services 1991).
- ²⁰ Dawn Konet and Jeanne Batalova, *Spotlight on Immigration Enforcement in the United States*, MIGRATION POLICY INSTITUTE (2007), available at: <http://www.migrationinformation.org/USFocus/display.cfm?ID=590>.
- ²¹ Yves Colon, *Life Became a Nightmare*, MIAMI HERALD, September 7, 2000.
- ²² Nina Bernstein, *Protests Brew Over Attempt to Deport a Woman*, NEW YORK TIMES, February 14, 2006; Ruben Rosario, *Deportation Case Is No Model of Justice Served*, ST. PAUL PIONEER PRESS, November 7, 2005.
- ²³ *Over-Raided, Under Siege: U.S. Immigration Laws and Enforcement Destroy the Rights of Migrants*, National Network for Immigrant and Refugee Rights, 2008.



“QUALITY OF LIFE” POLICING

⇒ WHAT ARE “QUALITY OF LIFE” AND “ZERO TOLERANCE” POLICING?

The practice of order maintenance policing is premised on society being divided into two groups, the “orderly” upstanding, law-abiding citizen and the “disorderly” criminal-in-the-making. Once in existence, this construct is used to justify policies that treat the disorderly person as one who “needs to be policed, surveyed, watched, relocated, controlled.”¹

The concept of “zero tolerance” came out of federal drug enforcement policies of the 1980s.² It refers to a policy of allocating additional law enforcement resources to areas where some form of crime is said to be endemic, and then applying immediate and harsh responses to even minor violations, with little or no consideration for individual circumstances.³

The term “quality of life” policing was first used in New York City in the early 90s, during the Giuliani administration. It refers to a practice of heavily policing a number of normally non-criminal activities such as standing, congregating, sleeping, eating and/or drinking in public spaces, as well as minor offenses such as graffiti, public urination, panhandling, littering, and unlicensed street vending.⁴

“Quality of life” policing is based on the “broken windows” theory — which says that allowing broken windows and other

signs of “disorder” to exist in a neighborhood quickly leads, if left unchecked, to an explosion of serious crime by “signaling that the community is not in control.”⁵ When coupled with the “zero tolerance” approach, this type of policing favors arrests in situations where a warning or citation would otherwise be issued. This in turn contributes to soaring criminalization, largely of people of color, and increased police brutality.

When combined, these law enforcement practices are often referred to as “order maintenance policing.”

⇒ WHERE DO THESE PRACTICES COME FROM?

New York City has served as both a laboratory for implementation of the “broken windows” theory and a leading edge of the “zero tolerance” and “quality of life” law enforcement trends. As early as 1993, former New York City Mayor Giuliani introduced the “Quality of Life Initiative,” openly citing the “broken windows” theory as the basis for “zero tolerance” policies enforced by the NYPD.⁶

⇒ HOW HAVE THEY SPREAD?

A number of cities have been quick to follow New York’s lead. Police in Tampa, Washington D.C., and Chicago, among others, have stepped up enforcement of “quality of life” laws.⁷ One of the first acts of the New Orleans police commissioner appointed in the late 90s was to hire consultants familiar with the New York approach to train his officers.⁸ Some cities, such as Los Angeles, Oakland and Chicago, to name a few, have also initiated “anti-gang” policing campaigns using anti-loitering ordinances and youth curfews.⁹ In early 2007, the Denver Police Department announced plans to expand “broken windows” policing to the Cole-Whittier neighborhoods, which are predominantly Black and Latin@.¹⁰



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“QUALITY OF LIFE” & “ZERO TOLERANCE” POLICING

⇒ WHAT DOES IT LOOK LIKE?

The vague laws that underlie “quality of life” policing allow police officers almost unlimited discretion as to who and what conduct is deemed “disorderly” or unlawful. Regulations that are not vague, such as those criminalizing the consumption of alcohol, storage of belongings, and urination in public spaces, tend to be discriminatorily applied against certain communities, and particularly against people who, due to poverty and homelessness, have no choice but to engage in such activities in public spaces.¹²

Allowing broad police discretion to enforce vague “quality of life” laws leaves a lot of room for officers to act on racism, sexism, homophobia, transphobia and enforcement of gender conformity, and classism. Policing “order” becomes a pretext for enforcing racial, class, gender and sexual hierarchies. Additionally, being targeted for “order maintenance policing” makes people less likely to be able to access existing systems to address interpersonal and community violence, and therefore more vulnerable to violence on every front.

After all, what does it signal to people around you when a police officer tells you, or an outreach worker seeking to provide vital services, to “move on?”

Margaret Mitchell, a homeless 54-year-old Black woman, was pulling a shopping cart along the street in Los Angeles when two officers on bicycles approached and began harassing her. Under a California law, police can ticket people and confiscate their carts for supposedly not having a store's permission to take the carts onto the street. It is a law that is almost exclusively enforced against homeless people. Margaret walked away from the police. Her shopping cart held all her possessions, including a red blanket that had become her trademark with the people in the area. As she walked down the street, someone driving by recognized her, pulled over, and tried to talk the cops out of hassling her. But the officers continued. One witness saw her running and pulling the cart behind her as the cops ran after her. “My first thought was, ‘Oh, man. When they catch this person they’re going to beat her.’ That was my first thought. I didn’t see the guns. I just saw the cops running. And I saw her in front of them running. And then I heard the bam! It was so sudden that I didn’t even realize she was shot until moments later when I processed it and I saw her laying on the ground.” One bystander was reported to have said “now I hesitate to call the police. You call the police and something worse happens. What’s the right thing to do? I don’t know who the cops are anymore; I don’t know what to do.”¹³

⇒ WHO’S TARGETED?

Police misconduct and brutality in the context of “order maintenance policing” extends beyond the experiences of young Black or Hispanic men or genderless “communities of color” to those who stand at the intersection of many identities, including young women of color, immigrant women of color, sex workers, street vendors, outreach workers, and trans and gender non-conforming people of color. It targets women and trans people of color who are the most marginalized, including street-based sex workers, homeless people, people labeled as mentally ill, and people who use controlled substances, or women and trans people of color who are profiled as such by police.

“If there is a group of queer youth of color hanging out in front of the subway station on Christopher Street the police will tell them they are loitering but if it’s a group of white tourists blocking the subway entrance they don’t say anything.”

- Gabriel Martinez, *FIERCE!*¹⁴



“QUALITY OF LIFE” & “ZERO TOLERANCE” POLICING

Because “order maintenance policing” increases the number of law enforcement officers on the streets, the frequency with which and likelihood that women and trans people of color will encounter and engage with the police is also increased, widening the possibility that they will be subjected to police violence. Additionally, through “zero tolerance” policing, immigrant women find themselves drawn into the criminal justice system through arbitrary arrests for minor violations, which in turn can lead to deportation, particularly post-9/11.

“Quality of life” provisions which are associated with congregating in and using public spaces or living on the streets disproportionately impact homeless, precariously housed, and low income women and trans people of color, as well as those providing vital outreach services to those communities.¹⁵ Young, homeless and poor women and trans people find themselves the direct targets of “quality of life” ordinances such as those banning sleeping in public places, “unreasonable noise,” storing belongings, urinating and consuming alcohol in public or congregating in public spaces.

FIERCE!, an organization mobilizing queer youth of color to preserve the West Village, a traditionally gay neighborhood in New York City, recently conducted a survey that found that 70% of LGBTQ youth of color report police targeting and profiling, and 61% report that no reason was given by the police when they were approached or arrested.

“In terms of criminalization, what we see is that because of the amount of police that are roaming the streets looking for quality of life ordinances in New York City, youth tend to be most vulnerable. But the other population is cross-gender communities, because of gender transgression and the kind of stigma that that carries in our society, I think that transgender folks tend to be singled out on an increased basis by the local police force.”

- Trishala Deb, The Audre Lorde Project¹⁶

“This devaluing of certain communities paves the way for socially destructive and dangerous polices such as...the ‘Quality of Life’ campaign, [which] allows communities whose very existence is tenuous to be disenfranchised and brutalized at even greater levels. As a result, the presence and actions of women and transpeople of color, and particularly youth, sex workers, and homeless people, are always likely to be deemed ‘disorderly,’ causing ‘quality of life policing’ to curb our freedom of movement and legitimize and even facilitate police violence towards us.”

- The Audre Lorde Project¹⁷



“QUALITY OF LIFE” & “ZERO TOLERANCE” POLICING

⇒ ENDNOTES

- ¹ See A. McArdle and T. Erzen, eds. *Zero Tolerance: Quality of Life and the New Police Brutality in New York City* 6 (NYU Press 2001) (quoting Bernard Harcourt, University of Chicago Law School)..
- ² Boylan, Ellen M., *Advocating for Reform of Zero Tolerance Student Discipline Policies: Lessons from the Field*, Education Law Center, New York (2002);
- ³ See generally, A. McArdle and T. Erzen, eds. *Zero Tolerance: Quality of Life and the New Police Brutality in New York City* (NYU Press 2001).
- ⁴ Bernard E Harcourt, *Reflecting on the Subject: A Critique of the social influence conception of deterrence, the broken windows theory, and order maintenance policing New York style*, 97 Michigan Law Review 291, 308-342 (1998); T. Erzen, *Turnstile Jumpers and Broken Windows: Policing Disorder in New York City*, in A. McArdle and T. Erzen, eds. *Zero Tolerance: Quality of Life and the New Police Brutality in New York City* 19-49 (NYU Press 2001).
- ⁵ G. Kelling, *The Broken Windows Theory*, City Journal, Spring 1982, 23-34; Harcourt, Bernard E, *Policing Disorder: Can we reduce serious crime by punishing petty offenses?* Boston Review, April/May 2002, available at: <http://www.bostonreview.net/BR27.2/harcourt.html>; Barta, Peter A., *Giuliani, Broken Windows, and the Right to Beg*, Georgetown J. of Poverty Law and Policy, 6(2):165-94.
- ⁶ T. Erzen, *Turnstile Jumpers and Broken Windows: Policing Disorder in New York City*, in A. McArdle and T. Erzen, eds. *Zero Tolerance: Quality of Life and the New Police Brutality in New York City* 19-49 (NYU Press 2001).
- ⁷ A. McArdle and T. Erzen, eds. *Zero Tolerance: Quality of Life and the New Police Brutality in New York City* 5 (NYU Press 2001).
- ⁸ Barta, Peter A., *Giuliani, Broken Windows, and the Right to Beg*, 6 Georgetown J. of Poverty Law and Policy 165-94 (1999)..
- ⁹ Dirk Johnson, *Chicago Council Tries Anew with Anti-Gang Ordinance*, N.Y. Times, Feb. 22, 2000, at A14; Center for Juvenile and Criminal Justice, *The Impact of Juvenile Curfew Laws in California*, June 1998; M. Lait, *Report Questions Teen Curfews*, Los Angeles Times, February 10, 1998 A15.
- ¹⁰ See INCITE! Denver “Fix Broken Policing” materials on the resource CD that accompanies this toolkit.
- ¹¹ Dorothy E Roberts, *Supreme Court Review, Forward: Race, Vagueness and the Social Meaning of Order-Maintenance Policing*, Journal of Criminal Law and Criminology, Spring 1999.
- ¹² See generally, A. McArdle and T. Erzen, eds. *Zero Tolerance: Quality of Life and the New Police Brutality in New York City* (NYU Press 2001).
- ¹³ L.A.--*The Police Murder of Margaret Mitchell*, Revolutionary Worker #1010, June 13, 1999, <http://rwor.org/a/v21/1010-019/1010/lapd.htm> (September 4, 2008)
- ¹⁴ Gabriel Martinez of FIERCE! quoted in, Sascha Brodsky, *Fierce Kids, Village Group Advocates for queer and homeless youths*, Gay City News, available at: <http://www.gaycitynews.com/GCN4/FierceKids.html>
- ¹⁵ See generally, A. McArdle and T. Erzen, eds. *Zero Tolerance: Quality of Life and the New Police Brutality in New York City* (NYU Press 2001).
- ¹⁶ Trishala Deb, Audre Lorde Project, *Amnesty International Racial Profiling Hearings*, Judson Memorial Church, New York City, October 2003
- ¹⁷ The Audre Lorde Project, *Police Brutality Against Lesbian, Gay, Bisexual, Two-Spirit and Transgender People of Color in New York City*, draft report at 23 July 2000 [on file].



COPS...IN SCHOOLS??!!

It all started with the Gun-Free Schools Act, passed in 1995, which imposed the most dramatic criminal penalties for possession of a firearm on school property in history. By 1997, 94% of public schools had implemented “zero tolerance” policies with respect to firearm possession in schools. Unfortunately, these policies did not prevent the 1999 shooting rampage at the suburban, predominantly white Columbine high school in Littleton, Colorado. The Columbine tragedy, along with a rash of similar incidents in the months immediately following, fueled even harsher “school safety” policies across the country.¹

“...in a school system with hundreds of police officers and thousands of safety agents, there are times when that security presence is seen as an occupying force.”

- Principal of Thomas Jefferson High School in Queens, New York²

Ironically, but not surprisingly, the most punitive measures were adopted in urban schools attended by primarily low-income youth of color, which were outfitted with metal detectors and surveillance cameras, and subjected to an influx of armed police officers who were empowered to enforce school discipline codes through criminal arrests and sanctions, turning schools into “mini precincts and mini jails,” and creating a school-to-prison pipeline.³ According to Desis Rising Up and Moving (DRUM):

Although school safety initiatives in the U.S. initially focused on possession of firearms on school campuses, under the “broken windows” theory, “zero tolerance” policies quickly extended beyond firearms possession on school premises to minor infractions of school disciplinary policies such as tardiness and truancy, schoolyard scuffles and even verbal disagreements and cursing in school, contributing to dramatic increases in the frequency and level of school discipline imposed for what is essentially routine youth (mis)behavior.⁴

A youth-led participatory action research project in Detroit, MI found that criminalization was a leading factor in the city's over 60% drop-out rate. They found that experience of being treated like a criminal in school extends beyond the “zero tolerance” suspension policies and includes the overall environment of school, where metal detectors, verbal and physical abuse from teachers and staff, and a dehumanizing physical environment are a part of daily life.

“Even the simple fact of having security guards every day and the almost like, police state or high security state of the high school, doesn't necessarily make me want to be in school and my mind is definitely not on learning..”

- Jamilia Harnois, former student at Western High School, Detroit, MI⁵



COPS...IN SCHOOLS??!

⇒ WHO IS IMPACTED?

A March 2005 report by the Advancement Project concluded “[a]cross the board, the data shows that Black and Latino students are more likely than their White peers to be arrested in school...[despite the lack of] evidence that Black and Latino students misbehave more than their White peers.”⁶ Black students are “punished more severely for less seriously and more subjectively defined infractions.”⁷

Jaisha Akins, a five-year old African American girl, was handcuffed and forcibly removed from her St. Petersburg, FL school by police called by school officials because she was acting out, as all five year olds do on occasion.⁸

A sixteen-year old Black girl was pulled out of class and arrested at her Bronx High School for cursing in the hallway. When her principal tried to stop the arrest, he was arrested too.⁹

One advocate working with youth at three Los Angeles high schools predominantly attended by youth of color reported that LGBT students had told her of harassment on the basis of sexual orientation by school police officers.

In Detroit, 60% of students report they have experienced harassment at the hands of school staff or faculty. Of those students, 1 in 3 believed they were harassed because of their racial, sexual gender or other identities. One queer high school student reported, “I know a few people who dropped out of school, I think the reason they dropped out was because of the way they were treated, as far as other students, they got beat up and bullied and the teachers really didn't take any interest into what they were saying and they didn't do anything about it.”¹⁰

DRUM found that over half of South Asian students surveyed in Queens, New York had experienced and/or seen harassment by school police and authorities. 85% of those believed the harassment was based on actual or perceived race, ethnicity, religion, or immigration status.¹¹

“Last year during Ramadan, I wore a scarf. When I would come through the metal detectors, I would be asked by school security why I was wearing a scarf. They asked me if I was religious. I told them it was none of their business. I see how the school safety agents pick on those they perceive to be religious, particularly those who wear scarves and hijab.”

- Maksudah, 17 year-old high school student¹²



COPS...IN SCHOOLS??!!

⇒ PHYSICAL BRUTALITY

Police bring the same tactics they employ on the streets to the schools where they are stationed, and often receive no specialized training. Thirty two percent of police departments interviewed by TASER International (the manufacturer of a weapon which delivers 50,000 V of electricity) used TASERS in schools.¹³

In September 2007, school security guards at Knight High School in Palmdale, California were caught on camera assaulting a 16 year-old African American girl, pushing her over a table and breaking her wrist after she spilled some cake on the floor of the cafeteria. The security guard yelled “hold still nappy-head” during the assault.¹⁴ (Photo on right.)



In 2004, Miami-Dade police used a TASER to shock a 12 year old girl for skipping school.¹⁵

⇒ SEARCHES AND SEXUAL HARASSMENT

It is very uncomfortable being searched because I really don't like being touched by other people, especially people I don't know very well. It is more uncomfortable for girls because sometimes they check you around your most private areas, and it's just uncomfortable.

- Testimony of Jacquia Bolds, a Syracuse, NY high school student, before the U.N. Committee on the Elimination of Racial Discrimination

Young girls report frequent sexual harassment and inappropriate and overly invasive searches by police and school security guards stationed in schools. **For instance:**

A 14 year-old Chinese girl reported:
“The security guard accused me of having a knife... They took me to a room and made me take off my shirt and pants to check my bra. They didn't call my parents or let me talk to a teacher I know. I didn't have a knife just like I told them.”¹⁶

A young Latina lesbian reported that throughout the 2001 and 2002 school year, LAPD officers stationed at her high school would frequently ask her to kiss her girlfriend, and ask them “what do you guys do?”



COPS...IN SCHOOLS??!!

⇒ ENDNOTES

- ¹ Desis Rising Up and Moving (DRUM), *Education, Not Deportation: Impacts of New York City School Safety-Policies on South Asian Immigrant Youth* 65-66, June 2006.
- ² Fertig, Beth. "School Safety Agents Cause Tensions," WNYC News, May 3, 2005.
- ³ Desis Rising Up and Moving (DRUM), *Education, Not Deportation: Impacts of New York City School Safety-Policies on South Asian Immigrant Youth* 65-66, 70, June 2006; Chino Hardin of Prison Moratorium Project, quoted in Elizabeth Hays, *Students United to Rip Patrol, Want Cops out of Schools*, New York Daily News, February 18, 2004.
- ⁴ Desis Rising Up and Moving (DRUM), *Education, Not Deportation: Impacts of New York City School Safety-Policies on South Asian Immigrant Youth* 65-66, June 2006.
- ⁵ Detroit Summer Live Arts Media Project (LAMP) Hip Hip Audio Documentary, *Rising Up From the Ashes: Chronicles of a Dropout* (2006) Track 10
- ⁶ The Advancement Project, *Education on Lockdown: The Schoolhouse to Jailhouse Track*, March 2005.
- ⁷ T. Johnson, J. Boyden, and W. Pittz, *Racial Profiling and Punishment in U.S. Public Schools*, Applied Research Center 2001.
- ⁸ *Video Captures Police Handcuffing 5-year-old Girl*, Associated Press, April 22, 2005; *A Current Affair to Show 5-year-old's Arrest Today*, <http://www.acurrentaffair.com/daily/todayshow/index.html> (last visited April 24, 2005).
- ⁹ Carrión, Jr, Adolfo. Who's in charge? A report on issues related to disputes over authority between the police and school administrators in Bronx schools, Office of the Bronx Borough, July 2005.
- ¹⁰ Detroit Summer Live Arts Media Project (LAMP) 2007 Survey
- ¹¹ Desis Rising Up and Moving (DRUM), *Education, Not Deportation: Impacts of New York City School Safety-Policies on South Asian Immigrant Youth* 65-66, June 2006.
- ¹² Desis Rising Up and Moving (DRUM), *Education, Not Deportation: Impacts of New York City School Safety-Policies on South Asian Immigrant Youth* 40, June 2006.
- ¹³ Anne-Marie Cusac, *The Trouble with Tasers*, The Progressive, April 11, 2005. Between late 2003 and early 2005, at least 24 Central Florida elementary school students were shocked with TASERS by police officers placed in public schools. Some of the students were as young as 12 years old. A typical scenario involved officers wading in through a crowd to break up a fight and using TASERS to "get them to move." David Weber, *Records: Cops Used Tasers Against 24 Students Since 2003*, Sun Sentinel, March 25, 2005.
- ¹⁴ Fox News LA, September 27, 2007; Ann Simmons, *Mothers seek action from Palmdale school; They protest when their children are suspended after allegedly tussling with a security guard*. *Los Angeles Times* September 29, 2007.
- ¹⁵ *Police Taser 6 year-old Boy*, CNN.com, November 13, 2004.
- ¹⁶ *Deprived of Dignity: Degrading Treatment and Abusive Discipline in New York City and Los Angeles Public Schools*, National Economic and Social Rights Initiative, 2007.



POLICING SEX WORK

As is the case with many women's experiences of law enforcement violence, police violence against sex workers is not perceived by mainstream organizations as either police brutality or violence against women, when it is clearly a manifestation of both.

⇒ WHO IS A SEX WORKER?

The concept of "sex work" emerged in the 1970s through the prostitutes' rights movement in the United States and Western Europe (although sex worker's movements are not exclusive to the United States or Western Europe). The term emerged as a counterpoint to traditionally derogatory names, to emphasize the legitimacy of sex work as a form of labor and the rights of sex workers as working people.² "Sex worker" is a term used to refer to people who work in all aspects of the sex trades, indoor or street-based, legal and criminalized, and can include people who trade sex for money as well as safety, drugs, hormones, survival needs like food shelter or clothing, immigration status, or documentation. Although this gendered labor sector is being redefined all over the world, the majority of sex workers are women.³ Sex workers are mothers, daughters/sons, teachers, organizers, people — who experience high levels of violence due to the stigma, isolation, and invisibility associated with their work.

Since prostitution/sex work is criminalized and highly stigmatized in many countries, individual sex workers and organizations are exposed to high levels of harassment and violence by law enforcement agents and benefit from little protection from violence within their communities. Speaking out against the violence and finding or organizing support for sex workers can be dangerous. As a result, any participation in sex work — be it part-time, full-time, or even temporary — entails a life on the margins. This is particularly true for sex workers of color and transgender and gender non-conforming sex workers, who live and work at the intersections of multiple forms of structural oppression based on gender, race, and class.⁴

⇒ VIOLENCE AGAINST SEX WORKERS

Sex workers experience high levels of violence, regardless of the type of sex work they engage in. Sex workers are exposed to verbal abuse, physical assaults, sexual violence, and murder at the hands of law enforcement agents, customers, managers, fellow employees, family, friends, domestic partners, and neighborhood residents. Existing laws that criminalize sex work often prevent workers from reporting violence, enable law enforcement agents to not take violence against sex workers seriously when it is reported, and facilitate police violence against sex workers.⁵

African American sex workers on Chicago's West Side reported twelve to fifteen incidents of physical abuse by police officers in January and February 2004 alone. Typically, officers would pick women up, drive them several blocks away, beat them up, pull out their hair, threaten them with arrest, confiscate their shoes, and leaving them stranded, saying "We'll get you tomorrow."

"When sex workers are being exploited they face the additional burden of having nowhere to go for help, sometimes even within their own communities."

- Ruby Corado, *Latinos in Action*¹



POLICING SEX WORK

⇒ SEX WORK AS VIOLENCE AGAINST WOMEN?

Despite the fact that sex workers experience high levels of violence, sex workers' rights have generally not been supported by mainstream women's movements. Historically, because women's bodies and sexualities have been a location of women's oppression, many feminists have framed sex work itself a form of violence against women, and demonized women who engage in sex work as participants in their own oppression and that of all women. In response, sex workers' rights groups urge a distinction between coerced and consensual sex work. For instance, many sex workers who attended the 1995 UN Conference on Women in Beijing lobbied to ensure that every mention of prostitution as a form of violence against women be prefaced by the word "forced." Although many acknowledge that the voluntary/forced dichotomy is insufficient to reflect the complexity of sex workers' experiences, it was all they could do to change the discourse at the conference and beyond. Unfortunately, sex work continues to be framed as inherently oppressive by many mainstream groups, effectively hampering sex workers' efforts to secure their human rights.⁷

“ The prostitute body is a terrain on which feminists contest sexuality, desire, and the writing of the fe♂ male body”

- Shannon Bell⁶

⇒ WHAT DOES POLICE BRUTALITY AGAINST SEX WORKERS LOOK LIKE?

PROFILING

Generally speaking, prostitution laws criminalize anyone who “engages or agrees or offers to engage in sexual conduct with another person in return for a fee.”⁸ These laws are generally enforced through undercover operations, in which police officers pose as clients and then arrest sex workers.⁹

However, these "vice" policing practices are only part of policing sex work. More frequently, officers use vaguely worded “quality of life” regulations prohibiting, among many other things, “loitering” and “loitering with intent to solicit,” as well as “obstructing vehicular traffic,” “public lewdness,” “public nuisance,” and “disorderly conduct,” to harass, detain, and arrest individuals they believe to be involved in sex work, and particularly street-based sex work. These laws are also used in “sweeps” and “operations” — such as “Operation Impact” and “Operation Spotlight” in New York City, enforcement of “prostitution free zones” in D.C., and similar programs in Los Angeles, Chicago, and San Francisco — explicitly aimed at getting street-based sex workers, as well as homeless people and youth of color, off the streets and out of public view.¹⁰



Art by Cristy C. Road, croadcore.org

Women of color, and particularly transgender women of color, are often perceived by police through racialized and gendered stereotypes framing us as highly sexualized and sexually available. Law enforcement officers' internalization and perpetuation of these stereotypes, combined with the high degree of discretion afforded by vague “quality of life” regulations, results in police profiling women of color, and particularly transgender women of color, as sex workers, and selective targeting of women of color for harassment, detention, and arrest.¹¹ For instance, trans women of color across the country report frequent arrests for “loitering with intent to solicit” while engaging in such lawful and routine activities as hailing a cab, walking their dog, going to get groceries or cigarettes, walking home from work, eating out, or talking to friends.¹² Such disproportionate enforcement is compounded by law enforcement focus on street-based sex work, where a greater proportion of sex workers are women of color.¹³



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POLICING SEX WORK

SEXUAL HARASSMENT, SEXUAL ASSAULT, AND RAPE

Sex workers, as well as those perceived to be engaged in sex work based on gender or sexual non-conformity, are raped and sexually harassed and abused by law enforcement officers with alarming frequency across the country.

A 2002 study found that 30% of exotic dancers and 24% of street-based sex workers who had been raped identified a police officer as the rapist. Approximately 20% of other acts of sexual violence reported by study participants were committed by the police.¹⁴

According to two studies by the Sex Workers' Project of the Urban Justice Center in New York City, up to 17% of sex workers interviewed reported sexual harassment and abuse, including rape, by police.¹⁵

One in five actual or perceived sex workers surveyed by Different Avenues in Washington, D.C. who had been approached by police indicated that officers asked them for sex. Most indicated that this had been a negative or humiliating experience.¹⁶

Extortion of sexual acts in exchange for avoiding arrest or further violence, public strip searches, physical violence, as well as overtly sexist, homophobic, racist and transphobic verbal abuse of sex workers by police officers are an all too common experiences for indoor and street-based sex workers.¹⁷

“I had one cop who was like, ‘Well, if you do this sexual favor for me, then I won’t take you to jail.’ And I was like ‘...Take me to jail, ‘cause I am not for free.’”

- African American former sex worker.¹⁸

According to Amnesty International: “One Native transgender woman involved in the sex trade told Amnesty researchers “every night I’m taken into an alley and given the choice between having sex or going to jail.” Her experience was representative of that of many sex workers we spoke with. An advocate for LGBT youth in Chicago told Amnesty that the vast majority of young people she works with have been asked to perform sexual acts on police officers, sometimes on duty and other times not, who suspect they are involved in sex work.”

FAILURE TO RESPOND TO VIOLENCE AGAINST SEX WORKERS

Law enforcement officers’ perceptions of sex workers also lead to inappropriate and abusive treatment by officers in the context of responses to sexual or domestic violence. Domestic violence and sexual assault against sex workers are routinely perceived by police as a “trick gone bad,” something that survivors somehow brought on themselves through their “sexually deviant” conduct. For instance, in many cases women who are, or are perceived to be, sex workers are arrested for assault or domestic violence, while their abusers are not. Overall, sex worker advocates describe police attitudes towards survivors of domestic violence who are, or are perceived to be, sex workers as “who cares, they’re expendable” or “what did you expect? You’re a ho!”²⁰

“And then he said, ‘Well, you shouldn’t be prostituting anyway.’ ...So it was not about what happened to me; it was about what I’m doing wrong.”

- Latina transgender woman reporting a police officer’s response to her request for protection from a stalker.¹⁹



POLICING SEX WORK

“[a sex worker] reported that men came over and beat them with bats. The cops told them that they wouldn’t help them until someone died.”

- *Move Along: Policing Sex Work in Washington, D.C., Different Avenues*

In the case of two Eugene, Oregon police officers recently convicted of sexual assaulting, abusing or raping at least 15 women over a six year period, early complaints, which should have alerted the department to their conduct, were dismissed by both the officers involved and their supervisors as the “grumbings of prostitutes and junkies.”²¹

⇒ ENDNOTES

¹ Spread Magazine, vol. 3 (3):48.

² Kamala Kempadoo, "Globalizing Sex Workers' Rights," in *Global Sex Workers: Rights, Resistance and Redefinition* 2-4, Kamala Kempadoo and Jo Doezema, eds., Routledge (1998). Although sex work and sex worker are commonly used terms, the terms “prostitute” and “whore” have also been reclaimed and valorized by some sex workers.

³ Kamala Kempadoo, "Globalizing Sex Workers' Rights," in *Global Sex Workers: Rights, Resistance and Redefinition* 2-4, Kamala Kempadoo and Jo Doezema, eds., Routledge (1998). Although sex work and sex worker are commonly used terms, the terms “prostitute” and “whore” have also been reclaimed and valorized by some sex workers.

⁴ Kamala Kempadoo, "Globalizing Sex Workers' Rights," in *Global Sex Workers: Rights, Resistance and Redefinition* 2-4, Kamala Kempadoo and Jo Doezema, eds., Routledge (1998).

⁵ See, e.g., *Move Along: Policing Sex Work in Washington, D.C.*, Different Avenues, 2008; Sex Workers Project, *Behind Closed Doors* (New York City: 2005); Sex Workers Project, *Revolving Door: An Analysis of Street-Based Prostitution in New York City*, (New York City: 2003); *The San Francisco Task Force on Prostitution: Final Report*, BAYSWAN, March 1996.

⁶ S. Bell, *Reading, writing and rewriting the prostitute body* 73, Indiana University Press (1994).

⁷ Jo Doezema, *Forced to Choose: Beyond the Voluntary v. Forced Prostitution Dichotomy*, *Global Sex Workers: Rights, Resistance and Redefinition* 34, Kamala Kempadoo and Jo Doezema, eds. Routledge (1998).

⁸ P. Alexander, *Bathhouses & Brothels: Symbolic Sites in Discourse and Practice*, in *Policing Sex, Dangerous Bedfellows*, eds., South End Press (1996).

⁹ P. Alexander, *Bathhouses & Brothels: Symbolic Sites in Discourse and Practice*, in *Policing Sex, Dangerous Bedfellows*, eds., South End Press (1996).

¹⁰ *Move Along: Policing Sex Work in Washington, D.C.* 8-9, Different Avenues, 2008; Amnesty International, *Stonewalled: Police Abuse and Misconduct Against Lesbian, Gay, Bisexual and Transgender People in the U.S.* 34-37, AMR 51/122/2005 (2005)

¹¹ Amnesty International, *Stonewalled: Police Abuse and Misconduct Against Lesbian, Gay, Bisexual and Transgender People in the U.S.* 34, AMR 51/122/2005 (2005)

¹² Amnesty International, *Stonewalled: Police Abuse and Misconduct Against Lesbian, Gay, Bisexual and Transgender People in the U.S.* 13-18, AMR 51/122/2005 (2005)

¹³ *The San Francisco Task Force on Prostitution: Final Report*, BAYSWAN, March 1996.

¹⁴ Raphael Jody and Deborah L. Shapiro, “Sisters Speak Out: The Lives and Needs of Prostituted Women in Chicago,” *Chicago Coalition for the Homeless*, 2002 <http://impactresearch.org/documents/sisterspeakout.pdf>

¹⁵ Sex Workers Project, *Behind Closed Doors* (New York City: 2005); Sex Workers Project, *Revolving Door: An Analysis of Street-Based Prostitution in New York City*, (New York City: 2003).

¹⁶ *Move Along: Policing Sex Work in Washington, D.C.*, Different Avenues, 2008.

¹⁷ *Move Along: Policing Sex Work in Washington, D.C.*, Different Avenues, 2008; Amnesty International, *Stonewalled: Police Abuse and Misconduct Against Lesbian, Gay, Bisexual and Transgender People in the U.S.* 39, AMR 51/122/2005 (2005)

¹⁸ *Move Along: Policing Sex Work in Washington, D.C.* 54, Different Avenues, 2008.

¹⁹ *Move Along: Policing Sex Work in Washington, D.C.*, Different Avenues, 2008.

²⁰ See, e.g., *Move Along: Policing Sex Work in Washington, D.C.*, Different Avenues, 2008.

²¹ *Eugene, Oregon Settles Two Suits With Women Abused by Cops*, Associated Press, August 12, 2005; C. Stephens, *Magana Verdict*, KVAL 13 News, June 30, 2004; *Trial Begins For Perverted Eugene Cop Roger Magana: Media is Shut Out*, Portland Independent Media Center, June 4, 2004, <http://www.publish.portland.indymedia.org/en/2004/06/290053.shtml> (last visited August 25, 2005); C. Stephens, *Victim Speaks Out About Perverted Eugene Cop*, KVAL 13 News, March 13, 2004; C. Stephens, *Magana Records Revealed*, KVAL 13 News, March 4, 2004; *Four More Women Accuse Eugene Officer of Abuse*, KATU 2 News, December 11, 2003.



THE WAR ON DRUGS

➔ WHAT IS THE WAR ON DRUGS?

Launched by Richard Nixon in 1971 when he declared drug abuse — and, by implication, drug users — “public enemy No. 1.,” the U.S. government has been waging the “war on drugs” internationally and domestically — at the state and federal level — for over 30 years.¹

The term “war on drugs” has come to refer to a set of policies that include interdiction (stopping and searching people who fit the “profile” of a drug user or courier) on the nation’s highways, buses, trains and planes, saturation of particular neighborhoods (almost entirely low-income communities of color) with law enforcement officers charged with finding drugs in any quantity through widespread “stop and frisk” activities, surveillance, undercover operations, and highly militarized drug “raids” conducted by “SWAT” teams, as well as mass incarceration of drug users and punitive measures aimed at individuals with drug convictions.²

➔ WHO IS IMPACTED & HOW?

In 1997, Danette Daniels, a pregnant black woman, was arrested by New Jersey police officers for allegedly dealing drugs, and was shot to death by the officers as she sat in a police squad car. Witnesses deny that Danette was involved in any drug transaction at the time of her death.³

The racially disparate impacts of the “war on drugs” on “communities of color” have been widely documented.⁴ **What is less often discussed is the fact that these policies have disproportionately and specifically targeted and impacted low-income women and transpeople of color, who are systematically profiled as drug users and couriers, and receive long, mandatory sentences that have little relationship to their circumstances.** This puts them, their communities and families at greater risk for violence at the hands of law enforcement and in the foster care, prison, and mental health systems.⁵ Women of color, who use drugs at rates equal to or lower than those of white women⁶, are

more harshly affected by current drug laws and policies than any other group:

- ➔ Women of color are the fastest growing population of people being imprisoned for drug offenses — since 1986 the number of women of color in prison has increased 800%, compared to a 400% increase for women of all races.⁷
- ➔ In New York, women of color are 91% of those women sentenced to prison for drug crimes, although they make up just 32% of the state’s female population.⁸
- ➔ Although Native Americans in Montana comprise only about 6 percent of the total state population, Native women constitute approximately 25% of the female prison population. According to Professor Luana Ross, “[a] partial explanation for the increase in the female prison population is their incarceration for drug offenses.”⁹

Although many women are involved with the drug trade for the same reasons as their male counterparts, there are often gender-specific circumstances at play. **Many women and trans people of color living at the intersections of multiple forms of oppression are denied access to sustainable, non-criminalized means to support their family, and turn to street economies to survive.** Many find themselves trapped in abusive, violent relationships with men involved in trafficking, or use controlled substances to medicate the emotional and physical symptoms of abuse.¹⁰ According to a recent study on female drug couriers, many women recounted being coerced into carrying drugs with threats of violence and death.¹¹ Once involved, women are subject to criminal sanctions that far exceed their role in the drug trade.



THE WAR ON DRUGS

⇒ PROFILING WOMEN OF COLOR IN THE WAR ON DRUGS

Racial disparities in arrests, convictions, and incarceration of women of color are clearly connected to the considerable discretion exercised by law enforcement agents waging the “war on drugs” when deciding whom to stop, search, and arrest.¹² Law enforcement interactions with women of color are clearly informed by perceptions of their bodies as vessels for drugs ingested, swallowed or concealed.

Frankie Perkins, a black mother of three on her way home in Chicago one evening in 1997, was crossing an empty lot when she was stopped, and subsequently choked, by police officers who later claimed that they had seen her swallowing drugs and were trying to get her to spit them up. Autopsy photos revealed bruises on her face and rib cage, and showed her eyes swollen shut. The cause of death was listed as strangulation. No drugs were recovered. In a similar incident in south Seattle, Theresa Henderson was choked by police who claimed that she tried to swallow a small amount of cocaine.¹³

A 2000 U.S. government General Accounting Office study revealed that women of color – be they African American, African, Latina, or from the Caribbean – are frequently stereotyped by law enforcement agents as couriers in the international drug trade. As a result, they are disproportionately targeted for strip searches as part of border interdiction activities, even though they are less likely than white women to actually be transporting drugs. Black women appear to be most often subject to a presumption that they were acting as drug “mules” or couriers and carrying drugs concealed on or in their person. According to the GAO, among United States citizens, black women were nine times more likely than white women to be X-rayed after being frisked or patted down. However, African-American women were less than half as likely to be found carrying contraband as white women.¹⁴

In 1996, Sandra Antor, a nursing student and Sunday school teacher, was pulled over by a South Carolina state trooper as she was driving down Interstate 95 on her way home to Florida, ripped from her car, shoved to the ground on a busy highway, and beaten before being taken into custody. The officer later cited the possibility that Sandra may have been transporting drugs as justification for his actions.¹⁵

Although law enforcement interactions with women of color beyond the customs context have received considerably less attention, such stereotypes extend beyond the border. Women of color also report frequent, and often abusive, strip searches by local and state law enforcement officers in search of drugs.

Danni Tyson was arrested on a subway train on her way to pick up her daughter from swim practice, and subsequently strip-searched at a Manhattan police station. During the search, she was asked to lift up her breasts to show that she was not hiding drugs, and subjected to racialized ridicule.¹⁶



THE WAR ON DRUGS

⇒ POLICING MOTHERHOOD

The “war on drugs” has also given rise to greater surveillance and policing of women of color’s reproduction. Selective testing of pregnant women of color for drug use and heightened surveillance of poor mothers of color in the context of policing child abuse and neglect are gender-specific manifestations of the “war on drugs.”¹⁷

An estimated 200 women in more than 30 states have been prosecuted on charges of “drug delivery,” “drug possession,” or “fetal/child abuse” based on evidence of drug use during pregnancy.¹⁸ In the state of South Carolina, drug use by pregnant women has been legally construed as child abuse. In 2000, Regina McKnight was convicted of homicide and sentenced to twelve years in prison for suffering a stillbirth. (McKnight v. South Carolina, South Carolina Superior Court in Horry County, 2000) Instead of being offered rehabilitation or treatment, pregnant women are reported by their doctors to law enforcement, shackled and arrested, and prosecuted under state child abuse laws.

In a program developed through a collaboration between local law enforcement, hospital officials, and the local prosecutor’s office, the public hospital in Charleston, SC, which serves a predominantly Black population, selectively drug tested pregnant women who seemed “likely” by the hospital’s criteria to have drug abuse problems. Hospital staff reported positive tests to the police who would then arrest the women, sometimes shackling them to the bed while in labor, often taking them to jail within minutes of giving birth, while still bleeding and in pain. Twenty-nine of the thirty women prosecuted under this policy were Black, and the 30th was reported by one nurse to have a “negro boyfriend.”¹⁹



Art by Cristy C. Road, croadcore.org



THE WAR ON DRUGS

⇒ ENDNOTES

- ¹ National Public Radio, *Timeline: American's War On Drugs*, April 2, 2007, available at: <http://www.npr.org/templates/story/story.php?storyId=9252490> (last visited September 10, 2008); The Sentencing Project, *Disparity by Geography: The War on Drugs in America's Cities* 3 (2008).
- ² See The Sentencing Project, *Disparity by Geography: The War on Drugs in America's Cities* 9-10, 16, 21-25 (2008); P. Allard, *Life Sentences: Denying Welfare Benefits to Women Convicted of Drug Offenses*, Sentencing Project, 2002; *Caught in the Net: The Impact of Drug Policies on Women and Families*, ACLU, Break the Chains: Communities of Color and the War on Drugs, The Brennan Center at NYU School of Law, 2005.
- ³ *Caught in the Net: The Impact of Drug Policies on Women and Families* 28, ACLU, Break the Chains: Communities of Color and the War on Drugs, The Brennan Center at NYU School of Law, 2005
- ⁴ See, e.g., The Sentencing Project, *Disparity by Geography: The War on Drugs in America's Cities* (2008); Human Rights Watch, *Targeting Blacks: Drug Enforcement and Race in the United States* (2008); Justice Policy Institute, *The Vortex: The Concentrated Racial Impact of Drug Imprisonment and the Characteristics of Punitive Counties* (2007); Human Rights Watch, *Punishment and Prejudice: Racial Disparities in the War on Drugs* (2000).
- ⁵ *Caught in the Net: The Impact of Drug Policies on Women and Families*, ACLU, Break the Chains: Communities of Color and the War on Drugs, The Brennan Center at NYU School of Law, 2005.
- ⁶ *Caught in the Net: The Impact of Drug Policies on Women and Families* 17, ACLU, Break the Chains: Communities of Color and the War on Drugs, The Brennan Center at NYU School of Law, 2005
- ⁷ *Caught in the Net: The Impact of Drug Policies on Women and Families* 16, 17, ACLU, Break the Chains: Communities of Color and the War on Drugs, The Brennan Center at NYU School of Law, 2005.
- ⁸ *Caught in the Net: The Impact of Drug Policies on Women and Families* 18, ACLU, Break the Chains: Communities of Color and the War on Drugs, The Brennan Center at NYU School of Law, 2005.
- ⁹ Luana Ross, *Inventing The Savage: The Social Construction Of Native American Criminality*, 87, 89-90, University of Texas Press: Austin (1998).
- ¹⁰ Beth Richie, *Compelled to Crime: The Gender Entrapment of Battered, Black Women*, Routledge (1995).
- ¹¹ Tracy Huling, *Women Drug Couriers: Sentencing Reform Needed for Prisoners of War*, Criminal Justice (Winter 1995), pp. 15-19.
- ¹² See The Sentencing Project, *Disparity by Geography: The War on Drugs in America's Cities* 25 (2008).
- ¹³ *Caught in the Net: The Impact of Drug Policies on Women and Families* 28, ACLU, Break the Chains: Communities of Color and the War on Drugs, The Brennan Center at NYU School of Law, 2005; Amnesty International, *Summary of Amnesty International's Concerns on Police Abuse in Chicago*, AMR511681999 (1999).
- ¹⁴ *Caught in the Net: The Impact of Drug Policies on Women and Families* 29, ACLU, Break the Chains: Communities of Color and the War on Drugs, The Brennan Center at NYU School of Law, 2005
- ¹⁵ This account is based on a feature aired on the NBC news program "Dateline" entitled "Road Warrior," in which the video tape of the incident is shown, and Ms. Antor and Officer Beckwith are interviewed. See also *Black Woman Abused By White South Carolina State Trooper Sues State - Sandra Antor Sues The Public Safety Dept. Officer Has Been Fired*, Jet, April 29, 1996; *White South Carolina State Trooper Fired After His Video Camera Shows Him Abusing Black Woman*, Jet, April 8, 1996; *Woman Dragged From Car By Police Sues State*, CNN News Briefs, April 4, 1996, <http://www.cnn.com/US/9604/04/newsbriefs/index1.html>; Fred Bruning, *Rogue Cops and Civilian Beatings*, Newsday (April 1996).
- ¹⁶ Diane Cardwell, *Strip-Search Agreement: Shame's Effects Linger*, N.Y. TIMES (January 11, 2001).
- ¹⁷ Dorothy Roberts, *Shattered Bonds: The Color of Child Welfare*, Basic Civitas Press (2003); Susan C. Boyd, *From Witches to Crack Moms: Women, Drug Law and Policy*, Carolina Academic Press (2004); Roberts, Dorothy, *Punishing Drug Addicts who Have Babies: Women of Color, Equality, and the Right to Privacy*, 104 Harvard Law Review 1419, 1421 (1991)
- ¹⁸ L. Paltrow, *Punishing Women for their Behavior During Pregnancy: An Approach the Undermines the Health of Women and Children*, available at: http://advocatesforpregnantwomen.org/file/Punishing%20Women%20During%20Pregnancy_Paltrow.pdf (last visited September 10, 2008).
- ¹⁹ *Caught in the Net: The Impact of Drug Policies on Women and Families* 15, ACLU, Break the Chains: Communities of Color and the War on Drugs, The Brennan Center at NYU School of Law, 2005; Susan C. Boyd, *From Witches to Crack Moms: Women, Drug Law and Policy*, Carolina Academic Press (2004); C. J. Mumola, *US Department of Justice Bureau of Justice Statistics, Incarcerated Parents and their Children*, Washington, DC: US Department of Justice (August 2000).



NATIVE WOMEN, NATIVE TRANS PEOPLE, & TWO SPIRIT PEOPLE

➔ LAW ENFORCEMENT VIOLENCE AGAINST NATIVE WOMEN, NATIVE TRANS PEOPLE, & TWO SPIRIT PEOPLE



Art by Cristy C. Road, croadcore.org

Native peoples' experiences are often completely erased from mainstream discussions of law enforcement violence. Yet, since the arrival of the first colonists on this continent, Native women and Native Two Spirit, transgender and gender nonconforming people have been subjected to untold violence at the hands of U.S. military forces, as well as local, state and federal law enforcement.¹ Movement of Native peoples across borders with Canada and Mexico has been severely restricted, often by force, separating families and communities.² Integral to the imposition of colonial society and enforced assimilation, the notion of “policing” was forced on sovereign nations and cultures that had previously resolved disputes within communities.³

Gender-specific forms of law enforcement and military violence against Native women and gender nonconforming people have included:

- ➔ **Mutilation** - US military soldiers would cut off the breasts and vulvas of Native women after massacring entire communities;⁴
- ➔ **Rape and sexual assault** - rape and sexual violence have been integral weapons of genocide and colonialism in the Americas;⁵
- ➔ **Reproductive trauma and disease** - as a result of U.S. military testing and operations on or near Native lands;⁶
- ➔ **Forcible removal of children** - often by law enforcement and military officers - from families and communities to Indian Residential schools, where Native children were subjected to verbal, emotional, physical, sexual, cultural and spiritual abuse and neglect;⁷
- ➔ **Enforcement of the gender binary** - “Native societies were not necessarily structured through binary gender systems. Rather, some of these societies had multiple genders and people did not fit rigidly into particular gender categories. Thus, it is not surprising that the first people targeted for destruction in Native communities were those that did not neatly fit into Western gender categories.”⁸
- ➔ Use of law enforcement to prevent women and Two Spirit and gender nonconforming Native people from accessing and practicing **traditional healing and spirituality**;⁹
- ➔ **Failure to protect** Native women from sexual violence at the hands of non-Natives.¹⁰

Many these violations and their after-effects continue in similar forms today. According to Amnesty International: “There have been complaints of brutality and discriminatory treatment of Native Americans both in urban areas and on reservations. Complaints include indiscriminate brutal treatment of [N]ative people, including elders and children, during mass police sweeps of tribal areas following specific incidents, and failure to respond to crimes committed against Native Americans on reservations.”¹¹

Additionally, Native women and Native Two Spirit, transgender, and gender nonconforming people are subjected to gender-specific forms of law enforcement violence, such as racial profiling, physical abuse, sexual harassment and abuse, and failure to respond or abusive responses to reports of violence.



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NATIVE WOMEN, NATIVE TRANS PEOPLE, & TWO SPIRIT PEOPLE

⇒ RACIAL PROFILING

Native women report widespread racial profiling by law enforcement officers. For instance, at an October 2003 Amnesty International hearing in Tulsa, Oklahoma, Geneva Horse Chief reported frequent traffic stops of cars with tribal license plates, during which no citations would be written.¹² Native women are also profiled as drug users, alcohol abusers, and as bad mothers.

What are you? Latina? Oh, you're Native? Good, we can do anything we want to you then...

-- LAPD officer to Native transgender woman

The American Friends Service Committee reports that Native women in small communities in Maine were routinely profiled as prescription drug abusers and forced to undergo visual body cavity searches as a matter of policy, while similarly situated white women were not. These searches required the women to bend over and expose their genital areas to officers, often while being subjected by sexualized and racist verbal abuse. Native women organized and were successful in obtaining changes to the jail search policy and access to Native people detained in the jail.¹³

Native children are removed from their families at alarming rates by law enforcement agencies, who are often acting on stereotypes of Native women as unfit mothers.¹⁴

⇒ PHYSICAL ABUSE

Native women experience considerable physical abuse at the hands of law enforcement officers. For instance:

In July 2005, St. Paul, Minnesota police arrived at the home of a Native American woman, asking for her husband. She asked if they had a warrant, and when they said they did not, she refused them entry, explaining she was not dressed. The police pushed the door in, knocked her down, and injured her 12-year-old daughter. They screamed and swore at her and would not let her call an ambulance.

One of the officers threatened her by saying "I will call downtown and get a welfare worker. I guarantee you will never receive another benefit in your life." Police eventually called an ambulance, and the woman spent four hours in the hospital being treated for injuries to her neck, back, shoulder and arm. She was never charged with a crime.¹⁵

In January 2003, a police car pulled into the parking lot of a public housing project in Minneapolis, Minnesota, and police officers dragged two American Indians, a man and a woman, out of the squad car. The officers physically abused them both, and left them outside in the parking lot in subzero weather.¹⁶



NATIVE WOMEN, NATIVE TRANS PEOPLE, & TWO SPIRIT PEOPLE

⇒ SEXUAL HARASSMENT & ABUSE

Lori Penner, a Native woman living in Oklahoma, testified that during an August 2003 raid by officers who claimed to be searching for drugs: “[M]y door was broken down. I had eight people come into my home. They pointed their guns at us. They told us to get on the floor...My fifteen-year-old daughter was jerked out of the shower naked, made to stand in front of three police officers. . . My daughter was handcuffed. . . We were all searched. My house was ransacked. . . . No drugs were found. . . .No one was taken to jail. The police laughed. They ridiculed us . . . they cussed. . . . One officer told my daughter she cleaned up very nicely, she looked very good for her age. It was all because we are Indian.”¹⁷

In 2003, an Native American transgender woman reported that two LAPD officers pulled her over at 4 a.m. and told her they were going to take her to jail for “prostitution.” The officers then handcuffed her, put her in the patrol car and drove her to an alley. One of the officers pulled her out of the car and hit her across the face, saying “you fucking whore, you fucking faggot.” The officer threw her down on the back of the patrol car, ripped off her miniskirt and underwear and raped her. Although she contacted 911 immediately after the rape, the responding paramedics did not believe her.¹⁸

⇒ FAILURE TO RESPOND AND ABUSIVE RESPONSES TO VIOLENCE

In light of the US government’s continuing role as the perpetrator of genocide against Native peoples, for many Native women, calling on law enforcement for protection from violence is often not seen as an option, due to mistrust of law enforcement officials, as well as the ongoing government failure to take action to protect reservation-based Native women from violence at the hands of non-Indians.¹⁹ For more information, check out Maze of Injustice: The Failure to Protect Indigenous Women from Violence at: <http://www.amnesty.org/en/report/info/AMR51/035/2007>

April Mora, a 17-year-old lesbian of African American and Native American heritage, was attacked because of her gender expression and perceived sexual orientation in March 2002. Four men jumped out of a car and slashed her with razor blades, carving “dyke” into her forearm and “R.I.P.” onto her stomach. According to Ms. Mora, the police did not respond appropriately: “They just think that I did it to myself. . . . I think they’re saying that because I choose to look like this, I deserve it or something. It’s as if I want to look like a guy, I should get beat up like a guy.” Mora’s girlfriend’s mother reported, “One police officer was so rude...when they first pulled up, they were asking my daughter if [she and Mora] had been fighting... They asked April how many drugs they were on. They tore my room up searching for the blade and a bloody shirt. They said they were looking for a razor blade and that the wounds looked self- inflicted.” Mora stated, “I’m black and Indian, but I look Chicano. I think if we were white, the cops and people would treat us differently.”²⁰



NATIVE WOMEN, NATIVE TRANS PEOPLE, & TWO SPIRIT PEOPLE

⇒ ENDNOTES

- ¹ See, e.g., A. Smith, *Conquest: Sexual Violence and American Indian Genocide*, South End Press (2005); Report of August 27, 1892, in House Executive Document No. 1, part 5, vol. II, 52 Congress, 2 session, serial 3088, pp. 28-31.
- ² See FINAL REPORT FROM THE INDIGENOUS PEOPLES' BORDER SUMMIT OF THE AMERICAS II, SAN XAVIER DISTRICT, TOHONO O'ODHAM NATION, NOVEMBER 7-10, 2007, <http://indigenusbordersummitamericas2007.blogspot.com> (last visited: September 12, 2008).
- ³ S. Deer, unpublished manuscript, on file; Russel Lawrence Barsh and J. Youngblood Henderson, *Tribal Courts, the Model Code, and the Police Idea*, American Indian Policy, Law and Contemporary Problems, Vol. 40, No. 1 (Winter 1976).
- ⁴ A. Smith, *Conquest: Sexual Violence and American Indian Genocide* 15, South End Press (2005).
- ⁵ A. Smith, *Conquest: Sexual Violence and American Indian Genocide* 7-35, South End Press (2005).
- ⁶ A. Smith, *Conquest: Sexual Violence and American Indian Genocide* 109-119, South End Press (2005).
- ⁷ A. Smith, *Conquest: Sexual Violence and American Indian Genocide* 35-55, South End Press (2005).
- ⁸ A. Smith, *Conquest: Sexual Violence and American Indian Genocide* 178, South End Press (2005).
- ⁹ A. Smith, *Conquest: Sexual Violence and American Indian Genocide* 119-137, South End Press (2005).
- ¹⁰ Amnesty International, *Maze of Injustice: Failure to Protect Indigenous Women from Sexual Violence in the U.S.A.*, AMR 51/035/2007 (2006).
- ¹¹ Amnesty International, *United States of America: Rights for All* 38, October 1998, AMR 51/35/98.
- ¹² Geneva Horse Chief, *Amnesty International Hears Testimony on Racial Profiling*, Indian Country Today, October 16, 2003.
- ¹³ J. Mogul and A. Ritchie, *In The Shadows Of The War On Terror: Persistent Police Brutality And Abuse Of People Of Color In The United States*, 1 DePaul J. for Soc. Just. 175 (2008).
- ¹⁴ A. Smith, *Conquest: Sexual Violence and American Indian Genocide* 35-55, South End Press (2005).
- ¹⁵ J. Mogul and A. Ritchie, *In The Shadows Of The War On Terror: Persistent Police Brutality And Abuse Of People Of Color In The United States*, 1 DePaul J. for Soc. Just. 175 (2008).
- ¹⁶ J. Mogul and A. Ritchie, *In The Shadows Of The War On Terror: Persistent Police Brutality And Abuse Of People Of Color In The United States*, 1 DePaul J. for Soc. Just. 175 (2008).
- ¹⁷ Amnesty International USA Domestic Human Rights Program, *Threat and Humiliation: Racial Profiling, Domestic Security and Human Rights in the United States* 11, available at: http://www.amnestyusa.org/racial_profiling/report/tp_report.pdf.
- ¹⁸ Amnesty International, *Stonewalled: Police Brutality and Abuse Against Lesbian, Gay, Bisexual and Transgender People in the U.S.* 40, AMR 51/122/2005 (2005).
- ¹⁹ S. Deer, *Federal Indian Law and Violent Crime*, in *The Color of Violence: The INCITE! Anthology*, South End Press (2006).
- ²⁰ Amnesty International, *Stonewalled: Police Brutality and Abuse Against Lesbian, Gay, Bisexual and Transgender People in the U.S.* 76, AMR 51/122/2005 (2005).



POLICE VIOLENCE & DOMESTIC VIOLENCE

Often when we think of law enforcement and violence against women of color and trans people of color, we're either talking about training officers to "better" respond to gender-based violence, or we're talking about the high incidence of male police officers who commit domestic violence.¹ What is less frequently discussed is the fact that in an alarming number of cases, law enforcement officers also commit violence against the very people they are supposed to be protecting.

When those who are supposed to protect us harm us...it's time to rethink our strategy around domestic violence and sexual assault...

⇒ LAW ENFORCEMENT-BASED RESPONSES TO VIOLENCE AGAINST WOMEN

While mainstream anti-sexual/domestic violence movements have been critical in breaking the silence around violence against women, and providing critically needed services to survivors of sexual/domestic violence, their almost exclusive reliance on law-enforcement based responses and criminal legal approaches to violence against women - such as mandatory arrest policies, "no-drop" prosecution policies, and enhanced access to and enforcement of civil and criminal orders of protection — has proven inadequate to address gender-based violence in general, and particularly violence against women of color.

A twenty-year study of 48 cities found that greater access to criminal legal remedies for survivors of domestic violence led to fewer men being killed by their wives, as women who might otherwise have killed to escape violence were offered alternatives. However women receiving legal support were no less likely to be killed by their intimate partners, and were exposed to additional retaliatory violence.²

Despite an exponential increase in the number of men in prisons, women are not any safer -- national rates of sexual assault and domestic violence have not decreased significantly.³ According to the U.S. Department of Justice, "[i]ntimate partner violence is pervasive in U.S. society... approximately 4.9 million intimate partner rapes and physical assaults are perpetrated against U.S. women annually..."⁴ One in 5 women, and 1 in 3 Native women living in the United States will be raped in their lifetime.⁵ These profoundly disturbing official statistics don't even provide the full picture of violence against women: for instance, reporting rates for rape and sexual assault continue to hover around 30%.⁶

Additionally, the use of violence against women to advance "law and order" agendas and to justify the direction of increased resources to law enforcement has had the effect of strengthening, rather than opposing state violence experienced by women of color and trans people of color, thus increasing our vulnerability to law enforcement violence.

"[A]s a woman of color and a lesbian, I really don't want to take this to the police if I can handle it myself."⁷



POLICE VIOLENCE & DOMESTIC VIOLENCE

⇒ MANDATORY ARREST POLICIES

Mandatory arrest policies — which require police to make an arrest when they respond to domestic violence calls — have led to arbitrary arrests of *survivors* of domestic violence, rather than their abusers, in many cases. Such arrests subject women to further violence from the criminal justice system, including use of force during arrest, threats to remove and removal of children into state custody,⁸ strip searches, and other violent and degrading conditions of confinement. As one survivor who was subject to a mandatory arrest described it: “[I] [g]ot arrested like *two* times... That’s traumatizing...the police officer...He *pushed me* inside the car! He *pushed* me inside, ‘Tell that to the judge!’ He sees me *crying* and *trembling* and stuff. He just *pushed* me ... ‘*Shut up back there!!*’ And I was crying, I said, ‘it’s not fair’... ‘Shut up!!’...He pulled me out of the car...he pushed me against [a desk].”⁹ Such retraumatization of survivors, immediately following an incident of domestic violence so severe as to prompt someone to seek law enforcement intervention, is unfortunately commonplace across jurisdictions.

One researcher reported in 2001 that in some cities, over 20% of those arrested for domestic violence are women, and concluded: “An arrest policy intended to protect battered women as victims is being misapplied and used against them. Battered women have become female offenders.”¹⁰

The Family Violence Program of the Urban Justice Center in New York City found that survivors of domestic violence had been arrested in 27% of cases received through their hotline over a two-and-a-half year period.¹¹ 85% of survivors arrested had a prior documented history of being subjected to domestic violence, and 85% were injured during the incident that led to their arrest.¹²

Women of color and low income women are disproportionately affected by mandatory arrests: of survivors in the New York City study who had been arrested along with their abusers (dual arrest cases) or arrested as a result of a complaint lodged by their abuser (retaliatory arrest cases), 66% were African American or Latina, 43% were living below the poverty line, and 19% percent were receiving public assistance at the time.¹³

Police responses to violence against women of color and trans people of color are informed by racialized notions of gender, which dictate who is a legitimate survivor of domestic violence, and how a survivor is supposed to behave. These norms also determine who police deem “worthy” of protection, and who is likely to be perceived as a perpetrator of violence, and therefore arrested regardless of the actual circumstances.

Women and trans people of color who deviate from racialized gender norms or who are criminalized, such as transgender and gender nonconforming women, lesbians, sex workers, people who use alcohol or controlled substances, and formerly incarcerated women and trans people of color, are often not believed, are treated as unworthy of protection, or worse yet, are arrested by law enforcement officers responding to violence against them.¹⁴ For instance, the Family Violence Project study found that women who experienced dual arrests in the context of mandatory arrest policies tended to be using drugs or alcohol “thus deviating from gender-role prescriptions of appropriate female behavior.”¹⁵ According to HIPS, a DC sex workers’ organization, women perceived to be departing from gendered norms of acceptable behavior by engaging in sex work are almost universally subject to dual arrest when police respond to domestic violence against them. This also appears to be the case where lesbians are concerned: as one survivor interviewed by the Family Violence Project said, police “already have th[ese] predetermined thoughts about women, what they should be, and the women who aren’t what you think about them, how could it not affect what you’re gonna do?...[They] show up and ...are like...dykes, damn it...God, they deserve this...”¹⁶



POLICE VIOLENCE & DOMESTIC VIOLENCE

Transgender survivors of domestic violence are particularly poorly treated by responding police, and are frequently arrested or detained for mental health evaluations. Advocates and survivors alike report that once a transgender woman's gender identity is discovered by law enforcement officers or disclosed to them by an abuser, she is treated as if she has deceived the police, and often subjected to verbal abuse, arrest, and violence by law enforcement officers. For instance:

A young African American transgender woman living in Los Angeles reports that she called the police for help on many occasions because her boyfriend was abusive, but they never investigated or took any action. However, one morning, following her most recent call, two undercover officers knocked on her door and arrested her, pursuant to an old warrant for solicitation.

In the winter of 2002 in the District of Columbia, a transgender woman was choked by her male partner and chased through their apartment as she tried to defend herself. She managed to get him out of the apartment and call the police, who responded by arresting her, handcuffing her, and forcing her down the stairs. Her abuser was not arrested. She reports that as soon as officers saw her identification, they began referring to her by male pronouns, calling her "mister." She was detained for seven or eight hours at the police station, and was charged with assault against her abuser. The charges against her were eventually dismissed.¹⁸

⇒ POLICE ABUSE OF SURVIVORS

Racialized notions of gender also inform who police are likely to see as posing a threat to law enforcement officers' safety, which must be met with force no matter the circumstances or how vulnerable a survivor of violence may be.

An African American woman testified at an Amnesty International hearing on police brutality that officers responding to a "family quarrel" beat her in her home while her children were locked outside, powerless to answer their mother's cries for help.¹⁹ The woman reported that she was subsequently gagged with a rag by officers and beaten until she fainted, at which point they dragged her across her yard to their police car.²⁰

In December 2004, a Chicago police officer responding to a domestic violence call threw an African American transgender woman against a wall and to the floor, breaking her wrist. Although the officer was aware that the woman's wrist was injured, he twisted her hands in order to place them in handcuffs. She was denied medical treatment for her injury while she was in police custody.

Police responses to violence against women can not only turn violent, they can be deadly: In June 1994, Rebecca Miller, a 22-year-old Black woman, was shot at close range in the hallway of her apartment and killed with her two-year old son at her side, after police were called to intervene in a fight with her boyfriend.²¹ On September 10, 1997, Oakland police responding to a neighbor's domestic disturbance call proceeded to shoot Venus Renee Baird in the chest in front of her family.²¹



POLICE VIOLENCE & DOMESTIC VIOLENCE

⇒ LACK OF PROTECTION

For many women of color, calling the police for protection from violence is simply not an option, leaving them isolated and vulnerable to gender-based violence. For instance:

Many undocumented women have reported cases of sexual and domestic violence, only to find themselves deported after being arrested pursuant to mandatory arrest statutes or being asked about their immigration status by responding police.²² Many more undocumented women are afraid to call the police, particularly in border states such as California, Texas and Arizona, because local law enforcement agents often ride with Border Patrol, or have signed agreements to enforce federal immigration laws.

Native women living on reservations remain almost completely unprotected from violence due to laws which prevent tribal law enforcement from acting on complaints in felony cases or cases involving non-Natives, leaving pursuit of abusers to federal law enforcement agencies who fail to adequately investigate and prosecute crimes against Native women.²³

Arab, Arab-American, and Muslim women have been turned away from domestic violence shelters because “they spell trouble” as they might attract police attention as a result of stereotypes inherent in the “war on terror.”

Many LGBT people would not contact the police in a domestic violence situation for fear of disclosure of their sexual orientation or that of their partner, or of inappropriate response, mistreatment or non-response by law enforcement officers.²⁴ Fear of contacting the police is particularly high among transgender women, LGBT immigrants, and LGBT survivors with prior criminal convictions.

⇒ RESPONSES TO VIOLENCE WITHOUT LAW ENFORCEMENT VIOLENCE

The experiences of women of color and trans people of color with law-enforcement based responses to violence demand that we go beyond reform of state institutions to developing community based responses to violence that do not rely on the violent mechanisms of the state, but instead require us to build and transform our communities, prioritizing 1) women’s safety from violence, 2) community responsibility for creating and enabling the conditions which permit violence to take place, and 3) transformation of private and public relations of power. This means, an initial step, that the anti-violence movement must be as concerned with challenging law and order agendas, police brutality, and criminal justice policies such as the war on drugs “quality of life policing,” the “war on terror,” and the militarization of the border, among others, as it is with ending interpersonal and community violence. It also means that anti-police brutality organizers must not only identify and challenge the specific impacts of these policies on women of color, they must also be concerned with and invested in developing responses to violence that are not law enforcement based. Only then can we really build towards safety for all women of color and trans people of color.

For more information on increasing women of color and trans people of color’s safety from violence without relying on law enforcement see the resources on Organizing for Community Accountability in this toolkit and on the Resource CD that comes with it, including: INCITE! Working Document: Community Accountability Principles/Concerns/Strategies/Models; Community Accountability Within People Of Color Progressive Movements; Taking Risks: Implementing Grassroots Community Accountability Strategies; The Community Engagement Continuum: Outreach, Mobilization, Organizing, and Accountability to Address Violence Against Women in the Asian and Pacific Islander Communities.



Please visit www.incite-national.org for more info!

POLICE VIOLENCE & DOMESTIC VIOLENCE

⇒ ENDNOTES

¹ Two studies have found that *at least 40%* of police officer families experience domestic violence, in contrast to 10% of families in the general population. P.H. Neidig, H.E. Russell, & A.F. Seng, Interspousal aggression in law enforcement families: A preliminary investigation. *Police Studies*, Vol. 15 (1), p. 30-38 (1992); L.B. Johnson, *On the front lines: Police stress and family well-being*. Hearing before the Select Committee on Children, Youth, and Families House of Representatives: 102 Congress First Session May 20 (p. 32-48). Washington DC: US Government Printing Office (1991); M. Straus & R. Gelles, *Physical violence in American families - risk factors and adaptations to violence in 8,145 families*. New Brunswick, NJ: Transaction Publishers (1990). A third study of older and more experienced officers found a rate of 24%, indicating that domestic violence is 2-4 times more common among police families than American families in general. P.H. Neidig, A.F. Seng, and H.E. Russell, "Interspousal Aggression in Law Enforcement Personnel Attending the FOP Biennial Conference," *National FOP Journal*. Fall/Winter 1992, 25-28. Similarly disproportionately high rates of DV occur in military households.

² L. Dugan, D. S. Nagin and R. Rosenfeld, *Exposure Reduction or Retaliation? The Effects of Domestic Violence Resources on Intimate-Partner Homicide*, *Law & Society Review*, vol. 37:1(2003).

³ In 1994, the Bureau of Justice Statistics reported that while rates of violent crime against men had decreased since 1973, rates of violence against women had remained relatively constant. Bureau of Justice Statistics, National Crime Victimization Survey Report: "Violence Against Women", NCJ 145325, 1994. More recent statistics indicate that rates of violence against women have declined since 1993, however, they have declined at slower rates than violence against men, particularly where intimate partner homicide is concerned. Rates of violence against Black women continue to be higher than rates of violence against white women. S. Castalano, *Intimate Partner Violence in the United States*, BJS, available at: <http://www.ojp.usdoj.gov/bjs/pub/pdf/ipvus.pdf>.

⁴ Patricia Tjaden and Nancy Thoennes, *Extent, Nature, and Consequences of Intimate Partner Violence: Findings From the National Violence Against Women Survey*, July 2000, NCJ 181867.

⁵ *Maze of Injustice: The Failure to Protect Indigenous Women from Violence* at: <http://www.amnesty.org/en/report/info/AMR51/035/2007>; Patricia Tjaden & Nancy Thoennes, US Department of Justice, Full Report of the Prevalence, Incidence, and Consequences of Violence Against Women, 2000

⁶ C.M. Rennison, *Rape and Sexual Assault: Reporting to Police Attention 1992-2000*, August 2002, NCJ 194530.

⁷ National Coalition of Anti-Violence Programs, *Lesbian, Gay, Bisexual and Transgender Domestic Violence in 2000*, 2001 Preliminary Edition.

⁸ Haviland, M., V. Frye, V. Rajah, J. Thukral and M. Trinity, *The Family Protection and Domestic Violence Intervention Act of 1995: Examining the Effects of Mandatory Arrest in New York City* 64 (Family Violence Project, Urban Justice Center 2001)

⁹ *Id.*

¹⁰ Miller, Susan. "The Paradox of Women Arrested for Domestic Violence", *Violence Against Women*, Dec 2001, Vol. 7, Iss. 12.

¹¹ Haviland, M., V. Frye, V. Rajah, J. Thukral and M. Trinity, *The Family Protection and Domestic Violence Intervention Act of 1995: Examining the Effects of Mandatory Arrest in New York City* (Family Violence Project, Urban Justice Center 2001)

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*



POLICE VIOLENCE & DOMESTIC VIOLENCE

⇒ ENDNOTES CONTINUED

¹⁸ Kwame Dixon and Patricia E. Allard, *Police Brutality and International Human Rights in the United States: The Report on Hearings Held in Los Angeles, California, Chicago, Illinois, and Pittsburgh, Pennsylvania, Fall 1999*, Amnesty International U.S.A. [hereinafter “Police Brutality”] 18 (February 2000).

¹⁹ *Id.*

²⁰ STOLEN LIVES: KILLED BY LAW ENFORCEMENT 41, *The Stolen Lives Project* (2nd ed. 1999) 76 [hereinafter “Stolen Lives”]. Police alleged that Ms. Miller wouldn’t drop the knives she had in her hand at the time she was shot. *Id.*

²¹ *Stolen Lives*, p 97.

²² Women’s dependent or undocumented status is often manipulated by batterers, who use the threat of deportation as part of a matrix of domination and control. Although the Violence Against Women Act (VAWA 1994 and 2000) introduced visas for battered immigrant women, many women do not know about the act’s provisions or are unable to meet evidenciary requirements. Since the Illegal Immigration Reform and Immigrant Responsibility Act made domestic violence grounds for deportation, women may also be reluctant to subject a legal permanent resident spouse to potential deportation proceedings by reporting him to the police. In addition, women arrested under mandatory arrest laws could themselves face deportation. See Raj, Anita and Jay Silverman. “Violence Against Immigrant Women: The Role of Culture, Context and Legal Immigrant Status on Intimate Partner Violence”, *Violence Against Women*, Vol. 8. No. 3. March 2002, 367-398. Jang, Deena, Len Marin and Gail Pendleton. *Domestic Violence in Immigrant and Refugee Communities: Assessing the Rights of Battered Women*, 2nd Edition, 1997, San Francisco: Family Violence Prevention Fund.

²³ *Maze of Injustice: The Failure to Protect Indigenous Women from Violence* at: <http://www.amnesty.org/en/report/info/AMR51/035/2007>.

²⁴ See, e.g., National Coalition of Anti-Violence Programs, *Lesbian, Gay, Bisexual and Transgender Domestic Violence in 2002*, 2002 preliminary edition; see also San Antonio Express News, May 18, 2003.



RAPE, SEXUAL ASSAULT, & SEXUAL HARASSMENT

Women and transgender people of color's experiences of rape, sexual assault and sexual harassment by law enforcement agents are largely invisible in discussions of police brutality, which focus primarily on experiences of racial profiling and physical abuse. They also don't usually factor into our general understandings of sexual assault. As a result, women of color and transgender people of color who experience sexual violence at the hands of law enforcement officers are often particularly isolated and made invisible.

No official data is currently available regarding the number of rapes and sexual assaults committed by law enforcement officers in the U.S. Statistics regarding racial profiling and physical brutality by

law enforcement officers do not include information on the number of allegations, complaints, or incidents of rape, sexual assault, sexual harassment or coerced sexual conduct by police officers. Similarly, information gathered by the federal government on rape and sexual assault does not include information about rapes committed by police officers and other law enforcement agents. In the absence of such information, law enforcement authorities often claim that sexual misconduct by their officers is rare — the product of a few “bad apples” — and is dealt with swiftly and decisively. Yet reports from across the U.S. suggest that rape, sexual assault, and sexual harassment of women and transgender people by law enforcement officers is far more prevalent than we know, and often goes unreported and unaddressed. What little research is available indicates that it is a silent yet systemic problem. For instance:

- Two studies of law enforcement license revocations in Missouri and Florida found that sexual misconduct was the basis for revocations in almost 25% of cases.²
- A survey of law enforcement officials in the St. Louis, Missouri metropolitan area concluded that officers report sexual misconduct to be common, yet criminal justice officials have done little to control the problem.³

It is not surprising that there is very little information regarding sexual assaults and rapes by women and transgender people of color by law enforcement officers given that it is estimated that overall, only 1/3 of rapes and sexual assaults are reported to law enforcement authorities.⁴ One can only imagine that this rate is far lower among women who are raped or sexually assaulted by the very law enforcement agents who are charged with protecting them from violence. As Penny Harrington, former Portland Chief of Police and founder of the National Center for Women and Policing, has pointed out “The women are terrified. Who are they going to call? It's the police who are abusing them.”⁵

On November 24, 2002, Denise Almodovar, Sarah Adams, Candace Ramirez, Becki Taylor and Lindsey Valsamaki were picked up for alleged public intoxication by officers of the Balcones Heights, Texas police department. They were taken to the police station, booked, and placed in a holding cell. The officers then removed the five women from the cell and brought them into the patrol workroom -- a room where there is no video surveillance -- and ordered them to dance to music from a radio.

They then sexually assaulted the five women, forcibly kissing them, forcing their hands down the women's pants and touching their genitals, and exposing their penises and masturbating in front of the women. One of the women later testified that she felt unable to resist or run away because “he had his gun and I was singled out. I was by myself. I didn't know what door led out. I couldn't go anywhere.” A month after this incident, one of the officers involved raped a woman he believed to be a domestic violence survivor in his patrol car.¹



RAPE, SEXUAL ASSAULT, & SEXUAL HARASSMENT

Many survivors of police rape and sexual assault say they never reported the incidents to the authorities out of shame, fear that they would not be believed, would be subject to exposure of their sexual orientation or gender identity, would suffer retaliation by police officers, or that they would be deported because they were undocumented. Or they feared — because they were involved in sex work or use of controlled substances — that they would be charged with a crime if they lodged a complaint against the police. Indeed, law enforcement officers tend to target women who are criminalized, marginalized or otherwise vulnerable for sexual abuse, thereby further reducing the likelihood that their conduct will be reported.⁶

In some cases where women and trans people of color attempted to report sexual abuse by law enforcement officers, they were literally laughed off the phone or out of the precinct.

In 2001, two young Latina transgender women reported that they were approached and questioned by police officers in a patrol car, and then threatened with arrest unless they had sex with the officers. The women performed oral sex on the officers before being allowed to go free. They did not report the incident to authorities because of their undocumented immigration status and the officers' threats of retaliation.⁷

Roger Magaña, a Eugene, Oregon police officer who was convicted in 2004 of sexually abusing more than a dozen women over a period of eight years, many of whom were poor, used controlled substances, were involved in the sex trade, or were domestic violence survivors, put his service weapon up against one of his victim's genitals and threatened to "blow her insides out" if she told anyone.

In the absence of systemic data collection, much of the publicly available information about rape and sexual assault of women by law enforcement agents concerns cases in which criminal charges were brought against the abusers — creating the false impression that what cases exist are effectively handled through the criminal justice system. Yet these cases appear to represent merely the tip of the iceberg. Even in cases where they are reported, officers are rarely prosecuted, and if they are, they are often acquitted or plead to charges of "official misconduct."

Ernest Marsalis had a record of abusing women while serving as a Chicago police officer. Prior to kidnapping and raping a 19 year-old African American woman he arrested, which led to his termination from the force, he had been accused of violent or threatening behavior in more than 20 cases, with most of the charges lodged by women. He was never prosecuted.⁸

In 2006 Officer Jemini Jones was accused of raping a 23 year-old woman in a Baltimore police station, demanding sex in exchange for leniency on a drug charge. Although Jones was ultimately acquitted of the crime, the survivor maintains that the rape took place, and Jones was subsequently accused of raping another woman during execution of a search warrant at her home later that year. Another Baltimore officer has also since been accused of having sex with a 16 year-old he interviewed at a station house in July 2006.⁹



RAPE, SEXUAL ASSAULT, & SEXUAL HARASSMENT

Officers are often acquitted because of the private nature of sexual abuse — unlike incidents of excessive force, where there are more likely to be witnesses and, if the survivor is lucky, a video camera, frequently in cases of sexual abuse it's a woman's or trans person's word against an officer's. Such cases turn on credibility determinations pitting the victim, who may also be charged with a crime, against a police officer trained in providing expert testimony.¹⁰ It is also important to remember that, the criminal justice system does not change its colors when it is turned against police officers who rape and sexually abuse women and trans people — many of those prosecuted are men of color, and criminal charges do little to address systemic problems.

As hard as it may be to believe, many jurisdictions have no written policy explicitly prohibiting sexual harassment or abuse of members of the public by law enforcement officers -- or even any training on the subject. For instance, NYPD officials confirm that one of the largest police departments in the country does not provide any specific training on sexual harassment or abuse of individuals in police custody, relying on its generic "courtesy, professionalism and respect" training and officers' "common sense."¹¹

Sista II Sista, a collective of young and adult Black and Latina women in Bushwick, New York, created a video documentary about sexual harassment and violence by police in their neighborhood called You Have a Right to Break the Silence. For a copy, contact incite-national@yahoo.com

Women and trans people of color who are seen as defying racialized gender norms - including lesbians, sex workers, and women who use controlled substances are highly sexualized by police and therefore particularly vulnerable to sexual abuse by law enforcement agents. Sex workers report being forced to strip or engage in other sexual conduct while in police detention, and offers of leniency in exchange for sexual favors by police officers are reportedly endemic. Lesbians have reported being forced to describe or engage in sexual acts with other women while in police custody, and threatened with rape by other detainees or law enforcement officers to "cure" or punish their sexual orientation. As is the case in other contexts, access to the bodies of women of color is presumed, based on historical and current stereotypes. Gender non-conformity is particularly seen as evidence of sexual availability where transgender women are concerned.

A transgender woman reported to the Sylvia Rivera Law Project that a Bronx, New York court officer coerced her into performing oral sex on him in a court lock-up.

⇒ SEXUAL HARASSMENT & ASSAULT DURING TRAFFIC STOPS

Women and trans people of color's experiences of racial profiling are often uniquely gendered. Sexual harassment, sexual assault, and rape of women and trans people during traffic stops is reported with alarming regularity. For instance:

A 2002 report, Driving While Female, documented over 400 cases of sexual harassment and abuse by law enforcement officers in the context of traffic stops across the U.S. Only 100 of these cases resulted in any kind of sanction. The authors of the report concluded "there is good reason to believe that these cases represent only the tip of the iceberg. Many victims do not come forward because of humiliation and fear of reprisal. And...some police departments do not accept and investigate complaints from many victims who do come forward."¹²



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RAPE, SEXUAL ASSAULT, & SEXUAL HARASSMENT

In 2001, a rash of traffic stops of Latina women in a low-income community in Suffolk County, Long Island, during which women were forced to perform sexual acts and/or strip in public, came to light.¹³ In one case, instead of being issued a traffic citation, a woman was forced to walk home in her underwear.¹⁴ In two others, officers were alleged to have forced women to have sex with them after pulling them over for traffic infractions.¹⁵

In 2005, two New York City police officers followed a 35 year-old Latina woman home after stopping her for a traffic offense, and subsequently forced her to perform oral sex on them in her apartment while her three children slept nearby.¹⁶

⇒ SEXUAL ASSAULT OF SURVIVORS OF VIOLENCE

Indeed, the experience of [B]lack women has been that the very same white policeman who would supposedly protect them from rape, will sometimes go as far as to rape [B]lack women in their custody.

- *Angela Y. Davis*¹⁷

‘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.’

- *Michael Evans, former Pennsylvania State Trooper*¹⁸

As discussed in greater detail in the fact sheet on law enforcement violence and domestic violence in this toolkit, racialized notions of gender also inform who will be seen as inherently rapeable and therefore undeserving of police protection and subject to police predation and punishment:

- ⇒ A Chicago rape crisis center reports that an African American homeless woman called the police because she has been the victim of group rape, and was arrested for prostitution.¹⁹
- ⇒ A police officer working in a Chicago suburb was charged with “official misconduct” for making women strip naked when he responded to domestic violence calls.¹⁹
- ⇒ In her essay “Violence Against Women and the Ongoing Challenge to Racism,” Angela Davis talks about finding a young Black woman, beaten and bloody, by the side of a freeway in San Diego. The woman had been raped by several white men, dropped by the side of the road, and found by police, only to be raped again by the officers and left by the side of the freeway, barely conscious.²⁰

‘He had his police uniform on, his gun, his nightstick,’ the woman said. ‘I did exactly what he asked me to do.’

- *Woman raped by a police officer responding to a domestic violence call*²¹



RAPE, SEXUAL ASSAULT, & SEXUAL HARASSMENT

⇒ ABUSIVE SEARCHES — STATE SANCTIONED SEXUAL ASSAULT

Abusive and overly intrusive searches are subjectively experienced as - and objectively constitute - a form systemic state-sanctioned sexual assault. Visual body cavity searches – often performed on women and trans people of color profiled or perceived to be concealing drugs on their person – have been described by a federal court of appeals as “demeaning, dehumanizing, undignified, humiliating, terrifying, unpleasant, embarrassing, repulsive, signifying degradation and submission.”²²

Diane Bond, a 50 year old African American woman was repeatedly attacked by several Chicago police officers at her public housing unit in Chicago, Illinois in 2003 and 2004. On April 13, 2003, the officers pointed a loaded gun to her head, forced her into her apartment, and then engaged in an unnecessary and abusive strip search and destructive search of her apartment, during which they broke precious religious belongings while calling her a “cunt” and “bitch.” Two weeks later, as she was standing in the stairway outside her apartment, Chicago police officers grabbed Ms. Bonds and smacked her in the face, causing her to urinate on herself. She was then forced into her bedroom where she was forced to undress, bend over, expose her genitalia to the male officers and reach inside her own vagina under the threat of having her teeth removed with needle nosed pliers unless she complied with the officers’ demands. None of the officers involved have been disciplined or prosecuted.²³

Violent, abusive, and often repeated searches of transgender and gender non-conforming women, as well as transgender men – on the streets, in police detention facilities, jails, and court lock-ups — for the purpose of determining genital status, to humiliate, or to satisfy officers’ curiosity are routinely conducted across the country. Such searches, as well as unnecessary and abusive strip searches - are often accompanied by ridicule, sexualized verbal abuse, and physical violence.²⁴

An African American transgender woman reports that after being arrested in December 2004, she was repeatedly subjected to police officers gathering and staring at her, making comments such as “Do you know what that is?” She reported being searched three times, including at the processing center, where one of the arresting officers searched her vaginally. She believed that the search was to find out about her sex and for the benefit of curious officers, rather than for a legitimate purpose.²⁵

A Native American transgender woman reported that she was standing near a tree in Los Angeles at 2:30 a.m., smoking a cigarette, when an officer pulled up, got out of the patrol car, hit her and shoved her up against a tree, pulling her hair back roughly. He reportedly told her, “I’m going to have to ask you to remove your underwear,” claiming that she had concealed something on her person, and pulled down her miniskirt and underwear, spreading her legs. The officer demanded to know “where the drugs were,” and when she responded that she didn’t have any, took off her shirt and made her take off her bra, leaving her standing naked in the middle of the street. She commented, “People were driving by. I was so embarrassed.”²⁶

Three transgender women in New York City have filed lawsuits against the New York City Police Department claiming that abusive searches they were subjected to are part of a widespread pattern and practice, and demanding systemic change.



RAPE, SEXUAL ASSAULT, & SEXUAL HARASSMENT

⇒ ENDNOTES

- ¹ *U.S. v. Guidry*, 456 F.3d 493, 496-97 (5th Cir. 2006).
- ² R. L. Goldman and S. Puro, *Revocation of Police Officer Certification*, 45 St. Louis L. J. 541, 563, n.142 (2001).
- ³ Timothy Maher, *Police Sexual Misconduct: Officers' Perceptions of its Extent and Causality*, Crim. Just. Rev. 28(2):355 (2003).
- ⁴ See Bureau of Justice Statistics, *Criminal Victimization, 2004*, US Department of Justice, Office of Justice Programs, NCJ 210674, September 2005; Bureau of Justice Statistics, *Rape and Sexual Assault: Reporting to Police and Medical Attention, 1992-2000*, US Department of Justice, Office of Justice Programs, NCJ 194530, August 2002 (74% of completed and attempted sexual assaults against women were not reported to the police).
- ⁵ Craig R. McCoy and Nancy Phillips, *Extorting Sex With a Badge*, Philadelphia Inquirer, August 13, 2006 A01.
- ⁶ Craig R. McCoy and Nancy Phillips, *Extorting Sex With A Badge*, Philadelphia Inquirer, August 13, 2006 A01.
- ⁷ Amnesty International, *Stonewalled: Police Abuse and Misconduct Against Lesbian, Gay, Bisexual and Transgender People in the U.S.* 40, AMR 51/122/2005 (2005).
- ⁸ Tori Marlan, *Armed and Dangerous*, Chicago Reader, 8/31/2001.
- ⁹ Julie Bykowicz, *Officer Accused Again of Rape*, Baltimore Sun, May 6, 2006; Julie Bykowicz, *Officer Takes Stand, Denies Rape Charge*, Baltimore Sun, January 20, 2007.
- ¹⁰ See, e.g., U.S. Commission on Civil Rights, *Revisiting Who is Guarding the Guardians?: A Report on Police Practices and Civil Rights in America*, November 2000; Human Rights Watch, *Shielded from Justice: Police Brutality and Accountability in the United States*, HRW Index No.: 1-56432-183-5, July 1, 1998; *United States of America: Rights for All* 43, Amnesty International, AMR 51/035/1998, 1998.
- ¹¹ See also Craig R. McCoy and Nancy Phillips, *Extorting Sex With A Badge*. Philadelphia Inquirer, August 14, 2006 A01; T. Maher, *Police Sexual Misconduct: Officers' Perceptions of Extent and Causality* (finding that none of 14 different police agencies in four counties in the St. Louis, MO area had a formal policy specifically prohibiting sexual misconduct).
- ¹² Samuel Walker and Dawn Irlbeck, *Driving While Female: A National Problem in Police Misconduct*, Police Professionalism Initiative, Department of Criminal Justice, University of Nebraska at Omaha, 2002, available at <http://www.policaccountability.org/drivingfemale.htm>; Press Release, *Driving While Female Report Launches UNO Police Professionalism Program*, available at: <http://www.unomaha.edu/uac/releases/2002may29ppi.html>
- ¹³ Shelly Feuer Domash "A Few Bad Cops, or a Problem with the System?" *New York Times*, February 11, 2001, Section 14LI, Page 1.
- ¹⁴ Andy Newman, "Suffolk County Officer Is Charged in Abuse of Female Drivers," *New York Times*, March 29, 2002, B5.
- ¹⁵ Shelly Feuer Domash "A Few Bad Cops, or a Problem with the System?" *New York Times*, February 11, 2001, Section 14LI, Page 1.
- ¹⁶ Al Baker, *Two Officers Are Charged in Sex Attack*, New York Times, November 22, 2005; *Woman Says Officers Sexually Abused Her*, New York Times, November 21, 2005.
- ¹⁷ Angela Davis, *Violence Against Women and the Ongoing Challenge to Racism*, in THE ANGELA Y. DAVIS READER, Joy James, ed. 148 (1998).
- ¹⁸ *Police Turned Predators*, a series by the Philadelphia Inquirer, August 2006, available at: http://www.philly.com/inquirer/special/Police_Turned_Predators.html
- ¹⁹ *Ex-officer Accused Again of Telling a Woman to Disrobe*, Chicago Sun Times, July 23, 2005.
- ²⁰ *Id.* at 146.
- ²¹ *Police Turned Predators*, a series by the Philadelphia Inquirer, August 2006, available at: http://www.philly.com/inquirer/special/Police_Turned_Predators.html
- ²² *Mary Beth G. v. City of Chicago*, 723 F. 2d 1263, 1272 (7th Cir. 1983). The opinion also cites language from dissenting opinions in the U.S. Supreme Court's decision in *Bell v. Wolfish*, in which Justice Marshall described body cavity searches as "one of the most grievous offenses against personal dignity and common decency," and Justice Stevens stated "[t]he body cavity search – clearly the greatest personal indignity – may be the least justifiable measure of all." *Id.*
- ²³ *Bonds v. Utreas*, 04 C 2617 (N.D. Ill. Judge Joan Lefkow).
- ²⁴ Amnesty International, *Stonewalled: Police Abuse and Misconduct Against Lesbian, Gay, Bisexual and Transgender People in the U.S.*, AMR 51/122/2005 (2005).
- ²⁵ Amnesty International, *Stonewalled: Police Abuse and Misconduct Against Lesbian, Gay, Bisexual and Transgender People in the U.S.* 57, AMR 51/122/2005 (2005).
- ²⁶ Amnesty International, *Stonewalled: Police Abuse and Misconduct Against Lesbian, Gay, Bisexual and Transgender People in the U.S.* 57, AMR 51/122/2005 (2005).

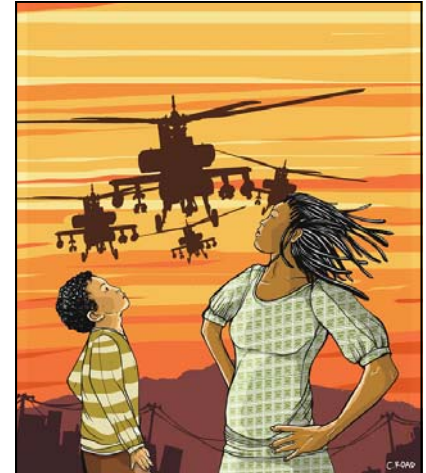


LAW ENFORCEMENT VIOLENCE & DISASTER

➔ POLICE BRUTALITY & HURRICANE KATRINA

In 2005, images of thousands of New Orleans residents — the majority of whom were low income women of color and their children, elders, and others, unable, due to poverty, to leave the city before Hurricane Katrina struck, abandoned by our government — were quickly followed by images of law enforcement violence and abuse of individuals struggling to survive under the horrifying conditions that prevailed in the city during the days, months, and now years following the hurricane.

In the initial days following Hurricane Katrina, thousands of members of the National Guard and federal troops were mobilized in the state, along with members of local law enforcement agencies from across the country who were temporarily deputized by the Governor. **These officers and troops quickly established militarized zones in which individuals, desperate for basic necessities like food and water, were routinely verbally abused and threatened with use of lethal force for seeking out food, water and clothing from local businesses, and were often violently arrested and detained.**²



Art by Cristy C. Road, croadcore.org

“These troops are fresh back from Iraq, well trained, experienced, battle tested, and under my orders to restore order in the streets. They have M-16s and are locked and loaded. These troops know how to shoot and kill and I expect they will.”

- Then Louisiana Governor Kathleen Blanco,
September 2, 2005³

On September 5, 2005, just seven days after Hurricane Katrina made landfall in the city, with no gas stations, grocery stores, mail delivery services, or opened hospitals and schools, and nearly 90 percent of the city evacuated, the city had a makeshift jail at the Greyhound bus station terminal. It was erected by Burl Cain, the warden of Angola Louisiana State Penitentiary, in collaboration with Sheriff Marlin Gusman and city officials. “This,” states Burl Cain, *“is a real start to rebuilding this city — this jail,”* officially declaring the central role of law enforcement in the reconstruction of the city. **Individuals detained at this makeshift facility were held by law enforcement and military personnel for weeks in open-air cages surrounded by chain-link fencing topped by razor wire, arrested for offenses related to seeking water, food, and other necessities.**⁴

In the years since the devastation that followed Hurricane Katrina, abusive policing and criminalization have continued unabated in New Orleans, including in schools, public housing, immigration enforcement, and mental health policing. Up to today, the city is described as “a police state encampment, occupied by an estimated 14,000 heavily armed government officers and their machine guns, patrolled by military trucks, armored Humvees, Black Hawks, and Chinooks.”⁵ **A recent survey by the community-based organization Safe Streets/Strong Communities found that 72% of the predominantly (80%) African American respondents who had been stopped by police reported being victimized, be it through verbal abuse, public strip searches, or physical abuse.**⁶ Abusive policing and criminalization also extend to healthcare, neighborhood planning, Black motherhood, gender identity and expression, and reproductive legislation. In this current climate, people of color, particularly those who are women, LGBT/queer, low-income, and/or with mental health needs, have become socially marked as “criminal” and undeserving of civil, political, and human rights — thus increasing their vulnerability to police brutality and violence by the military forces that continue to occupy the city, poverty, further criminalization, and continual displacement from and within the city.



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LAW ENFORCEMENT VIOLENCE & DISASTER

The current disaster paradigm that has been created for understanding the impact of Hurricane Katrina in the face of militarized policing, violence, intimidation, and surveillance fails to examine the intersecting (and often competing) economic, social, and political conditions women of color inhabit, and the daily hardships residents face as they struggle to rebuild their lives, communities, and social networks. In other words, Hurricane Katrina & its impacts did not take place in a vacuum, were not unique to one particular storm or environmental disaster, and served as a foothold for bolstering and intensifying existing structures of militarization, “law and order,” economic oppression, and displacement through gentrification and skewed economic (re)development.

➔ RACIAL PROFILING & POLICE BRUTALITY AGAINST WOMEN & TRANS PEOPLE OF COLOR POST-KATRINA

Women of color were among those profiled as “looters” by New Orleans and area police, and continue to be among those profiled as people who do not “belong” in the “new” New Orleans. Additionally, as law enforcement and military forces are conscripted to enforce land and housing grabs, women of color who fight to keep their homes and return to and rebuild their communities are increasingly subject to escalating police brutality and abuse. Today, these realities are implicitly characterized by a fight to exist and live for the self-determination of their communities. For example:

The day after Hurricane Katrina struck, 73-year old Merlene Maten, an African American grandmother and church elder who had evacuated to a hotel in the New Orleans suburb of Kenner, Louisiana following the flooding of her home in the city, was handcuffed and arrested for “looting” by local police. As a Black woman taking shelter from the storm in a predominantly white suburb, she was profiled by police as having committed or participated in a break-in at a nearby deli when in fact, at the time of her arrest, she was retrieving food she had brought with her from her car. Witnesses confirm that Ms. Maten never entered the store in question. Although witnesses tried to explain the situation to police, the officers refused to listen and characterized the women as “emotional.” Ms. Maten was held for over 16 days, first on an overpass outside the Greyhound bus terminal “jail,” and then in the state penitentiary, on charges that she took \$63.50 in food from the deli.⁷

In the days following the devastation of Hurricane Katrina and its aftermath, Sharlie Arpollo Vicks, a Black transgender woman from New Orleans, was arrested and jailed for six days for using the women's shower at a Texas evacuation center.⁸

On April 4, 2006, police stopped Jonie Pratt, a Black school teacher and wife and sister of New Orleans police officers, for allegedly running a stop sign two blocks from her house. A witness saw the officers pull Pratt out of the car by her hair, throw her repeatedly against her car, twist her arms behind her, and spray mace in her face. Two more officers arrived on the scene and the three shoved Pratt to the ground and knelt on her back while one of the officers kicked her in the head. Pratt suffered a broken wrist, a black eye, and a haematoma on her forehead as a result of the incident. The witness said the officers refused to believe that Pratt lived in the house that is her home because it is located in a middle class area of the city. The local NAACP chapter called for a federal investigation, noting that incidents of this type were common in New Orleans even before Hurricane Katrina struck.⁹



LAW ENFORCEMENT VIOLENCE & DISASTER



INCITE! New Orleans member (right) and another activist support a woman hurt by police in a demonstration for affordable housing

During a December 2007 protest at New Orleans City Hall to save 4,500 units of public housing scheduled to be demolished in a city facing a severe housing crisis for returning residents -- particularly low-income residents of color -- police unleashed Tasers, pepper spray, and batons on public housing residents and their allies seeking to speak at a City Council meeting at which the demolitions were to be approved. New Orleans public housing residents are overwhelmingly African American women and women headed households, as were those targeted for police abuse at the demonstration. INCITE! New Orleans members, some of whom were present at the protest, emphasize that denial of safe affordable housing to poor and working class women of color is an act of violence and it also increases vulnerability to domestic and sexual violence, and poverty. The destruction of public housing in New Orleans is also a population control issue, an act of racial cleansing and reproductive violence.¹⁰

⇒ ENDNOTES

- ¹ *Police Kill 5 in New Orleans Shootout*, theage.com.au, September 5, 2005, <http://www.theage.com.au/news/world/police-kill-five-in-new-orleans-shootout/2005/09/05/1125772439555.html>
- ² J. Mogul and A. Ritchie, *In The Shadows Of The War On Terror: Persistent Police Brutality And Abuse Of People Of Color In The United States*, 1 DePaul J. for Soc. Just. 175 (2008).
- ³ *Military due to Move Into New Orleans: Governor Warns Thugs, Troops 'Know how to Shoot and Kill'*, CNN.com, Friday, September 2, 2005.
- ⁴ "With Jails Flooded, Bus Station Fills the Void" Alex Berenson, New York Times, September 7, 2005.
- ⁵ Gerald Smith, *New Orleans: A Police State Encampment*, Copwatch Report, Berkeley Cop Watch, Winter 2006.
- ⁶ *Crisis of Confidence: Persistent Problems Within the New Orleans Police Department: Voices and solutions from communities most impacted by violent crime*, Safe Streets/Strong Communities, October 2006.
- ⁷ *Grandma accused of looting makes her case: After 16 days in detention 73-year-old woman sets the record straight*, September 20, 2005, <http://www.msnbc.msn.com/id/9408059/>; *Jailed deaconess, 73, ordered released*, Associated Press, September 16, 2005.
- ⁸ Mandy Carter, *Southerners on New Ground*, in *What Lies Beneath: Katrina, Race, and the State of the Nation*, Ed. South End Press Collective. Cambridge, MA: South End Press, 2007.
- ⁹ Mary Foster, *New Orleans to Probe Brutality Allegations*, Associated Press, April 6, 2006.
- ¹⁰ Leonard Doyle, "New Orleans to Demolish Thousands of 'Poor' Homes," The UK Independent, December 21, 2007.





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RESISTING LAW ENFORCEMENT VIOLENCE

OK, so what can we do about law enforcement violence against women of color and trans people of color?

⇒ TALK ABOUT IT!

Get together with other anti-violence or anti-police brutality activists and talk about it! Do a workshop based on the fact sheets in this toolkit — a sample workshop is included. Organize a community forum. You'll be surprised how many experiences are voiced which have previously been silenced! **If you would like someone from INCITE! to work with you on having a workshop or forum in your community or organization, contact us at incite_national@yahoo.com.**

Ask yourselves and your allies how you can work to better document and address law enforcement violence against women of color and trans people of color and build for safer communities as part of your organizing!



Art by Cristy C. Road, croadcore.org

⇒ DOCUMENT IT!

There is very little information available on law enforcement violence against women and transgender people of color. Once you've had a few conversations with others about it, you may decide to more intentionally document the experiences of women of color and transgender people of color with law enforcement in your area. **Documentation can be a critical step to raising awareness of the issue — within and beyond our communities — and a tool to reach, organize and support the leadership of people most affected.** Some documentation ideas:

- ⇒ **When the city of Washington, D.C. created “prostitution-free zones”, escalating policing of sex work, Different Avenues decided to do a participatory research project to look at where this policy came from and its impacts on people who are, or are perceived to be, sex workers.** They did a two-day skill-share for members of their constituency around community-based research, data collection, and report writing, as well as issues related to the project such as transgender issues, language and immigration, race and racism, drug use cultures in D.C., know-your-rights with police, and street smarts. Folks also brainstormed around past research efforts and future research directions, looked at research tools used by other community groups, and talked about safe and effective data collection. They later developed a short survey, longer interview questions, and a strategy for observing policing in affected areas, and made a plan to interview public officials, police, and other community-based organizations, and review existing information from media and other reports. They presented the results of their research in a community forum, and based on the feedback and analysis, finalized a report called: “Move Along: Policing Sex Work” in Washington D.C., available at: http://www.differentavenues.org/comm_research.html. The report provides more information about their research and organizing process. They are now developing the next steps for organizing based on the results of their research.
- ⇒ **The National Network for Immigrant and Refugee Rights is documenting and organizing around abuses of the rights of immigrants, including immigrant women and trans people.** They have created an on-line database where people can enter incidents of immigration enforcement violence and examples of organizing efforts, and produced a report called *Over Raided, Under Siege: U.S. Immigration Laws and Enforcement Destroy the Rights of Immigrants*. More information about the Network's documentation project is available at: <http://www.nnirr.org/hurricane/index.php>.



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RESISTING LAW ENFORCEMENT VIOLENCE

- ➔ Creative Interventions has developed a national story-telling project to document ways in which people have intervened without relying on the police in situations involving violence. More information is available at: <http://www.creative-interventions.org/projects.html>.
- ➔ The Young Women's Empowerment Project in Chicago, IL is currently doing a participatory research project around resistance and resilience to different forms of violence experienced by young women with life experience in the sex trade and street economies, including police violence.

Check out the fact sheet on Participatory Action Research and the resources for documentation in this toolkit and on the Resource CD that accompanies this toolkit.

➔ COLLECTIVE COMMUNITY INTERVENTION

COPWATCHES

If police are being observed, they often tend to change their behavior. You can always spontaneously decide to join in a group of people to observe any law enforcement misconduct you come across — just be sure to stay a safe distance away from the officers involved. Take notes of location, car numbers and license plates, badge numbers, officer names, precinct or station, a description of the people involved and any other information which could help organize around the situation at a later date. Use your cell phone to take pictures or video record what is happening if it is safe to do so. While you have a right to observe, photograph, or videotape police activity so long as you are not interfering, sometimes observing police can put your safety at risk. If challenged by the police, assert your right to observe so long as you don't interfere. If the officers threaten you in any way, take a few steps back. If you still feel threatened or unsafe, or see that your presence is making things worse for the people involved, move farther away or leave the area. Memorize as much information about the incident as you can, and write it down as soon as you are somewhere safe. It is better to organize later than put yourself and other people at further risk in the moment.

Another way to observe, document, and prevent law enforcement violence is to organize a “copwatch” — a group of people who regularly go out on the streets to film or otherwise document police behavior. Traditionally, copwatches have primarily captured the experiences of young men of color — either because people see men of color as the primary targets of police brutality, because of where the cop watches are conducted, or both. Be creative in finding ways to do copwatches by and for women and trans people of color, targeting locations where gender-specific law enforcement violence happens. Often, it is better to empower people — through training, provision of video cameras, videophones, or tape recorders, and legal support — to copwatch in their own neighborhoods or for themselves than to have people from outside the community or constituency come in to do it. For instance:

- ➔ FIERCE, a community organization for Transgender, Lesbian, Gay, Bisexual, Two Spirit, Queer, and Questioning (TLGBTSQQ) youth of color in New York City, organized a copwatch by queer youth of color in the West Village — a visibly queer area in the City. FIERCE says ➔

Check out the FIERCE! copwatch video at <http://www.fierceny.org/index.php?s=117>

Through our Copwatch program, FIERCE is committed to creating a West Village that is safe for everyone, especially LGBT youth of color who are often targeted by the police. We believe in educating our community about knowing our rights. We believe that police need to be held accountable for the harassment brought upon LGBT youth of color.



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RESISTING LAW ENFORCEMENT VIOLENCE

- US PROS recently organized their community in the Bay Area to regularly come out and hang out and observe police behavior on a “stroll” or area where street-based sex workers work. **This signaled to the officers that the community valued the women who worked there, and would not tolerate violence against them.** In the early 1990s, the Women in Public Space (WIPS) project organized activists to stand on street corners wearing wireless microphones in areas heavily policed for prostitution as an act of civil disobedience. Other activists would sit in a car nearby with a video camera and document violations of rights by police. Prior to starting this project, the activists involved had spent over a year building relationships with women working in the area, getting to know sex workers on the street, passing out condoms and info, and surveying women about needs for services, opinions about the laws, and information on arrest patterns. By building relationships first, they ensured that the project would empower rather than endanger women working in the area.
- Coalición de Derechos Humanos organized a Migra Patrol in their community in Tucson, Arizona to monitor the activities of ICE and Border Patrol. Migra Patrol members would distribute Know Your Rights pamphlets for Border Patrol and police (they can be found on the Resource CD that accompanies this toolkit), color coded according to language, in bus stations, grocery stores, and at community events. **Patrol members never interacted with police or Border Patrol — instead they would wear bright red t-shirts with a message to call an attorney they worked with if law enforcement officers had any questions.** That way undocumented people and young people (with parental consent) could participate. They also had a buddy system of teams to deal with harassment from cops. Migra Patrol would also make house visits, and go to shelters and hospitals in the community. Sometimes the documentation they gathered was used as evidence in immigration cases, and helped stop deportations.
- Copwatch LA has set up a rapid response network using text messages to alert people to the locations of immigration and police checkpoints in various neighborhoods. The alerts allow people to avoid the area if necessary, and notify documentation teams so that they can monitor law enforcement activities. **As a result of this organizing effort, LAPD and ICE have reduced the number of checkpoints in targeted communities.** They also have an on-line database for people to report instances of police or ICE abuse. For more information, go to <http://www.copwatchla.org>.

PROTESTS & PUBLICITY

Communities have been successful in raising awareness of police brutality, violation of immigrants’ rights, and other forms of law enforcement violence and criminalization through street theater and public protests. For instance:

Latina trans women in Los Angeles organized a protest to demand respect from the officers of the Hollywood precinct of the LAPD, as documented in the video “Transgenderation,” found on the Resource CD that accompanies this toolkit.

Sista II Sista in New York City organized a street fair at which young women performed spoken word and guerilla theatre about street harassment by police officers, and screened a video about sexual harassment and abuse by police on a wall across the street from the local precinct.

Transjustice, a project of the Audre Lorde Project in New York City, organizes an annual Trans Day of Action for Social and Economic Justice - see a video of this year’s action at: <http://outatthecenter.blogspot.com/2008/07/trans-day-of-action-2008.html>



Please visit www.incite-national.org for more info!

RESISTING LAW ENFORCEMENT VIOLENCE

People have also been successful in organizing around specific cases as a way to raise awareness of law enforcement violence against women of color and trans people of color more generally. For instance, FIERCE! and Bay Area New Jersey 4 Solidarity have organized around the case of the New Jersey 4, a group of women who were subjected to misogynist, homophobic and transphobic violence and then arrested, prosecuted, and sentenced to long prison terms. For more information, see the Left Turn Article about the New Jersey 4 reprinted in this toolkit.



A protest in Rochester to bring attention to the case of a 13 year old Black girl shot by police responding to a request for assistance because the girl was suicidal.

⇒ KNOW YOUR RIGHTS

Organize a “know your rights” workshop specific to women & trans people of color. What do we need to know that is not usually covered by know your rights trainings? Can a male officer search me? When are strip searches allowed? Does a cop have to disclose he is a cop before he receives sex in exchange for money? When do I have a right to refuse to get into a cruiser? When do I have a right to keep my hijab on? *For more information, see the “Know Your Rights” fact sheet in this toolkit!*

⇒ FIGHT GENTRIFICATION

Check out FIERCE's anti-gentrification work:

FIERCE founded the Save Our Space campaign to counter the displacement and criminalization of LGBT youth of color and homeless youth at the Christopher Street Pier and in Manhattan's West Village. The Pier, located on the fringe of the West Village, has historically been the only safe public space for many homeless and low-income LGBT youth of color to find each other and build community. In the summer of 2000, FIERCE members began organizing a response to increased policing and mass arrests of youth of color on the Christopher Street Pier. When the Pier was closed for construction in 2001, many West Village merchants, residents and political leaders expressed that they hoped the re-development of the Pier and the beefed-up police presence in the area would improve their quality of life. FIERCE's position, however, is that this concept of quality of life not only ignores, but adversely affects the quality of life of LGBT youth, especially those who are of color.

Youth who make use of the Pier as a public space have reported sharp increases in police harassment, false arrest and racial and gender profiling—usually for just being in the neighborhood. FIERCE has focused its campaign on the oppressive “Quality of Life Policies,” which were put into place by former Mayor Giuliani. Through a mix of youth-led organizing and activist strategies — including direct action, media advocacy, street visibility through art/activism, and testifying at public forums — FIERCE! has been able to change the terms of the public debate about quality of life and public safety in the West Village so that the voices of merchants and residents, politicians and police, are not the only ones that are heard.

⇒ KEEPIN' THE COPS OUT THE 'HOOD - ALTERNATIVE RESPONSES TO VIOLENCE

Many of us have come to the conclusion that we can't fight to reform an inherently racist, sexist, homophobic, transphobic, classist, and anti-immigrant paramilitary institution like the police to meet our needs, and are working to create a world without cops - where all of us are safe and accountable for our actions. For instance:

Students, teachers and communities are challenging the system of law enforcement violence in schools across the country, and working towards models of transformative justice. These are only a few examples:



Please visit www.incite-national.org for more info!

RESISTING LAW ENFORCEMENT VIOLENCE

The Youth Power! Project of DRUM (Desis Rising Up and Moving) has used the results of its participatory research project, published in *Education Not Deportation*, available at http://www.urbanjustice.org/pdf/publications/Education_Not_Deportation_Report_06jun06.pdf to advocate for the creation of “Immigrant Safe Zones” in New York City public schools. They recently won the creation of the first zone at a high school in Queens New York.

LAMP (The Live Arts Media Project), Detroit, MI. LAMP is a youth-led initiative to transform education in Detroit through creativity and critical thinking. In 2006, youth used participatory research, hip hop and sound collages to build a hip hop audio documentary called “Rising Up From the Ashes: Chronicles of A Drop-out,” which is available for sale at <http://www.detroitsummer.org>. Currently, they lead workshops in schools and community centers using the documentary to spark dialogue around the root causes of the city's over 60% drop-out rate and envision concrete solutions to those problems. Through their ongoing research they are finding that implementing transformative justice policies, a cooperative economics curriculum and a “RESPECT” curriculum, centered around understanding and valuing marginalized identities, would significantly reduce the drop-out rate. For more information, email: info@detroitsummer.org or visit www.detroitsummer.org.

For more information and ideas, check out the materials on organizing for community accountability in this toolkit!



Meeting at a Colorado anti-violence agency to talk about how to resist and organize around arrests of domestic violence survivors under mandatory arrest policies.



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✌️ A Message from young Black and Latina women of Bushwick:

STOP KILLING OUR SISTAS IN IRAQ!

- ⊙ We don't create wars. We don't benefit from wars. We don't want war!
- ⊙ Many of us know directly or know through our grandmothers what it mean to be invaded, colonized, kidnapped, and enslaved by invading forces – this is not anything we can support.
- ⊙ The police, border patrol, and military sexually assault women, and now their power is expanded!
- ⊙ This is a racist war and it impacts women of color worldwide.
- ⊙ Invading armies and police control have never liberated women. Only we can liberate ourselves.

FROM BUSHWICK TO BAGHDAD, WE WANT YOU OUT!

- ⊙ The police in our communities and the military in Iraq are both occupying forces.
- ⊙ A police force that has time and again proven itself to be racist, sexist, classist, homophobic, and violent as an institution can never be expected to protect women in our communities from violence.
- ⊙ The War on Terrorism was used as an excuse to pass the Homeland Security Act, the Patriot Act, and the now the Patriot 2. These new laws LEGALIZE racial profiling, expand surveillance, and interrogation. Operation Impact in NYC has increased police presence and surveillance in communities of color.
- ⊙ By expanding the meaning of “terrorism,” they criminalize everyday acts of resistance.
- ⊙ Women's human rights are endangered when our civil liberties are trampled in the name of fighting terrorism.

STOP TURNING OUT BROTHERS INTO KILLERS!

- ⊙ Military are trained to kill. This can't be turned off when they return home.
- ⊙ Spreading of macho mentality.
- ⊙ Domestic violence increases because military officers are at least twice as likely to be abusive to their partners and because such a disproportionate number of people of color are in the military, this means, women of color and children will be negatively affected.

BUSH, YOU WANT WAR, YOU GO FIGHT!

- ⊙ Poor youth of color are targeted for the military and are being recruited heavily.
- ⊙ Women make up 16% of the military and the numbers are increasing.
- ⊙ Military recruiters have more access to young people than ever before.

*****PRESS RELEASE*****

Sista II Sista
Contact: Isabel Gonzalez
(718) 366-2450 or (347) 489-6054

Young Women in Brooklyn Speak Out Against Violence

Saturday, August 31st, 2002

4-8 pm

Burger King Parking Lot

On Knickerbocker, between Myrtle and Blecker.

On Saturday, August 31st, Sista II Sista, a Bushwick-based community organization that organizes young women of color, will be hosting a community speak-out to call attention to the issue of violence against women of color in the Bushwick area. As has been recently reported by local media, the New York Police Department has failed to adequately respond to domestic abuse and sexual assault cases city-wide due to a backlog in the NYPD database. Some results from a community survey that Sista II Sista took last summer illustrate the severity of this issue in our community. Out of 400 young women that we asked, 57% knew someone who had been raped. In 90% of those cases, the young women were not helped. 64% of those asked felt that the community they live in is not safe for girls.

This event will be an opportunity for the Bushwick community to come together and break the silence and neglect that surrounds the issue of violence against women in a creative and powerful way. The event will include dance, theater, musical and poetry performances by young women, as well as outside performers and poets. At the end of the evening, Sista II Sista will screen its video documentary entitled "You Have the Right to Break the Silence", which includes interviews with young women from the community about sexual harassment by the police. Coverage of police abuse in communities of color has time and again centered on the experiences of young men. The experiences of young women of color in these communities, however, are rarely brought out into the open.

We invite members of the media to join us and speak with the young women of Bushwick about the issues that affect their lives, and to help us make our voices heard in order to put an end to the violence that we are forced to live with.

For more information, please contact Sista II Sista at the numbers on the top of this page.

KNOW YOUR RIGHTS!!!

KNOW YOUR RIGHTS FOR WOMEN OF COLOR & TRANS PEOPLE OF COLOR

Of course, rights enjoyed by everyone also apply to women of color and trans people of color. A general “know your rights” training or pamphlet will provide important information everyone should know. A few good ones can be found at:

- ⇒ <http://www.aclu.org/safefree/general/17444res20040528.html> (information available in multiple languages)
- ⇒ <http://nlg.org/resources/kyr.php> (information available in multiple languages)
- ⇒ http://www.nilc.org/ce/nonnilc/raidsrights_down&nlg&casa.pdf (know your rights for immigration raids)

In this fact sheet, we highlight rights in situations specific to women of color and trans people of color which are often not addressed in general know your rights materials. This fact sheet is not a substitute for legal advice – you should consult a lawyer as soon as possible if you are arrested or detained, and if you believe your rights have been violated.

Most importantly, if you think a cop is doing something wrong to you, you can get in more trouble if you try to resist or fight back. It’s usually a good idea to stay calm and, speaking loud enough for people around you to hear, say that you don’t consent to what the police are doing, and ask for their name and badge number. That info is useful if you want to file a complaint later.

⇒ STOPS

- ⇒ You do not have to talk to the police, FBI, ICE or any other law enforcement agent or investigator. If an officer approaches you and begins speaking to you, **ask “am I free to leave?” and if the answer is yes, walk away slowly and calmly.**
- ⇒ If the answer is no, you are being detained. Cops have a right to detain you for at least short periods of time if they have a reasonable suspicion that you have or are about to commit a crime.
- ⇒ **As a general rule, you should provide police officers with your name if asked. If you have had a legal name change, giving your current legal name should be sufficient,** although, particularly where transgender individuals are concerned, police will often insist on a “real” name, or ask if you have ever been known by any other name. It can be a good idea to carry name change documentation with you if you have it.
- ⇒ **Cops don’t necessarily have a right to demand ID unless they reasonably believe that you are involved in a crime. However, they will probably arrest you if you refuse or fail to show ID.** Where the officer has a “*reasonable articulable suspicion*” that you may be violating a law – an objective reason, not a guess or a stereotype - your obligation to respond to a request for identification depends on state laws. In a number of states, you are required by law to identify yourself when asked by a police officer during a lawful street stop. In some states where such laws exist, failure to identify yourself when asked is a misdemeanor offense; in others it is a factor to be considered when determining whether you are violating loitering laws. If asked for ID, you can ask the officer what the basis is for their suspicion that you are involved in criminal activity, but if they insist that you give them ID, you should probably give it to them.
- ⇒ **You are not required to reveal your immigration status to police officers.** In some jurisdictions where “sanctuary” policies are in effect, police officers are prohibited from asking about a person’s immigration status or otherwise participating in enforcement of immigration laws. In others, police actively cooperate with immigration enforcement, and may ask you about your immigration status or ask to see your immigration papers. **You have a right to not answer these questions just as you have a right to remain silent in response to any other question.** Keep in mind that providing false information to a government official is a crime. It is better to say nothing than to lie.



KNOW YOUR RIGHTS!!

- ⇒ If you are driving a vehicle, you must show your license and registration.
- ⇒ **Other than saying your name, you do not have to talk to anyone:** on the street, at your home or office, if you've been arrested, or even if you're in jail. Only a judge has the authority to order you to answer questions. There isn't a bad situation that can't be made worse by talking to the police! **Whether or not you are under arrest, do not answer questions when interrogated by the police. Politely tell them, "I am going to remain silent. I want a lawyer."** Many people invoke their Miranda Rights and then continue to talk. This is a very bad idea. Anything you say to a police officer can and often will be used against you or your friends.
- ⇒ **Sexual harassment - you do not have to give a cop your phone number or address if you are not being stopped or arrested.**
- ⇒ If you are pulled over in a car or on the street, try to stop in a lighted or more populated area – but do not run away or refuse to pull over. If there is no safer area nearby, ask the officer if you can continue the stop in a less isolated or dark location – or at the precinct or some other public facility. **If you are pulled over or stopped alone at night, you can tell the officer you would be more comfortable if a supervisor was called to the scene.** These requests might not be honored, and **you should never refuse to comply with an officer's order to pull over or stop**, but they may signal to an officer that you are watching out for your safety and make them think twice about doing something wrong.

⇒ SEARCHES

There are many types of searches: search of your person, search of your home, searches of automobiles, searches at airports, etc. For each kind of search there are legal restrictions on when and how they are to be conducted.

*Whether or not you believe, or a police officer represents, that they are authorized to conduct one type of search or another, **always clearly state that you do not consent to the search.** If you are silent, unclear, or say something like, "I guess I can't stop you," the police may interpret your actions as consent to a search they otherwise would not be allowed to do.*

There are three main types of searches of your person.

PAT DOWN SEARCH

- ⇒ The police can pat down the outside of your clothing for weapons any time you are in their presence if they think you are armed. This is usually done on a routine basis if you are detained or arrested. **Police are only allowed to do a limited search, or "pat down" outside of your clothing** under these circumstances. Unless they have "reasonable suspicion" or "probable cause" to believe that you have committed a crime, they are not allowed to do a more invasive search such as a strip-search or reaching into a bra or pockets.
- ⇒ If an officer feels something in your clothing s/he believes is a weapon or contraband, s/he is permitted to reach into your clothing to pull it out. If an officer has reason to believe, based on a "sudden" movement toward a pocket or under a piece of clothing, that a person is armed or concealing contraband, s/he may immediately reach for the area in question without first conducting a "pat down."
- ⇒ **Male officers are allowed to "pat down" a woman.** If you feel it is safe to do so, **you can request a pat down by an officer of the same sex**, but it is only a courtesy if the male officer calls for a female officer to search you. Any touching during the search which feels inappropriate or unduly prolonged should be documented. **If the search becomes more intrusive – i.e. you are asked to move or remove clothing other than your coat or outer garments, then you have the right to be searched by an officer of the same sex.**
- ⇒ It is never OK for an officer to use a pat down search to touch you inappropriately or to determine your gender.



KNOW YOUR RIGHTS!!

SEARCH INCIDENT TO ARREST

Once someone is arrested, the police can go into their pockets, open any containers found on them, and search their purse or bag. The police can also search the area immediately around the person. This generally includes the entire room in which the person was arrested or the interior of the car they were in. This includes containers in the car and the glove compartment **but not the trunk or engine compartment**. To search the trunk or engine compartment the police need “probable cause” to believe that there are weapons or contraband there.

STRIP SEARCH

This is any removal or rearrangement of clothing which results in any exposure or observations of a person’s body where that person has a reasonable expectation of privacy. A strip search cannot be performed unless an officer has “probable cause” to believe that person is concealing a weapon or contraband on their body. Searching a person’s bra is generally governed by the strip search standard.

Strip searches must be conducted by an officer of the same gender. Unfortunately, most police departments determine “gender” based on genitalia rather than gender identity. If you are not comfortable with the gender of the officer searching you, say so, and ask to be searched by an officer of your preferred gender. If your request is not granted, be sure to remember the names and badge numbers of the officers involved.

It is never OK for an officer to strip search you to humiliate you or to determine your gender.

⇒ ENTRAPMENT

The cops can and will lie. For example, an undercover cop does NOT have to tell you the truth if you ask them if they are a cop. That’s the whole point of being undercover.

- ⇒ Undercover cops are allowed to do drugs
- ⇒ Undercover cops are allowed to take their clothes off
- ⇒ Undercover cops are allowed to touch you or be touched as part of undercover policing of sex work or public sex.

Don’t be fooled into thinking there is a way to “test” if someone is an undercover cop – trust your instincts!

Cops can also lie about the evidence they have against you, and about not arresting you in exchange for something. Often, if cop tells you they will not arrest you if you do something for them, they will arrest you anyway.

⇒ RELIGIOUS ATTIRE

AT THE AIRPORT:

- ⇒ If you activate a metal detector, you can request a personal secondary search to be performed by a female officer in a private area. You may wear a headscarf or a veil during the search. If hair accessories under your scarf trigger an alarm, the female officer must touch the area, and may ask you to remove your scarf.
- ⇒ If you are asked to remove your headscarf or another article of clothing in public and are unable to do so for religious reasons, calmly explain that you are not permitted to do so in public for religious reasons. The Transportation and Security Administration has a policy on “religious and cultural sensitivity” available at http://www.tsa.gov/travelers/airtravel/assistant/editorial_1037.shtm
You may want to carry a copy of it when you travel.





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CRITICAL LESSONS FROM THE NEW JERSEY 7

Re-Thinking “The Norm” In Police/Prison Violence & Gender Violence:

Critical Lessons From the New Jersey 7

By INCITE! Women of Color Against Violence & FIERCE!
(Also published in LeftTurn Magazine, Sep 2008)

The New Jersey 7 (also often referred to as the New Jersey 4) is a group of seven young Black lesbian friends who were violently attacked in 2006 in New York. They defended themselves from a homophobic sexual assault by a male bystander, Dwayne Buckle, as they walked down the street in the West Village neighborhood in New York City. Buckle shouted “I’ll fuck you straight, sweetheart!” and other verbal assaults, spat on one of the women, and finally got on top of her while he pulled out her hair and choked her. At some point, two men ran over to help the women, and they proceeded to beat Buckle. Their friend released, the women were walking away from the situation when they were stopped by local police. Even though the events were caught on videotape from a nearby store camera, the group of friends was perceived by police to be at fault (the men fighting with Buckle were never looked for). The women were arrested without being told why. They were all prosecuted in a highly disturbing media atmosphere in which they were accused of being, among other things, a “lesbian wolfpack.” Three women plea bargained and now have a criminal record, and the other four women (Venice Brown, Terrain Dandridge, Patreese Johnson, and Renata Hill) were found guilty of gang assault and assault, receiving sentences ranging from 3 ½ to 11 years in prison.

This horrifying event is a stunning crystallization of the intersections of multiple kinds of violence: police and prison violence, homophobic “hate” violence, and sexual violence perpetrated against women. However, there has been relative silence about the case. When we consider the kind of media attention, public outrage, and mass mobilizations that happened on behalf of the Jena 6 boys, for example, it’s hard not to wonder why this story hasn’t sparked a similar kind of national fury.

WHO IS THE “NORM” IN ANTI-POLICE/PRISON & ANTI-VIOLENCE ORGANIZING?

As a young lesbian of color, Terrain has had to endure the many challenges to be “herself” when it is not, as some would say, the “norm.”

*– Kimma Walker, mother of Terrain Dandridge
(one of the New Jersey 7 who was arrested and incarcerated, but recently released), June 2008*

The question of why there is so much silence surrounding the NJ7 case and similar instances of criminalization of women of color and queers of color lays bare the ways in which queer folks of color and women of color do not fit the racialized and gendered mold of who gets to be perceived as legitimately victimized or legitimately resisting oppression. Discussions of criminalization and incarceration of people of color, as well as of police

profiling and brutality - in both mainstream and progressive media - focus almost exclusively on the experiences of young Black and Latino men coded as heterosexual, privileging state violence against straight men of color to the exclusion/erasure of state violence against lesbian, gay, bisexual, transgender, and queer (LGBTQ) people of color and other women of color. In fact, women of color and LGBTQ folks of color have a long history of being systematically harassed, profiled, strip searched, body cavity searched, raped, beaten, and murdered by law enforcement agents, based on their race, gender, sexuality, and class.



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CRITICAL LESSONS FROM THE NEW JERSEY 7

Similarly, the idealized story of domestic and sexual violence features “innocent” white women — as in women who are both racially and behaviorally non-threatening and do not engage in self-defense, self-medication with controlled substances, commercial sex, gender non-conformity, lesbian sexuality, and other deviation from gender norms — as the primary sympathetic victim. Because the Jersey 7 are Black, lesbian, and gender non-conforming, they are not perceived as legitimate targets of anti-woman sexual violence. Indeed, the jury that convicted the group of friends consisted entirely of women, but the defense attorney faced an uphill battle presenting the women as “average women” who were just hanging out with friends when they were subjected to sexual harassment and the very real threat rape.

Finally, although mainstream gay & lesbian rights organizations privilege the passage of “hate crimes” legislation, none of these groups took up the cause of the NJ7. Perhaps the combination of anti-Black racism, transphobia, and the fact that the NJ7 defended themselves does not lend itself to a sufficiently palatable cause for a movement whose strategy is to show that gays and lesbians are “sympathetic” enough to be protected. It could be that Buckle’s attempt to argue that he was the victim of an anti-heterosexual male “hate crime” (and who is currently pursuing a multi-million dollar civil suit against all seven women to profit from this claim) came too close to exposing a weakness of the “hate crimes” approach — that it can be and is turned against LGBTQ folks, especially people of color, more often than they’d like to admit.

The case of the NJ7 doesn’t fit into any of these boxes, even though it involves racial profiling, criminalization and incarceration of people of color, violence against women, and homophobic violence. However, when we center the experiences of young, low-income, LGBTQ people of color like the women attacked that night, we transform our conceptions of what counts as “police brutality,” “violence against women,” and “homophobic attacks,” which creates opportunities for more strategic cross-movement coalitions and cultivates critical organizing strategies that we may not have considered.

AIN’T I A SURVIVOR? BLACK LESBIANS AS LEGITIMATE SURVIVORS OF VIOLENCE

Once they pulled up on us, and the guns were drawn, and they told us to get on the way, they never stated what had taken place

– Terrain Dandridge
On the experience of being arrested by police without being told why, June 2008

A critical aspect of the silence around the NJ7 case is the central role played by police in acting on and enforcing myths that portray people of color as dangerous and violent, women of color as incapable of being violated, and queer and gender non-conforming women as both. It is the police who usually serve as the front lines of the prison industrial complex (PIC) by making highly discretionary decisions in terms of profiling, investigation,

arrest, and charging that ultimately drive who goes to prison, for what, and for how long.

In the case of the NJ7, law enforcement officers’ perceptions and roles as enforcers of race, gender, and class systems immediately framed the women as *perpetrators* rather than *targets* of violence — pre-determining how they would be perceived by the press, the public, the courts, and the punishment system. Police characterized the incident as one of “gang violence” by a group of Black lesbians, rather than as one of homophobic and misogynist sexual and physical violence by a straight man against a group of women. Based in large part on the police version of the events, the media constructed and reinforced identities of “killer lesbians” forming “a seething Sapphic septet,” and a “lesbian wolf pack,” before the courts and prison industrial complex took over their enforcement and punishment. How police responded to and investigated this case drove its ultimate outcome.



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CRITICAL LESSONS FROM THE NEW JERSEY 7

Most blatantly, police officers refused to credit the women's and witnesses' statements that there were two men who the women did not know and whose involvement in the incident was documented on videotape, who fought with Buckle. The police failed to pursue any other leads, including conducting forensics on the knife they claimed was the assault weapon. Even when Buckle ultimately said that he had been stabbed by two men, and not by the seven women at the scene, police did not pursue other potential suspects, and the machine of the PIC rolled forward in its systematic punishment of the Black women. No matter what other evidence existed for further investigation, the officers' understanding of the event was already solidified because of their perception of who could legitimately claim the status of "victim of violence." The women did not conform to a dominant notion of legitimate "femininity" because of the ways in which people of color and low-income folks, as well as queer folks, are marginalized by mainstream notions of gender. Black women, trans women, butch lesbians, and poor women are not considered "real women" by dominant standards. Therefore, the police, the media, the judge, and the jury would not perceive or represent the women *as women*, nor as legitimate victims of Buckle's violence, no matter what evidence was available.

GENDER/RACE/YOUTH POLICING AS A MAPPING TOOL FOR NEIGHBORHOOD "CLASS CLEANSING"

How is it a group (and not a gang) of friends can't go...anywhere they choose for that matter, and just be!

— Kimma Walker, June 2008

Gender non-conformity is not only the justification for the arrest and prosecution of the NJ7, but is in fact the very basis on which a whole system of class marginalization is happening in the West Village where they were attacked and arrested. The arrest of the women is part of a long-term gentrification

process happening in the West Village, which has been identified as a profit-generating tourist destination. The judge presiding over the NJ7 case explicitly made this clear when he commented in court that this type of "incident" creates an unsafe place for tourism." As a result of gentrification, marginally housed queer youth of color experience escalating police violence. FIERCE!, an organization mobilizing queer youth of color to preserve the West Village, recently conducted a survey that found that 70% of LGBTQ youth of color report police targeting and profiling, and 61% report that no reason was given by the police when they were approached or arrested. As gentrification escalates, the question of who is understood as a "legitimate resident" of the neighborhood is continuously raised. For example, during the prosecution of members of the NJ7, some jurists questioned why the women were in the West Village and the DA asked if they could afford to even be there.

Private developers and businesses seeking profit potential in the increasingly expensive neighborhood advocate for intensified policing of young LGBTQ people of color. Because so many queer youth of color are low-income, the *purpose* of simultaneous race, gender, and youth policing is to facilitate "class-cleansing" of the neighborhood. The seven women attacked two years ago were arrested and incarcerated because the *combination* of their identities disrupts dominant ideas about who should be valued, which poses a concrete profit threat to private business interests in the West Village. They were targeted, like other LGBTQ youth of color in the neighborhood, because their very *existence* undermines a larger population control project driven towards profit.



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CRITICAL LESSONS FROM THE NEW JERSEY 7

ORGANIZING FROM THE INTERSECTIONS

Let the justice system call it
I'm a big black dyke
With no fears and not afraid to fight

— excerpt from poem written by Terrain Dandridge

Organizing from the intersections does not suggest add the marginalized identity and stir, but to allow the experiences from the margins transform and drive our political work. We must organize to free the two women of the seven, Venice Brown and Patreese Brown, who are still incarcerated and isolated from their loved ones. (Terrain Dandridge and

Renata Hill, two of the four women who were incarcerated, were recently released from prison. Dandridge was freed having been found innocent for insufficient evidence and Hill won an appeal and will be given a new trial.) **We must also rally around all seven women as they experience ongoing consequences from the entire event, including a civil suit that is just beginning.** Due to the legal context, the best way to donate to the NJ7 is to Venice Brown's Bail Fund. You can send checks to:

attn: Michelle Laidlaw
Gibbons PC
One Gateway Center
Newark, NJ 07102-5310

Checks should be made out to "Gibbons PC Attorney Trust Account." The memo line should state "Venice Brown Bail Fund."

The Bay Area NJ4 Solidarity Committee has engaged in fantastic media justice strategies including launching a website that reports on many of the developments of the case and features information about how to write to the three women still incarcerated. For more info, please visit <http://freenj4.wordpress.com/>. Also, women of color bloggers helped break the story about the NJ7, calling attention to how vital it is to conceptualize violence from the intersections of race, gender, class, and other identities. Visit <http://documentthesilence.wordpress.com/> and <http://www.brownfemipower.com/> for more info.

Through supporting the NJ7 and organizing from the intersections, we can better understand the systematic and intentional ways oppression operates, and use that information to create more innovative and effective organizing strategies. For example, instead of calling for stronger "hate crimes," FIERCE! is engaged in an exciting movement building project, building a base of over 1,000 LGBTQ youth of color in and around the West Village to actively resist gentrification and police violence, and build safe and loving communities in the neighborhood. For more information, please visit <http://fiercenyc.org/>. INCITE! is building cross-movement coalitions across the country by working with prison abolition, economic justice, queer liberation, sex worker rights, and anti-rape/domestic violence groups to sustain a project to end law enforcement violence against women of color and trans people of color. To get involved, please visit <http://incite-national.org>.

The quotes in this article from Terrain Dandridge and Kimma Walker were available as a result of the media justice work done by the Bay Area NJ4 Solidarity Committee.



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ORGANIZING FOR COMMUNITY ACCOUNTABILITY

⇒ HOW DO WE ADDRESS VIOLENCE *WITHIN* OUR COMMUNITIES?

We are told to call the police and rely on the criminal justice system to address violence *within* our communities. However, if police and prisons facilitate or perpetrate violence against us rather than increase our safety, how do we create strategies to address violence within our communities, including domestic violence, sexual violence, and child abuse, that don't rely on police or prisons?

Work with family members of a survivor to enhance support for that person.

Community accountability is one critical option. Community accountability is a community-based strategy, rather than a police/prison-based strategy, to address violence within our communities. **Community accountability is a process in which a community – a group of friends, a family, a church, a workplace, an apartment complex, a neighborhood, etc. – work together to do the following things:**

Make agreements with your friends about what to do if one of you is in an abusive relationship

Organize a “liberated ground,” mobilizing a neighborhood block by block to agree to resist rape, domestic violence, and sexual harassment.



ORGANIZING FOR COMMUNITY ACCOUNTABILITY

⇒ WHAT DOES COMMUNITY ACCOUNTABILITY LOOK LIKE?



Art by Cristy C. Road, croadcore.org

Community-based responses to violence have a long history in many of our communities and networks, and have often been developed in contexts where we could not rely on the state or larger community to protect us from violence (such as Black communities in the slavery and post-slavery eras, immigrant communities, queer communities, and Indigenous communities). But these practices may not necessarily be called “community accountability” and can look very different depending on the circumstances.

Community accountability can be about directly addressing violence as well creating on-going practices within our relationships and broader networks that are opposed to oppression and violence. Networks of people can develop a community accountability *politic* by engaging in anti-violence/anti-oppression education, building relationships based on values of safety, respect, and self-determination, and nurturing a culture of collective responsibility, connection, and liberation. Community accountability is not just a reaction — something that we do when someone behaves violently — it is also *proactive* — something that is ongoing and negotiated among everyone in the community. This better prepares us to address violence if and when it happens. **Concrete strategies and examples of community accountability can be found in the blocks on the right and in the documents referenced below.**

⇒ IS COMMUNITY ACCOUNTABILITY REALISTIC?

Understandably, many of us want a quick fix to end domestic and sexual violence in our communities. However, community accountability work can be difficult and complicated because of oppressive attitudes and beliefs internalized by people within our communities. Community accountability can also be hard because we are often isolated from other people, sometimes because of the abuse itself, making it difficult to work collectively to support one another as well as hold each other accountable. Doing this work can be emotionally risky or even relationship breaking. Sometimes a process can take a very long time. **For these reasons, it can be vital to create a support network when doing this work and to *work collectively*.** It is also true that engaging in intentional community accountability work can sometimes help to *build* connections with people, strengthening a collective political commitment to respectful, loving, and liberatory relationships.

Use street theater to demonstrate to community members how they could react if they see acts of violence or harassment

⇒ WHERE CAN I GET MORE INFORMATION?

There are many groups in the U.S. and abroad who are doing critical community accountability organizing. INCITE! members and affiliates have mobilized and written about community accountability strategies led by women of color, LGBT/queer people of color, and our communities. Please see the following documents on the resource CD attached to this toolkit:

- ⇒ INCITE! Working Document: Community Accountability Principles/Concerns/Strategies/Models
- ⇒ Community Accountability Within People Of Color Progressive Movements
- ⇒ Taking Risks: Implementing Grassroots Community Accountability Strategies
- ⇒ The Community Engagement Continuum: Outreach, Mobilization, Organizing, and Accountability to Address Violence Against Women in the Asian and Pacific Islander Communities

Do participatory action research to learn what strategies women of color and LGBT/queer folks of color think might work for them to increase their safety



Please visit www.incite-national.org for more info!

Sistas

Liberated

Ground



This is a Violence Free Zone... This is a Violence Free Zone

You have just entered the Bushwick Community
Violence Against Women will Not Be
Tolerated!

SLG is a Violence Free Zone working with young women
to create alternatives to the police.

SLG has 4 Main Components:

- Cultural Presence in the community
- Sista Circles to provide a safe space for dialog
- Workshops and Trainings on young womens issues
- Action Line providing info on how You can get involved

We're
Overcoming
Mistreatment &
Exclusion
NOW

We are fighting Back!

TO LEARN ABOUT SLG CONTACT Sista to Sista @
718 366-2450

Sistas

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SISTAS LIBERATED GROUND

VIOLENCE AGAINST WILL NOT BE
TOLERATED

Sistas Liberated Ground Chicago

I will dedicate myself to creating relationships based on respect, love, and mutual support and to struggling for justice and liberation on a personal and community level.

I stand in support of Sistas Liberated Ground in territory where violence against women is not tolerated.

I commit myself to working with the community to collectively confront acts of violence against women without the police and to work together so that violence against women stops happening.

I will dedicate myself to creating relationships based on respect, love, and mutual support and to struggling for justice and liberation on a personal and community level.

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What is SLG doing in the Bushwick area?

Cultural Presence in Our Neighborhood- through special events and murals we will be sending out the message that violence against women is not tolerated

Sista Circles- provide a safe space for young women facing violence by helping to develop their personal and collective strength.

Workshops and Trainings focusing on critical issues pertaining to women such as sexism, internalized oppression and building individual and collective self defense

Action Line-Providing info on how you can get involved in SLG



IN SOLIDARITY!

In Sista II Sista, we promote self-determination and we take leadership in our local struggles. However we live and benefit from the imperialism of the United States. As third world women based in the United States, we see that our role is to support the leadership of women living and struggling in the third world, confronting directly the intersection of sexism and racism under capitalism and imperialism

Contact Us!! 718-366-2450 89 St. Nicholas Ave. Brooklyn, NY 11237

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Contact us!! 718-366-2450 89 St. Nicholas Ave. Brooklyn, NY 11237

Support Our Work!

Join: The S.O.S. Collective is a membership organization open to all LGBTSTGNC people of color who live in Brooklyn. We meet the 1st and 3rd Tuesday of each month from 7-9pm. Please consider becoming a general or active member.

Donate: The S.O.S. Collective is completely volunteer led and run with the exception of one staff member. Your tax-deductible donation can help us contribute to our fund designated for recent survivors medical expenses, or go to our general operating expenses.

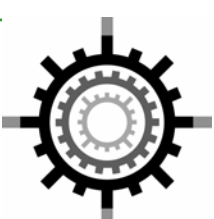
Become an Ally: We thoroughly value our non-people of color and straight allies in the fight to stop violence against LGBTSTGNC people of color. Please contact us to get more information about how to become an ally.

About the Audre Lorde Project

The Audre Lorde Project is a Lesbian, Gay, Bisexual, Two Spirit and Transgender People of Color center for community organizing, focusing on the New York City area. Through mobilization, education and capacity-building, we work for community wellness and progressive social and economic justice. Committed to struggling across differences, we seek to responsibly reflect, represent and serve our various communities

The Safe OUTside the System Collective

C/o the Audre Lorde Project
85 S. Oxford St.
3rd Floor
Brooklyn, NY 11216
Phone (718) 596-0342 x 22
Fax: (718) 596-1328
Email: edixon@alp.org



Safe OUTside the System Collective

*A project of the
Audre Lorde Project*

The Safe OUTside the
System Collective

Because everyone
deserves to be safe!

Guiding Principles

The Safe OUTside the System Collective works to challenge hate and police violence that affects LGBTSTGNC people of color. We are guided by the belief that strategies that increase the police presence and the criminalization of our communities (i.e. hate violence legislation) do not create safety because they do not change behavior. Therefore we believe in building stronger relationships within our communities and with our allies to prevent, intervene, and challenge violence.

HISTORY

The Safe OUTside the System Collective (formerly known as the Working Group on Police & State Violence) began in 1997 in response to a rash of hate violence, increasingly repressive law enforcement tactics, an increase of police violence, and the “Quality of Life” policing practices of the Giuliani administration. We changed our name to the S.O.S. Collective in 2005 in order to reflect our shifting focus on community based strategies to challenge violence outside of the criminal justice system

Summary of Past Work

Advocacy: We secured legal support for Jalea Lamot a Trans Woman of color who, along with her family, was brutally attacked and then arrested by NYCHA police.

Organizing: After two youth were arrested while marching with us at the Heritage of Pride Parade in 2006 we organized several demonstrations, secured legal representation, and organized community support to challenge the NYPD’s excessive policing practices at Heritage of Pride.

History cont.

Coalition Work: We were a founding member of the people of color led Coalition Against Police Brutality (CAPB).

Through CAPB we participated in People’s Justice 2000 – 41 days of direct action in wake of Diallo & Louima

Racial Justice Day – an annual event where family members speak out against police brutality and murder (through CAPB)

Third World Within (TWW) – citywide coalition of people of color led community-based organizations

LGBT War on Terrorism National Meetings WGPV worked with other LGBT organizations to build a national voice against the war and created the LGBT Statement Against War on Terrorism.

Racial Justice 911 – National Coalition of POC groups against War on Terror. A coordinated day of action which included a Community Speakout, and multiple days of direct action during the Republican National Convention.

Operation Homeland Resistance – 3 days of civil disobedience in protest of occupation of Iraq and war at home and abroad

Safe Neighborhood Campaign Fall 2007, Bedford Stuyvesant Brooklyn

The Safe Neighborhood Campaign seeks to empower community members to be proactive in preventing anti-lgbt violence, intervene when violent situations arise, and build stronger relationships between LGBTST people of color, our allies and the community as a whole.

The first phase of the Safe Neighborhood Campaign is to challenge community institutions (restaurants, schools, churches, community organizations, businesses, etc) to become safe spaces. Safe Spaces would be visibly identified spaces that pledge to be free of violence and sexist, homophobic, transphobic, racist language and behavior.

The second phase of the Safe Neighborhood Campaign entails the leadership development phase during which time community members and owners/employees from the designated Safe Spaces will receive training on homophobia, transphobia, how to be an effective ally, community organizing across differences, and other basic community organizing trainings.

The third phase of the Safe Neighborhood Campaign will have empowered community members and Safe Space advocates recruiting additional community members, institutions, and public figures into the campaign. At this juncture, we will organize various community events in order to bring additional attention to the campaign and help it to grow exponentially across all areas of Brooklyn.

The Safe Neighborhood Campaign will launch in the Fall of 2007 with a Stop the

KNOW YOUR RIGHTS!

Police violence and hate violence can go hand in hand. When cops approach or harass you:

Stay calm –The police may stop and detain you if they have a reasonable suspicion you committed, are committing, or are about to commit a crime.

Carry a form of ID – For trans & gender non-conforming folks, it may be a good idea to carry around a copy of your legal name change documents along with your ID. If you are arrested, you may not be placed with your own gender, but with whatever gender the police decide to assign you, or you may be placed alone. For immigrants (documented and undocumented) stopped by police for a minor offense, you may have your immigration status under review. Get a lawyer who works on immigration issues for LGBTSTGNC people (i.e. the Sylvia Rivera Law Project). Do not volunteer information about your immigration status. Ask to speak to a lawyer.

You can say “no” to a search – Police may frisk search you or pat you down if you’re believed to be a danger to others. Do not resist or push away, but tell the cop(s) that you do not give approval to any further search.

Write down the badge number – Get the cop’s badge number, name or other details. Also gather the name and numbers of any witnesses nearby.

Stay silent – If you are arrested, you can say nothing and talk to a lawyer before speaking to police. Whatever you do say may be used against you later in court. With a lawyer, you can explain your side later in court.

Get an attorney (lawyer) – If you have a lawyer, ask to see the lawyer immediately, or dial one of the LEGAL HELP numbers to get a lawyer.

After an arrest, you can make a phone call – When you are taken to a precinct or booking station for processing, ask police to contact a family member or friend. DO NOT share details of why you were stopped and arrested over the phone, even with your friends and family. Let the person you are calling know how you are doing, where you are being held, and to call a lawyer if one has not been brought to you.

To volunteer and learn more about the S.O.S. Collective and the Audre Lorde Project, reach us at the contact information below:

The Audre Lorde Project
85 S. Oxford Street, Brooklyn, NY, 11217
Telephone: 718.596.0342, ext. 22
Website: www.alp.org
E-mail: edixon@alp.org

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The S.O.S. Collective thanks FIERCE! and the Center for Anti-violence Education (CAE) for sharing their information on hate violence prevention.



LIVING AGAINST VIOLENCE

A GUIDE ON:

- ❖ Tips and tactics to challenge hate violence
- ❖ How to deal with police stops
- ❖ Phone numbers for legal help and emergency rooms

BROUGHT TO OUR COMMUNITIES BY:

The Safe OUTside the System (S.O.S.) Collective, an anti-violence organizing group at the Audre Lorde Project of Lesbian, Gay, Bisexual, Two Spirit, Transgender, Gender Non-Conforming (LGBTSTGNC) People of Color.



KEEPING OURSELVES SAFE

Leave a trail - Let someone you trust know your plans for the night. Tell them in advance the neighborhood and/or venue you will be at, and how you are getting there. If you go someplace else while you are out, call or text-message them your change of plans.

Know your surroundings – Remember the location, street names, intersection or buildings that stand out. Especially note any storefronts that stay open late.

Have a travel buddy – Take a friend or someone you trust when leaving a place at night, waiting for the bus or train, or heading to unfamiliar places.

No travel buddy? - Stay alert. Look confident while walking on the street or waiting for the bus. In subways, wait next to the conductor's booth for trains.

Keep your cell phone ready - Program the numbers of friends, family, the Anti-Violence Project (AVP), or anyone who can help you should you face or witness hate violence. If you don't have a cell phone, find the nearest public pay phone, so **keep spare quarters!**

Keep it movin' – If someone or a group is walking towards you, do not be afraid to cross the street or enter a store to avoid them. Do the same thing for someone following you either on foot or in a car. **Trust your instincts.**

SCREAM!! - Make a scene! Yell "I don't know you!" or "I don't know this person." Carry a whistle to blow, or yell "FIRE!!" Let the whole block know that you or someone else is being harassed by a stranger.

Run if you can - Look for open businesses to run inside when being attacked. Don't forget to shout!

Protect yourself – Guard your head and face with both forearms. If you are thrown to the ground, try to land on your butt or on your side, and tuck your head into your chest. If the attacker is standing over you, kick one of your legs out to hit the attacker's knees or groin area.

REMEMBER TO GET AWAY AS SOON AS YOU CAN.

Build Relationships – Get to know your neighbors, the storeowners, and people around your block. They are a part of your community! They can look out for you if you're harassed, just as you can do the same for them.

KEEPING EACH OTHER SAFE

You can **DO SOMETHING** if you see someone getting harassed or attacked!

Shout or scream to alert the harasser(s)/attacker(s) that you are watching. Yell "FIRE" or anything to let the attacker(s) know people will be outside and help the survivor.

If you are not able to intervene, use your camera cell phone or digital camera's movie mode to capture the attacker(s) on video. This will help later the survivor(s) in holding their attackers accountable.

Get a good look at the attackers bothering the survivor. Note what clothes, shoes, and hats they're wearing, how tall they are compared to their targets, or any distinguishing feature to them.

Help the survivor(s) to a safer location when the harassers/attackers leave, unless their injuries require an ambulance to pick them up instead. If the victim needs emergency medical attention, contact one of the local emergency rooms listed on the next flap.

HELP OTHERS HARASSED BY POLICE:

Form a circle, at a safe distance, around the scene if the harassers are cops, so that the cops know that there are witnesses to how they act towards the person(s) they stop. It is not a crime to assemble and observe.

Look for each cop's badge number and name. Write them down or memorize them to share with the survivor(s) and/or nearby witnesses at a later time.

At a safe distance, take video of the cops, so that there is visible proof of the police's behavior towards the person(s) they stop. Taking pictures will also help document the incident.

ANOTHER BIG WAY TO HELP EACH OTHER:

Organize!

We have a responsibility to ourselves and to each other to stop the violence. Talk to others who've experienced violence, hold vigils, actions, or demonstrations, **join the S.O.S. Collective**, get informed, and get some real change done in our communities!

IF YOU'RE HURT FROM AN ATTACK:

GET TO AN EMERGENCY ROOM

Emergency rooms in Brooklyn:

Brooklyn Hospital, Fort Greene, 121 Dekalb Avenue, (bet. Ashland Pl & Brooklyn Tech Pl), 718.250.8000

Coney Island Hospital, Coney Island, 2601 Ocean Parkway, (bet. Ave. Z & Shore Pkwy), 718.616.3000

Kings County Hospital, Crown Heights, 451 Clarkson Ave., (bet. New York Ave. & E. 37th St.), 718.245.3131

Long Island College Hospital, Cobble Hill, 97 Amity St, (bet. Henry St. & Hicks St.), 718.780.1972

New York Methodist Hospital, Park Slope, 506 6th Street (bet. 7th and 8th Aves.), 718.780.3148

Woodhull Medical, Bed-Stuy/Bushwick/Williamsburg, 760 Broadway, (at the corner of Flushing Ave), 718.963.8000

Wyckoff Heights Medical, Bushwick/Queens, 374 Stockholm St, (bet. St. Nicholas & Wyckoff Aves.), 718.963.7272

FOR SURVIVORS OF HATE VIOLENCE OR

POLICE HARASSMENT

Gay & Lesbian Anti-Violence Project, 212.714.1184

New York City Alliance Against Sexual Assault, 212-523-4344

Legal Help:

New York Civil Liberties Union, 212.607.3300

National Lawyers Guild [NYC], 212.679.5100

Sylvia Rivera Law Project, 212.337.8550

Gay & Lesbian Anti-Violence Project, 212.714.1184

Urban Justice Center, 646.602.5600

If someone you know who has been arrested call

Central Booking in your borough:

Bronx 718.374.5880

Brooklyn 718.875.6586

Manhattan 212.374.5880

Queens 718.268.4528

Staten Island 718.876.8490

WHAT CAN WE DO?

We have been taught to trust the prisons as a simple solution to complex social problems. When we realize that the prison system is not only an ineffective tool to end rape and domestic violence, but actually increases violence in our communities, we can sometimes feel powerless. But we are not powerless and we are not alone. We have vital resources in our families, our communities, and our friendships to create grassroots strategies for safety and accountability. With support from CARA and other great organizations listed below, we can build our capacity to create safer, more supportive, and more loving communities.

RESOURCES:

Seattle organizations that can assist you with developing grassroots safety and accountability strategies:

CARA, 206.322.4856, www.cara-seattle.org, info@cara-seattle.org

The Northwest Network of Bisexual, Trans, Lesbian, and Gay Survivors of Abuse, 206.568.7777, www.nwnetwork.org, info@nwnetwork.org

Asian & Pacific Islander Women & Family Safety Center, 206.467.9976

Chaya, 206-325-0325, www.chayasestate.org, chaya@chayasestate.org

More Information:

To learn more about how the criminal system and the PIC are harming survivors of sexual and domestic violence, you can check out the following resources:

INCITE! – Critical Resistance Statement on Gender Violence and the Prison Industrial Complex: <http://www.incite-national.org/involve/statement.html>

"Whose Safety? Women of Color and the Violence of Law Enforcement" by Anannya Bhattacharjee: <http://www.difsc.org/community/WhoseSafety.pdf>

"Community Accountability within the People of Color Progressive Movement" published by INCITE! Women of Color Against Violence: <http://www.incite-national.org/involve/cmty-acc-poc.pdf>

Color of Violence: The INCITE! Anthology, edited by INCITE! Women of Color Against Violence

Compelled to Crime: The Gender Entrapment of Battered, Black Women by Beth Richie

Inventing the Savage: The Social Construction of Native American Criminality by Luana Ross

Policing the National Body, edited by Joel Silliman and Anannya Bhattacharjee

CARA would like to especially acknowledge the visionary work of INCITE! Women of Color Against Violence (www.incite-national.org), a national movement of women of color working to end violence against communities of color. INCITE! has provided critical leadership in pushing the anti-violence movement away from further entrenchment into the criminal system, and towards a vision of true liberation.

MAKING CONNECTIONS

THE ANTI-VIOLENCE MOVEMENT
ACTIVELY RESISTING
THE PRISON INDUSTRIAL COMPLEX



Drawing by Eric Drooker
www.ericdrooker.com/graphics

CARA / Communities Against Rape and Abuse
801 – 23rd Ave. S., #G1, Seattle, WA 98144
206.322.4856
www.cara-seattle.org

A BRIEF HISTORY:

The contemporary U.S. movement to end rape and domestic violence sprung from the powerful women's liberation movement of the 1960s and 1970s. In a climate where rape and domestic violence were not taken seriously by a misogynist culture, anti-violence activists struggled for solutions to keep women from being battered and assaulted. Many activists declared that domestic violence and sexual assault are serious crimes in order to compel people, as well as institutions, to take violence against women more seriously. At the same time, the criminal system, including prisons, was growing exponentially under the Nixon, Reagan, Bush I and II, and Clinton Administrations. Throughout the 1980s, 90s, and 2000s, conservatives and corporations co-opted the agenda of the anti-violence movement to justify their own campaigns such as the War on Drugs and the War on Terrorism. Ironically, these law-and-order campaigns have been very harmful to survivors of domestic and sexual violence.

Today, there are many progressive and radical arms of the anti-violence movement, primarily led by women of color, that are actively challenging our partnership with the criminal system. Though we will continue to prioritize the safety of survivors and our communities, we will not let ourselves be co-opted.



Drawing by Matt Wuehler, www.wuehler.com

WHAT IS THE PRISON INDUSTRIAL COMPLEX (PIC)?

The prison industrial complex (PIC) refers to a massive multi-billion dollar industry that promotes the exponential expansion of prisons, jails, immigrant detention center, and juvenile detention centers. The PIC is represented by corporations that profit from incarceration, politicians who target people of color so that they appear to be "tough on crime," and the media that represents a slanted view of how crime looks in our communities. In order to survive, the PIC uses propaganda to convince the public how much we need prisons: uses public support to strengthen harmful law-and-order agendas such as the "War on Drugs" and the "War on Terrorism"; uses these agendas to justify imprisoning disenfranchised people of color, poor people, and people with disabilities; leverages the resulting increasing rate of incarceration for prison-related corporate investments (construction, maintenance, goods and services); pockets the profit; uses profit to create more propaganda.

HOW IS THE PIC HARMFUL TO SURVIVORS?

Although the lion's share of public funding dedicated to addressing domestic and sexual violence goes to the prisons and policing, most survivors never access the criminal system for protection or justice. In the meantime, the prison industrial complex is actually having a terrible impact on many survivors of rape and abuse:

- **The War on Drugs has incarcerated thousands of survivors of rape and abuse.** Women who have experienced abuse are more likely to use drugs as a coping mechanism. For example, rape victims with posttraumatic stress disorder (PTSD) are 26 times more likely than non-rape victims to have two or more major serious drug abuse problems.¹ Women who have abusive partners that sell or abuse drugs are sometimes threatened by their partners to participate. Also, women who are poor because of domestic violence sometimes turn to drug-related income sources.²
- **Prisons are a location for intensely high rates of sexual violence and exploitation.** Many women, men, and children are raped and sexually exploited by prison guards as well as other inmates while in prison. The number of sexual assaults in prison is three to four times higher than the number outside prison walls. (See Stop Prison Rape, www.sprc.org). Juveniles in adult prisons are especially vulnerable to sexual assault. Also prison rape is resulting in increasingly high rates of HIV and other STDs among prisoners.
- **Increasing collaboration between federal immigration law enforcement and local police endangers immigrant survivors.** The U.S. Department of Justice continues its expansion of ICE (immigration law enforcement) influence and activities into local policing and incarceration. The "War on Terrorism" has resulted in the detainment and deportation of thousands of immigrants, effectively decreasing the trust immigrant survivors have for any law enforcement.
- **Of women convicted of violent crimes, the vast majority were convicted for defending themselves or their children from abuse.** In California alone, there are 600 women in prison for killing their abusers in self-defense. Average prison terms are twice as long for killing husbands as for killing wives.³ Also, mandatory arrest laws and untrained police officers sometimes result in survivors of domestic violence being arrested for domestic violence crimes instead of the perpetrators.⁴
- **Prisons waste critical public resources.** The exorbitant cost of prisons limits national resources that ought to be used for economic justice. Social services – including services for survivors of rape and abuse – are cut in order to make more room in state and federal budgets for the maintenance of the prison industrial complex. Survivors are left without the critical resources we need to address our experience of abuse. Communities also need those resources to create our own safety and accountability strategies.
- **Prisons don't work.** Prisons do not help to transform abusive people. When people who batter or rape are incarcerated, they are not set up with the services they need to ensure that, when they are released, their behavior will have changed. Instead, prisons isolate, de-humanize, and humiliate inmates. Sometimes prisoners may even change for the worse after they have experienced incarceration. After they are released, they can sometimes be more dangerous to the community than they were originally.

¹ Kipartick, Dean, National Victim Assistance Academy, Chapter 9, Sexual Assault, 1999.

² Uniform Gender Issues Fact Sheet, #46, <http://www.unifem-esa-sta.org/Gender/GendIsa.htm>

³ Prison Activist Resource Center, www.parcactivist.org

⁴ "Victim-Defendants: An Emerging Challenge in Responding to Domestic Violence in Seattle and the King County Region," published by the King County Coalition of Domestic Violence in April 2003

PARTICIPATORY ACTION RESEARCH

➔ WHAT IS PARTICIPATORY ACTION RESEARCH?

— and what does it have to do with stopping police brutality against women and trans people of color?

Participatory Action Research or “PAR” is a way of collecting information for organizing that honors, centers, and reflects the experiences of people most directly affected by issues in our communities.

People use PAR to learn more about their material conditions — wages, housing, environment, workplaces, health care — and each other. It is particularly useful when, as is the case for law enforcement violence against women and trans people of color, there is little or no information available that reflects our experiences of a particular problem.

PAR is not so much a set of procedures to follow to gather information as it is a philosophy and approach to gathering and using information. It is also a way to build and strengthen communities and our understandings of ourselves, each other, and our relationships. It can be a powerful outreach, basebuilding and organizing tool to help bring people together to build movements for change.



Graphic by Cristy C. Road, croadcore.org

➔ SOME BASIC PRINCIPLES OF PAR

- ➔ We are experts in our own experiences, and have many different ways of knowing and getting information about our conditions.
- ➔ We control the gathering and use of information about our communities. We decide what information we need to make the changes we want and how to get it. We decide what questions we need to answer and how. We lead and are integrally involved in all aspects of the design & implementation of the research, and of the analysis and distribution of the information gathered.
- ➔ We gather information to inform our actions for change.
- ➔ We reflect on the information we’ve gathered and the way in which we are gathering it throughout the process. We also reflect on the action we’ve taken and decide if we need more information before taking further action.
- ➔ The people we gather information with and from are active and not passive participants in the process. We use information gathering to build community and movement, to develop leadership, and to empower ourselves to make change.
- ➔ We are not trying to “prove” an assumption or hypothesis, we want to learn more about ourselves and our communities as a way to make change.
- ➔ We agree on principles and values that will guide our information gathering and stay accountable to them throughout the process.¹



Please visit www.incite-national.org for more info!

PARTICIPATORY ACTION RESEARCH

⇒ OK, SO HOW DO WE DO IT?

First, we collectively figure out what we want to know about law enforcement violence against women and trans people of color, what information already exists, and what is missing. Who has knowledge, experience, information? In other words, who is most affected? What are our goals in obtaining this information? How do we create spaces for people to talk and organize around the issue? What action do we want to take? What results are we looking for?

Then we collectively decide what specific questions we need to ask and of who. How do we reach out to various members of our community with knowledge?

Some information gathering methods used for PAR include:

- ⇒ Community-based surveys (see samples in this tool kit, and the Creating Surveys guide on the resource CD);
- ⇒ Group discussions (“focus groups”);
- ⇒ Individual interviews;
- ⇒ Community art projects where people represent their experiences through visual art, poetry, spoken word, theatre or music about the issues;
- ⇒ Photo or video documentation;
- ⇒ Story telling and oral history;
- ⇒ Any other way you come up with!

We collectively discuss and evaluate the information we have gathered and what actions it suggests we can take. We decide how we want to share the information with the community and if and how we want to share it more broadly.

⇒ HOW CAN WE USE PAR TO ADDRESS POLICE BRUTALITY AGAINST WOMEN & TRANS PEOPLE OF COLOR

To create a space to talk about our experiences of law enforcement violence, and build a collective understanding of the forms it takes, the places it occurs, and how prevalent it is, and to empower survivors and make connections with each other...

To gather stories and statistics about how we experience law enforcement in the context of “quality of life” policing, policing of sex work, immigration enforcement and Border Patrol, police responses to domestic violence, the “war on drugs,” the “war on terror” to inform our resistance to law enforcement violence and help us to build toward increased safety...

To find out about how other communities in the US and other countries have organized to challenge law enforcement violence or build community responses to violence which don't involve the police...

For example, Different Avenues, a community-based organization in Washington, D.C., did a **participatory research project about how sex workers were being impacted by the D.C. police department’s enforcement of “prostitution free zones.”** They recruited people from among their constituents and trained them in data collection, analysis, and report writing. Together, the participants developed a survey, administered it, analyzed the results, presented them back to the community for feedback, and then released a report, which is being used to develop a campaign against police harassment and abuse against people who are, or are perceived to be, sex workers in D.C. The report, *Move Along: Policing Sex Work in Washington, D.C.*, describes the research process they used, and can be found on the Resource CD that accompanies this toolkit.



Please visit www.incite-national.org for more info!

PARTICIPATORY ACTION RESEARCH

FIERCE!, a membership-based organization building the leadership and power of lesbian, gay, bisexual, transgender, and queer (LGBTQ) youth of color in New York City, did a participatory research project documenting police harassment and abuse of queer youth of color in the West Village in New York City. Sista II Sista, a Brooklyn, NY based collective of working class young and adult Black and Latina women, did a participatory research project about women's experiences of violence, and, based in part on the results of the survey, did a **video documentary and action about sexual harassment of young women of color by police in their neighborhood**. New Orleans' Safe Streets/ Strong Communities did a **community-based survey about police harassment and abuse and community safety after Hurricane Katrina as part of a campaign to rebuild a safer, more just New Orleans**.

These surveys and more can be found in this toolkit as examples of how groups have used participatory action research to document law enforcement violence against women and trans people of color.

Additional information about participatory action research can be found in the following documents found on the resource CD which accompanies this toolkit:

- Documenting Our Stories: Decolonizing Research Through Community Based Research Projects, The Data Center, 2005
- Power to Our People! Participatory Research Kit: Creating Surveys, The Data Center, 2004
- Participatory Research, Escuela Popular Norteña, 2005

➤ ENDNOTES

¹ *A Guiding Framework for Participatory Research for Social Change*, Community Development Project, Urban Justice Center, prepared for Spin Project Workshop on Making News with Reports, June 16, 2005; *Some Important Principles of Participatory Action Research*, Community Development Project, Urban Justice Center; Sung Sil Lee Sohng, *Participatory Research And Community Organizing*, available at: <http://www.cdra.org.za/articles/Participatory%20Research%20And%20Community%20Organizing%20by%20Sung%20Sil%20Lee%20Sohng.doc>; Y. Wadsworth, *What is Participatory Action Research?* Action Research International, Paper 2, 1998, available at: <http://www.scu.edu.au/schools/gcm/ar/ari/p-ywadsworth98.html> (last visited September 14, 2008)





Please visit www.incite-national.org for more info!



This survey is being conducted by Sista II Sista, a grassroots community organization in Brooklyn. For more info, visit our website: www.sistaisista.org.

Directors: Please fill out this survey honestly. Your responses are confidential; you don't have to give us your name.

Race: _____ Gender: _____ Neighborhood you live in: _____

1. How do you feel about violence against women?

- I care I am not sure how I feel
 I don't care It's a private /family matter

2. What type of violence do you see in your community? (Check all that apply)

- Sexual abuse Police harassment Street violence
 Violence in the home Child abuse
 Other kinds of violence _____

3. In your opinion, what are different forms of violence? (Check all that apply)

- Harassment (touching, looking, talking or following you without your permission)
 Screaming or cursing at you
 Beating you or leaving bruises on you
 Pulling you or dragging you
 All of the above

4. Have you ever been in an abusive relationship?

- Yes No Not sure

4A. If yes, who was the abusive person?

- Me An intimate partner A friend
 A parent or family member An authority figure

4B. In what way were you abused or abusive?

- Physically Verbally
 Mentally/emotionally All of the above Other

5. How often have you witnessed an act of violence against a woman?

- Everyday Sometimes Rarely Never

6. If you saw a young woman being attacked or harassed, what would you do?

- Walk away Call for help Get involved Call the police Other:

7. If someone gets upset at or angry at something you do and you don't know why, do you:

- Get mad too Laugh at their behavior Other
 Ask why they are mad Get someone to beat them up

8. At what point do you involve the police in a dangerous situation?

- After the 3rd time you told the person no or to stop
- When they threaten to hurt people you love
- They know where you live
- After they pulled a weapon out on you
- Never

9. If you see someone fighting on the train, do you:

- Make way for them to fight you can watch
- Intervene
- Get a police officer
- Other _____

10. Do you think women in this community can count on the police for help in cases of violence?

- Yes
- No
- Sometimes

11. Do you or females you know feel safe walking alone in your neighborhood? Yes No

12. When a young woman in this community faces violence, where can she turn for support? (Be specific)

13. Do you have an ideas on how to stop/prevent violence against women? Please share them if you do.

14. Would you be interested in helping to fight against violence against women?

- Yes
- No
- I am interested, but don't have time
- No sure

TEAR OFF

THIS SECTION IS NOT TIED TO YOUR ANSWERS TO THIS SURVEY. If you would like to keep in touch with or learn more about Sista II Sista, please fill out the following. IT IS OPTIONAL, DO NOT FEEL OBLIGATED TO FILL OUT THE INFORMATION BELOW.

Name: _____

Address: _____

Email: _____

Phone #: _____

I am interested in:

- Finding out more about Sista II Sista
- Being on your mailing list
- Getting involved to help fight violence against women
- Giving a donation
- Becoming a member
- Other: _____



SISTA STANCE

Sista Il Sista is an intergenerational collective of women of color based in Brooklyn, NY.

We promote the principles of self-determination, inter-connected personal and social transformation, and collective action against injustice. Currently we are working on fighting violence against women of color in our community without relying on the police.

We chose this focus because we found that almost all of us at SIISS have faced violence in our lives and that these experiences are deeply tied to our gender, race and class.

Some results from our community survey of 400 young women:

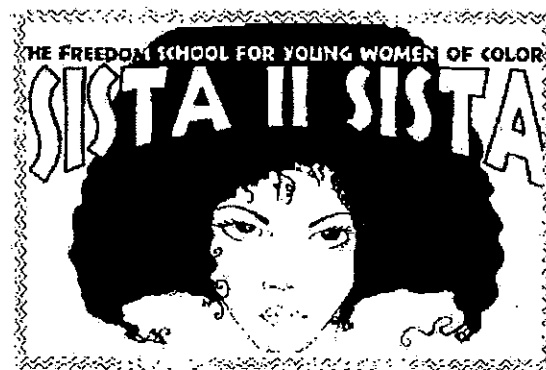
- 57% knew someone who had been raped.
- In 90% of those cases- the young women were not helped.
- 64% felt that the community they live in is not safe for girls.
- 38% knew 2-5 other young women who've faced sexual violence.
- 30% knew more than 5 other young women who've faced sexual violence.

Peace! Contact us:
sistalisista@hotmail.com
(718)366-2450

Our organizing strategy includes:

- Using our HERSTORY- researching through community surveys and conversations with young women on experiences and concerns about violence against women of color.
- Making CULTURAL and SOCIAL CHANGE- through Guerrilla Street Theatre simulating sexual harassment to stimulate discussions amongst community residents around the issue.
- Making INSTITUTIONAL Change- through investigation, a media campaign and organized action addressing police violence and harassment against women of color in our local precinct.
- Creating ALTERNATIVES- through developing our own form of community safety, security and accountability that is led by women of color in our community.

Our definition of violence is inclusive of institutional and economic violence that are often very central to our experience. We refuse to support the approach of promoting criminalization, police intervention and incarceration, all of which have proven to be harmful to our communities. We MUST combat violence in all its forms collectively!



Peace! Contact us:
sistalisista@hotmail.com
(718)366-2450

STILL WE RISE Survey

Thank you for answering the following questions...

Sex: _____ Age _____ Race _____ Nationality _____

- 1) What community do you reside? _____ 2) Have you ever been opposed to the war?
 - a) Yes, from the beginning. b) Not at first, but now I am.
 - c) No, I've always supported it.
- 3) Do you think that there are other motives for the war on terrorism? Yes / No
- 4) What do you think that the U.S. intervention in countries around the world will bring:
 - a) more immigrants will look for work and a home in the US
 - b) there will be more retaliation and anger toward the US
 - c) the rest of the world will respect the US and its government more
- 5) Have you seen a recognizable decrease in crime over the past year? Yes / No
- 6) How would you describe the relationship between the police and your community?
 - a) good b) bad c) poor
- 7) Do you think police measures since 9/11 have made you and your community safer? Yes / No
- 8) Are you afraid to give personal information (i.e. information related to immigration status, work, religion, race, etc.) to school officials or police because of your immigration status or religion? Yes / No
- 9) How do you feel about violence against women? against lesbian/gay/ bisexual/trans spirit/queer folks?
 - a) I care b) I don't care c) I am not sure how I feel
- 11) If you have chosen not to report a problem, was it because you were afraid due to your
 - a) Race / Ethnicity b) Immigration status c) Religion (check all that apply)
 - d) Other (i.e. gender, sexual orientation, etc.) e) Not applicable

Please specify _____
- 12) Do you or females you know feel safe walking alone in your neighborhood? Yes / No / Not applicable
- 13) At what point in a street or home violence situation would you decide to call the police?
 - a) after the third time you've told them "no" or "stop" b) if they know where you live
 - c) when they threaten to hurt people you love d) after they've pulled a weapon on you
- 14) Do you think that the levels of police in schools should: a) increase b) decrease c) stay the same
- 15) What is the purpose of education? a) to prepare for a career b) it's something everyone has to do
 - c) to learn some more d) nothing
- 16) How do you feel about military recruitment in high schools?
 - a) I think it's a good idea b) I don't think it's a good idea
 - c) I don't care d) There are no military recruitments in schools (mine or any I know)
- 17) Since 9/11, have you and/or your family been a) more afraid b) less afraid c) equally afraid

to go to school officials if you have a problem that they should try to help resolve?
- 18) Do you think current federal laws (i.e. minimum wage, overtime) protect immigrant workers as well as citizens? Y / N
- 19) Have you seen/heard anything about undocumented workers killed in 9/11? Yes / No
- 20) Do you know anyone who has had problems with the INS (immigration services) since 9/11? Y / N
- 21) Are you or do you know any restaurant workers? Yes / No
- 22) If so what do you know about your/their jobs?
 - a) flexible hours, no stress c) abusive conditions, high stress
 - b) hard work, little pay d) good health insurance, so-so pay
- 23) Did you know that there is a workers center in NYC specifically for restaurant workers? Yes / No
- 24) Do you feel that poor communities get the same attention from the cops or in general as rich communities? Yes / No
- 25) Why do you think former prisoners have a hard time after they are released? (check all that apply)
 - a) no one will hire them b) they can't vote c) they keep committing crimes d) they're lazy
- 26) If the Prison System were eliminated, how would we handle crimes committed?
 - a) accept anarchy b) arrest & incarcerate a group of people according to their crime
 - b) offer alternatives to incarceration programs c) provide community alternative to resolve conflicts.

FIERCE! Survey on Police Harassment in the West Village

The following survey is being conducted by FIERCE!, a community organizing project for Transgender, Lesbian, Gay, Bisexual, Two-Spirit, Queer, and Questioning youth of Color in New York City, and the Peter Cicchino Youth Project of the Urban Justice Center, which provides legal services to LGBTQ teenagers and young adults who are poor, living on the streets or in the foster care system. The purpose of this survey is to document instances and patterns of police harassment, violence and profiling of LGBTQ youth in the West Village. Information collected from this survey will be used in FIERCE's campaign to secure public space free from police harassment for LGBTQ youth.

This survey is confidential. All names and identifying information will be omitted from any statistics or public records resulting from this survey

1. **Name:** _____ **Phone:** _____
Address: _____ **Email:** _____
2. **Where are you currently living?** (Please circle)
Parents or Family Foster Care Shelter
Independent Apartment Unstable Housing Other:
3. **What borough/city/state are you currently living?** (Please circle)
Manhattan Queens Bronx Brooklyn
Staten Island NJ Other:
4. **What is your sexuality?** (Please circle)
Lesbian Gay Bisexual Heterosexual
Two-Spirit Questioning Other:
5. **What is your race/ethnicity?** (Please circle)
Black/African/African-American Latina/o Asian/Pacific Islander
Native American/Indigenous White Multiracial
Other:
6. **How old are you?**
7. **What is your gender identity?** (Please circle)
Transgender (Male to Female) Transgender (Female to male)
Gender Queer Male Female
Other (please explain): _____

8. **How long have you been coming to the West Village?**

9. **How often do you come to the West Village?**

10. **Have you had any encounters with the police in this neighborhood?**

Yes No

If yes, how many times? (Please circle)

1-2 3-5 6-10 11-15 15 or more

11. **Where did the encounter(s) take place?** (Please circle)

Pier Bar/club Public Transport

Private Car Police Precinct Street (specify):

12. **Who was the encounter with?**

6th Precinct Port Authority Hudson River Park Officer

Don't Know Other (please explain):

13. **Were you given a reason for being stopped, approached or arrested?**

Yes No

If yes, what was the reason?

14. **During the encounter(s), did you experience police harassment, violence or misconduct?**

Yes No

If yes, what type of incident was it? (Please circle)

False arrest/fabricated charges Threatened with arrest

Verbal abuse Physical Abuse Harassment

Stop and Search Homophobic remarks Transphobic remarks

Racist remarks Sexual remarks Other (please explain):

15. **Do you feel that you were targeted by the police or profiled on the basis of your:**
(Please circle all that apply)

Race Sexual Orientation Age

Transgender Identity Gender Expression Homeless Status

Sex Worker Status Political Work Outreach Work

Disability

Other (please explain):

16. Were you injured as a result of the incident?

Minor cuts or bruises

Nerve damage

Tendon/ligament damage

Broken/fractured bones

Mental/emotional trauma

Other:

17. Was any of your property stolen or damaged during the encounter?

Yes No

If yes, please specify:

18. Were you arrested during the encounter?

Yes No

If yes, what were you charged with?

Were you given an attorney?

What did your attorney advise you to do?

What was the outcome?

How long were you held by the police?

19. Please give a brief description of the incident(s) and any other information you think is helpful:

20. Did you report this incident officially?

Yes No

If yes, to whom did you report it to? (Please circle)

CCRB (Civilian Complaint Review Board)

Precinct/Internal Affairs

Media

Advocacy Group (specify):

Other (please explain):

21. What happened as a result of your report?

22. Would you be comfortable asking the police for help if you needed it?

Explain:

23. **Are there other ways you have felt targeted/discriminated against in the neighborhood?** (Please circle)

Yes No

If yes, by whom? (Please circle)

Guardian Angels

Christopher Street Patrol

Don't Know

Other (Please explain):

24. **What are solutions to improve the situation in the West Village?**

25. **What services would be useful to you in the neighborhood?**

26. **Would you use these services if they were made available?**
(Please circle):

Yes No

27. **May we contact you again for more information?**

Yes No

**THANK YOU FOR YOUR PARTICIPATION AND
SUPPORT FOR OUR CAMPAIGN!**

***Need help with some
legal issues?***

***Have some questions
about the law?***

Are you...

Lesbian, gay, bisexual, transgender, or questioning
and 13-24 years old?

**Call the Peter Cicchino Youth Project of the
Urban Justice Center
at (646) 602-5635**

ABUSE DOCUMENTATION FORM/FORMA DE DOCUMENTACIÓN DE ABUSO

Coalición de Derechos Humanos ■ P.O. Box 1286 ■ Tucson, AZ 85702 ■ (520) 770-1373

I. ORGANIZATION INFORMATION/INFORMACIÓN DE LA ORGANIZACIÓN

Staff Name/Entrevistado por: _____

Interview Date/Fecha de la entrevista: _____

II. CONTACT INFORMATION/INFORMACIÓN SOBRE LA PERSONA

Name/Nombre _____

Sex/Sexo: _____

Address/
Dirección: _____

Phone Number/
Número de teléfono: _____

National Origin/Nacionalidad: _____

Immigration Status(*Indicate one*)/Estatus legal: (*escoja un*): **Passport/Pasaporte** **Resident/Residente**
Citizen/Ciudadano **Unknown/No sabido** **Other/Otro**

Traveling(*Indicate one*)/Viaja: (*escoja uno*) **N/A** **Alone/Solo** **With a group/En grupo**
with family/con familia **w/other (list)/Otro (enunmere)** **Unknown/No sabido**

III. AUTHORITY INFORMATION/INFORMACIÓN ACERCA DE LAS AGENCIAS INVOLUCRADAS

Agency(*check one*)/Agencia : (*escoja una*)

Police Department/Departamento de Pólicia

City/Ciudad: _____

Sheriff

County/Condado: _____

U.S. Border Patrol (INS)/Migra

Location/Localidad: _____

Individual/Persona

Location/Localidad: _____

Other/Otra

Location/Localidad: _____

IV. COMPLAINT/QUEJA

Complaint/Queja: _____

V. INCIDENT INFORMATION/INFORMACIÓN SOBRE EL INCIDENTE

Date/Fecha: _____

Time/Hora: _____

Location (*give details*)/Localidad (*específico*): _____

Officer Name/Badge #/Car #/ Nombre de Oficial/ # de Placa/# de Patrulla: _____

Reason given for stopping complainant/Razon dada por la cual lo detuvo: _____

Were there any witnesses?/¿Hubo testigos?

Name/s & phone number/Nombre y número de teléfono: _____

Describe the incident/Describa el incidente: _____

Action Taken: _____

Initials: _____

Coalición de Derechos Humanos/Alianza Indígena Sin Fronteras
P.O. Box 1286 Tucson, AZ 85702 Phone: (520) 770-1373 Fax: (520) 770-7455
Intake Form

Staff name: _____

Date of Interview: _____

Phone Walk-in

Date of initial Contact: _____

Phone Walk-in

Complainant Information

Name: _____

Language: _____

Address: _____

Phone Number: _____

Hours available for interview: _____

Position at employment site: _____

How long have you worked there? _____

Employer Information

Name: _____

Name of business: _____

Address: _____

Phone Number: _____

Type of business: _____

Approximate Number of Employees: _____

Is the Employer Organized: Yes No

If so, identify Union: _____

Complaint:

Type of Problem:

Unfair Dismissal

Problems with Wages

Discrimination

Benefit Claim

Organizing Drive

Safety/Injury Issue

Other (*Specify*) _____

Approximate date of incident: _____

Describe the problem/incident:

Are fellow workers experiencing similar problems? Yes No

Are they willing to talk about the situation? _____

Name(s) and contact information: _____



national network for immigrant and refugee rights

310 Eighth Street, Suite 303 | Oakland, California 94607 | 510.465.1984 | 510.465.1885 fax | nnirr@nnirr.org | www.nnirr.org

The 100 Stories Project

Raise Your Voices, Tell Your Stories—Organize for Justice & Human Rights!

HURRICANE: The Human Rights Immigrant Community Action Network

An initiative of the National Network for Immigrant and Refugee Rights

What is the HURRICANE initiative?

HURRICANE: The Human Rights Immigrant Community Action Network is a NNIRR initiative to bring together community members and their organizations to track, document, and seek redress and accountability for human rights violations and abuses committed against immigrant and refugee members of our communities. Hurricane represents a community-based organizing strategy to dialogue and determine how to prevent the rights abuses affecting our communities. Hurricane members will use “Martus,” a database, to document and report abuses and be part of an urgent response network to denounce violations and demand justice. By monitoring and documenting human rights violations, communities can develop a shared analysis of the problems and issues besetting us. Raising self-awareness of our conditions is integral to self-determining our rights. Through this process our communities can envision the changes they want and together decide how to achieve them. This year NNIRR’s Hurricane is launching the annual “100 Stories Project,” with the goal of disseminating at least one hundred stories through interviews from community members affected by human rights abuse and how they responded to seek redress and accountability. We will publish the “100 Stories” in an annual report with recommendations to obtain justice and protect our human rights as part of celebrating International Migrants Day every December 18. You can be part of the 100 Stories Project by joining Hurricane or by sending your stories of abuses and human rights organizing to: lrvivas@nnirr.org & agarcia@nnirr.org.

Why tell our stories? What’s in a story?

Telling our stories is a way of raising our voices to denounce abuses and injustices we experience and witness every day in our lives. It means documenting what happens in our communities to help us determine what changes we want to see. By telling and writing down our stories we document the patterns of abuses perpetrated on members of our communities. Tracking and documenting abuses also helps us to know the living history of our community and to stand up for our rights.

After we tell and document our stories of resistance and abuse, our community must look carefully at what has happened and together begin to decide what to do. We are able to see what our needs and rights are and how we can organize and demand accountability and redress.

We can document and tell our stories by creating our own archives with photographs, newspaper articles, videos, interviews, and cultural expressions. Through this process we can ensure that our stories are not lost in history. By telling our stories, we struggle against the loss of memory. By writing them down and sharing them, we understand that only together we can obtain justice and human rights.

What is documentation and how does it build community power?

Documentation is a process that allows communities to begin to take control of experiences with abuse by speaking out against injustices. But speaking out is not enough; we are challenged to define our rights, which means we are defining how we obtain them and determining our future. When we document violations, we are also challenged to define our rights and to decide how these should be upheld in order to prevent further abuses.

In the context of a hostile political climate toward people of color and immigrant communities, instances of abuse and exploitation become increasingly normalized and endured. The climate of fear, created by punitive immigration policies that further criminalize immigrants and people of color, seeks to silence our voices and coerce us into accepting the violation of our human rights as “normal.” Part of stopping the abuses, means we must record our stories. Engaging in a process of tracking and documenting these abuses, we exercise our rights and demands to study, live, work, play, and worship in safe and healthy communities.

By documenting stories of human rights abuses and rights violations, we demonstrate the impact of current policies and practices on our communities. It becomes a powerful strategy in demanding accountability for rights violations that destabilize and threaten our communities. As we track and monitor abuses, we not only say “No More!” to injustices we experienced yesterday and today, but we also work to prevent such abuses from happening tomorrow.

Why engage in a community documentation process?

Communities have the expertise, through lived experience of struggles and organizing, to be able to determine what our rights are and how these should be upheld. Rather than leave it to lawyers, reporters, academics or researchers to speak for us, engaging in a community documentation process means exercising our right to self-determination.

We determine what changes we want to see, and decide what stories we need to collect in order to show why these changes are needed. By examining together the abuses and rights violations, we develop our own analysis based on patterns and issues that come up through the story-collection process. The stories and analysis then forms the basis for defining and demanding our rights and organizing and fighting for justice and human rights.

What is “Martus”?

The Martus program is a user-friendly database designed to store and retrieve information about human rights abuses in an efficient and secure way. Martus was developed by Benetech, an organization that specializes in developing technology to support human rights documentation. “Martus” is the Greek word for witness, which symbolizes the power of documenting abuses and rights violations. The power of witnessing allows communities to offer testimony about the realities that we experience and endure in our daily lives.

Why use Martus as part of community documentation of human rights violations?

The Martus program is a tool to help community groups take charge of monitoring and documenting human rights abuses that we experience and witness. Building community power through witnessing and monitoring documentation and examining them together involves:

- 1) Defining and understanding our rights;
- 2) Documenting how these are violated;
- 3) Determining the changes we need to see, and;
- 4) Deciding HOW we will go about achieving these changes.

The Martus database allows us to enter, store, and easily retrieve information about the abuses and rights violations perpetrated on members of our communities who come forward to tell their stories. It allows us to enter confidential information in a safe and secure way. With Martus, we are able to create our own infrastructure of information to amplify our demands for justice.

When someone comes forward to talk about their experience with abuse, they are participating in an act of resistance. Using Martus to record these instances is a powerful form of collective resistance against the loss of memory, and the pressure to accept violence as a part of our daily lives.

Installing “Martus”

The application is easily downloadable in one of two ways:

- 1) CD format, or;
 - 2) Directly from the website: www.martus.org. Go to “Download Martus Now”, select platform (Windows or Mac), and select “single file with Java”.
- Once it is downloaded, it is as easy to use as an email program.

With Martus, you can create bulletins that contain information about the type of abuse, perpetrator, and details about the person(s) affected. This information can be kept private, and is backed up to a secure server. Make sure to download the latest version: Martus 3.2. It is recommended to run Martus 3.2 on Windows 2000/XP and Mac OSX.

Voila! Once you see the Martus icon open on your screen, you are ready to start using the program. All the personal information you enter during the sign-in process is protected and encrypted. This means it shows up in codes and is nearly impossible to access by hackers or the FBI.

For more details on how to download, see instructions on website or CD insert.

Getting Started¹

Once you have downloaded Martus successfully, you will see the “Martus SignIn” screen. To set up your account, enter a username and password. Please memorize them or store them in a secure place – preferably not on your computer! **Important:** Follow the instructions to back-up your file-key (username & password). If you happen to forget your password, you will be unable to access any of your information entered in the database.

In order to back up your information to the server and share your bulletins with NNIRR/Hurricane, you need to follow these simple steps.

Connecting to the Martus server:

1. Go to Server > Select Martus server
2. Enter username & password as prompted
3. Enter the IP address & public ID code included with the Martus CD [or see attachment: “NNIRR magic word_public codes”]

¹ Also see the Martus 3.2 Quick Start Guide, which shows you ‘screenshots’ of what you will see on the screen at each step of the way (download from website, www.martus.org/downloads). This file is also part of the download. Look in your harddrive for the Martus Client 3.2 folder > Martus> Docs > quickstartguide.pdf.

Connecting to the NNIRR Headquarter Account:

- 1) First, save the ‘NNIRR Hurricane.mpi’ file onto your desktop [NNIRR will provide this file to you].
- 2) Sign on to Martus
- 3) Go to Tools > Configure Headquarters
- 4) Enter your username and password in the Martus Signin dialog box. Click Add.
- 5) Select the ‘NNIRR Hurricane.mpi’ file from your desktop.
- 6) Enter the public code given to you by NNIRR [Starts with 6416].
- 7) Click Yes to confirm that you want to grant this Headquarter account access to your public and private data.
- 8) Enter a label for the HQ account. The HQ label may be the name of the person or organization. You can change the label later if you wish. Only you will see the label you assign; others who view the bulletin will not see the label, for security reasons.
- 9) Check the default box if you would like to share all new bulletins (and new versions of old bulletins) with this account by default. You can still deny access to individual bulletins as you create them. See “Headquarters” section in the User Guide “4a. Completing fields in a bulletin” for more info).
- 10) Click Save.

To access NNIRR’s customized bulletin:

- 1) Save ‘NNIRR Hurricane_eng_revised.mct’ file onto your desktop [NNIRR will provide this file].
- 2) Open Martus and go to Options > Customize Fields, and click ‘Yes’.
- 3) At the bottom of the screen, select ‘Import template’. Find the ‘NNIRR Hurricane_eng_revised.mct’ file on your desktop and select.
- 4) Click ‘Ok’ and return to the main window. Go to ‘Create’ and you will now see the customized bulletin developed by NNIRR.

If you would like to access the database in Spanish:

- 1) Go to Options > Preferences, and select Spanish. Click ‘ok’. [Make sure you have saved the ‘NNIRR Hurricane_esp.mct’ file on your desktop]
- 2) Go to Options > Customize Fields, and click ‘Yes’.
- 3) Select ‘Import Template.’ Find the ‘NNIRR Hurricane_esp.mct’ file on your desktop and select.
- 4) Return to the main window. Go to ‘Create’ and you will now see NNIRR’s customized bulletin in Spanish.
[For more detailed instructions, see section ‘10c: Using Customization Templates’ on pgs.51-52 of the Martus User Guide.]

To join Hurricane or to contribute to the 100 Stories Project, contact:

Laura Rivas or Arnoldo Garcia *NNIRR * 310 8th Street STE 303, Oakland, CA 94607
lrvivas@nnirr.org & agarcia@nnirr.org * Tel (510) 465-1984 ext. 305 * Fax (510) 465-1885

Safe Streets Community Survey #1

Name:

Age:

Race:

Neighborhood:

Police Precinct:

How long have you been a resident of NOLA?:

Address:

Phone:

Gender:

Are you a parent?:

ID# & Date (Office Use Only):

ID# & Date (Office Use Only):

POLICE

1) How would you rate the NOPD's ability to improve public safety?

- a) very good b) good c) fair d) poor e) very poor

2) Are you afraid the police will harm you or a loved one? Yes___ No___

Is there anyone in particular (please specify, circle all that apply)?:

son, daughter, granddaughter, grandson, sibling, parent, spouse, neighbor, friend,
other: _____

3) Have you ever been stopped by the police? Yes___ No___

If yes, did they: (circle all that apply)

- | | |
|--|---|
| -plant evidence | -threaten to arrest you if they see you |
| -falsely charge | -strip search you in public |
| -notify you of charges | -tell you to leave |
| -read you your rights | -use vulgar language |
| -cuff you before notification of charges or rights | -damage your car or property |
| -humiliating/degrading behavior | -use antagonizing or provoking language |
| -use racial slurs | -steal your property and/or money |
| -bring physical harm | |

If physical harm occurred, did you suffer: (circle all that apply)

- | | |
|------------------------------------|-----------------------------------|
| -bruises | -dog bites |
| -broken bones | -being slammed on a car or ground |
| -being maced | -sexual harassment |
| -being tasered | -sexual assault |
| -being shot w/bean bag gun | -being spat on |
| -being shot w/gun | -being pistol whipped |
| -being hit w/ billy club/flap jack | -choke hold |
| -being kneed, punched, or kicked | -dragged while cuffed |
| -too tight handcuffs | -other: _____ |

4) In your normal everyday life, is there anything you fear would draw police harassment? (circle all that apply)

- | | |
|-----------------|--|
| -style of dress | -location of car registration |
| -style of hair | -gathering on a particular corner/street/place |
| -other: _____ | |

Have you ever changed your behavior because of this fear?

Yes___ No___

5) Have you been harassed by the police?

Yes___ No___

If yes, how often?: (circle one)

-daily, weekly, monthly, yearly

6) How would you rate the police?

a) professional b) unprofessional c)other:_____

7) How would you define the relationship between the community and the police?

a) very good b) good c) fair d) poor e) very poor

GENERAL SAFETY/COMMUNITY RESOURCES

1) What do you think will improve public safety in your community?:
(circle all that apply)

-better education system -working street lights
-better services -playgrounds
-more jobs -more police
-better opportunities for youth -other:_____

2) Have you seen an improvement in public safety since the arrival of the National Guard and juvenile curfew?

Yes___ No___

3) Why do you think people do not come forward to report crimes?

4) For my community to flourish and thrive, we need: (circle all that apply)

-affordable healthcare -better public education system
-better public transportation -quality services for children and families
-affordable quality housing -playgrounds, parks, recreation
-rent control -mental health and substance abuse services
-living wage
-functioning streets/sidewalks

5) Did you know that the state is spending \$500,000 per week on the National Guard in New Orleans?

Yes___ No___

If you could decide where that money would go, what would you put it towards?

6) How important is the issue of having a professional and fair police department that respects the rights of all people?

a) Very Important b) Important c) No opinion d)Not important

7) Do you think it is important for the community to have strong community organizations that are willing to hold our elected officials accountable and change the way people are treated by the police?

Yes___ No___

8) Would you be willing to work with us on this issue?

Yes___ No___

9) If so, what are you willing to do?

___ Collect 10+ surveys from people I know.

___ Come out with us to do outreach (schedule date and time)_____

___ Come with us to deliver the survey results to Mayor Nagin

10) Are there any other questions we should have asked?

This concludes our survey, thank you for participating!

This survey is from a group of organizations investigating how DC commercial sex policies affect people. We're collecting information about experiences that you may have had with the police. You'll be compensated \$10 for your time. The survey is completely voluntary and you can stop at any time without giving up the money. If you have any questions call 202.829.2103

1. Have you ever been stopped or approached by the police? YES NO

If yes, how often: 1 time 2-3 times weekly since ____ daily since ____
 not lately, but frequently in the past

Can you say more about what happened? Check as many as apply

- the police wanted to see my identification When_____ Where_____
- I was arrested When_____ Where_____
- I was treated well When_____ Where_____
- I was treated badly or unfairly When_____ Where_____
- an officer humiliated me When_____ Where_____
- an officer offered me help When_____ Where_____
- an officer asked for a sexual favor When_____ Where_____
- an officer took my condoms When_____ Where_____
- an officer hit me When_____ Where_____

Why was it a bad or good experience(s)? More details are helpful.

2. Have you ever had a situation when you needed help from the police? YES NO

Can you say more about what happened? Include the date if you can remember & location

- I was robbed and wanted to report it When_____ Where_____
- I was raped/sexually assaulted When_____ Where_____
- I was attacked/hurt When_____ Where_____
- I saw a problem in the neighborhood/street When_____ Where_____
- A friend of mine needed help When_____ Where_____
- Another situation that I tell you about here _____

Did the police help? YES, they helped NO, they did not help I didn't go to the police
What happened? Check apply I was treated well I was treated badly or unfairly

Please list some reasons for your bad or good experience or why you didn't contact the police:

3. **Have police said that you are in a “prostitution free zone”?** YES NO

If yes did you:

- Go somewhere else, but feel LESS safe Get arrested
- Go somewhere else, but feel MORE safe Go home
- Stayed there because you felt you were doing nothing illegal

4. **What fears do you have when the police approach you? Check all that apply.**

- I have no fears about the police I fear violence
- I fear problems with immigration I fear harassment
- I fear arrest I fear humiliation
- I fear something else that I tell you about here: _____

5. **If you have been arrested, how were you treated while in lock-up?**

- I was treated BETTER than everyone I was treated the SAME as everyone
- I was treated WORSE than everyone

6. **Has anyone else given you a hard time in the neighborhood? Check all that apply**

- Business owners Residents
- People in cars Someone else _____

Can you tell us more about what happened?

7. **Please circle if you agree or disagree with each statement below:**

Suspected sex workers are protected by the police:	Agree	No Opinion	Disagree
DC government should change how it deals with sex work:	Agree	No Opinion	Disagree
Sex work should be illegal:	Agree	No Opinion	Disagree
Arresting sex workers is the best way to help them:	Agree	No Opinion	Disagree
There are not enough social services for people on the street:	Agree	No Opinion	Disagree
If I make a complaint against an officer, it’s taken seriously:	Agree	No Opinion	Disagree

8. **Is there anything else you would like to say?**

9. **If you would like to tell us more about who you are check all that apply. I am:**

- female male transgender or _____ [pls write in]
- African American Latino white or _____ [pls write in]
- 13 to 17 18 to 24 25 to 29 30 to 39 40-49 50 plus
- gay or lesbian straight bisexual not sure _____ [pls write in]
- sex worker drug user homeless _____ [pls write in]

SAMPLE WORKSHOP

SAMPLE WORKSHOP ON LAW ENFORCEMENT VIOLENCE AGAINST WOMEN OF COLOR & TRANS PEOPLE OF COLOR

INCITE! has used this workshop format (and variations on it) to raise awareness of police brutality against women and trans people of color among domestic violence workers, anti-police brutality organizers, and people working on criminal justice issues. We offer it not as a definitive model, but as a set of ideas that you can adapt to local needs and circumstances. For background information to help you lead the discussion, see the other materials in this toolkit and on the resource CD, as well as *The Color of Violence: The INCITE! Anthology*.

WHAT YOU NEED: A single piece of paper for each participant, pens, butcher paper, tape, markers. If you want, you can show the Sista II Sista video, *You Have the Right to Break the Silence* at the end - then you'll need a DVD player and TV. For a copy of the video, contact us at incite-national@yahoo.com.

SET UP: Just chairs in a circle! **TIME REQUIRED:** One and a half to two hours (it doesn't look like it would take a lot of time, but it generates a lot of discussion - we always run out of time!)

At the beginning of the workshop, introduce yourself. Tell participants that the workshop will begin with a mini "quiz" in which you will ask a series of questions and ask people to quietly write down their answers (and not shout them out just yet!). Then you will discuss everyone's answers to each question in turn. Emphasize that there are no "right" answers, and that the questions are just designed to help us think about how we approach issues of police brutality and violence against women. Encourage people not to think before writing down their answers, but just to "free associate" and jot down the first thing that pops into their heads. After everyone has had a chance to write down their answers to each question, go around the room and ask everyone, one at a time, to tell the group their answer to the first question. Discuss everyone's answers, and then repeat this process for Questions 2-5.

QUESTION 1. What is the first *name* that comes to mind when I say "police brutality"?

Usually, people instinctively say "Rodney King," "Amadou Diallo" or "Abner Louima," or maybe the name of a man of color in their local area who has been beaten or killed by police. Explore why the names that immediately come to mind when we think of police brutality are generally those of straight non-trans men of color. Is it because that's what the media covers? What police brutality organizers focus on? Why is that? Is it because it doesn't happen to women or trans people of color, or because state violence against women and trans people of color is invisible and/or normalized? Is it because racial justice movements tend to frame racism almost exclusively through the lens of straight men of color's experiences due to sexism, homophobia and transphobia? Or is it because if we confronted police violence against women, we'd have to confront all forms of violence against women in our communities? What role do we as women and trans people of color in anti-police brutality movements play in perpetuating or challenging these dynamics?



SAMPLE WORKSHOP

If anyone in the workshop mentions a woman's name in response to the question, ask them to describe what happened to her. Share the names and experiences of Tyisha Miller (shot 24 times by officers responding to a distress call), LaTonya Haggerty (shot to death when officers mistook her cell phone for a gun), Sandra Antor (beaten by a South Carolina State Trooper by the side of the road), Eleanor Bumpurs (shot point blank in the chest by housing police coming to evict her for being late on the rent) or of other women and trans people of color. You can find out more about these women's experiences and others in *The Color of Violence: The INCITE! Anthology* or by searching their names on the Internet.

One thing that you will want to be prepared for is the possibility that someone in the room will identify as a survivor of police brutality. For many women and trans people of color, this may be the first time they have the space to disclose what they experienced as police brutality or as gendered violence, or both. Be prepared to create a respectful and caring space for them to talk about their experience, and if possible, designate someone to able to check in with them if they feel overwhelmed or triggered by talking about it.

Another point you may want to explore is why we don't usually know the names of the police officers who commit police brutality, and only those of people who have been subjected to it. What does this mean in terms of accountability? Or does it matter which individual representative of the state commits the violence?

Question 2 - What is the first *image* that comes to mind when I say "police brutality?"

Generally, people describe a white officer racially profiling or beating a Black or Latino man. Explore why we don't think of an officer profiling or beating a woman or trans person of color. Question why images of rape, sexual assault, abusive searches or sexual harassment don't come up as police brutality - you can use examples from the fact sheets in this toolkit to spark discussion. Ask why we don't picture women and trans people of color who are profiled as sex workers, drug users and/or couriers or as bad mothers as subjects of racial profiling. Why don't immigration raids come up? Why don't we see Native or Asian people as targets of police brutality? How can we expand our vision of police brutality to include the full range of our communities' experiences of law enforcement violence?

Question 3 - What is the first *image* that comes to mind when I say "violence against women" or "hate crime?"

Usually, people's responses to this question describe some form of domestic violence or stranger sexual violence. Explore why the examples of law enforcement violence against women and trans people you have been discussing so far don't come to mind when we think of violence against women or homophobic or transphobic violence. Why don't we think of police or immigration officers as people who commit violence against women or homophobic or transphobic violence when they clearly do? What role does our reliance on law enforcement to stop or protect us from violence play in keeping us from thinking of violence that they commit against us?

Question 4 - What is the first idea that comes to mind when I say "stopping violence against women" or "stopping homophobic or transphobic violence?"

Responses generally focus on calling the cops or intervening personally. Ask the group to think about examples of when calling the cops works and when it doesn't and why. Discuss examples of police brutality that happened when police were responding to a call for help (there are some in the "Domestic Violence" fact sheet in this toolkit and in *The Color of Violence: The INCITE! Anthology*). Discuss statistics in this toolkit about the impacts of mandatory arrest policies on women and trans people of color. Ask participants to expand on their ideas for intervening personally, collective interventions, and further explore how we as a community could address violence without relying on the cops, who also commit violence against us.



SAMPLE WORKSHOP

Question 5 - What is the first idea that comes to mind when I say “stopping police brutality?”

Answers to this question tend to range from “my mind is blank,” to organizing and fighting back, to civilian review, copwatching and other forms of police accountability organizing. Explore how our existing ways of addressing police brutality do and don’t work for women and trans people of color. There has been some community organizing around cases involving shootings of women of color by police - why is this not more common? What can we do to make it more common, and expand it to include other forms of police brutality we experience like profiling, harassment, rape, and abusive searches? Whose experiences are our copwatches and hotlines usually built around? How can we do outreach and copwatches differently to capture the experiences of women and trans people of color? How would we need to change complaint mechanisms (ours and theirs) to better address the needs of women and trans people of color? Is getting the cops out of our neighborhoods and lives by finding community-based responses to violence that don't involve the police a way to stop or limit police brutality? What does this require us to do?

Additional questions can include:

“Who do you think is most affected by the ‘war on drugs’?”

“Who do you think is affected by the ‘war on terror’?”

“Who do you think is affected by immigration enforcement violence?”

Use the resources in this tool kit to inform the discussion of people's answers.

Questions? Want to talk to someone about doing a workshop like this in your area?

Contact us at incite_national@yahoo.com!



Please visit www.incite-national.org for more info!



Please visit www.incite-national.org for more info!

CRITICAL RESISTANCE - INCITE! STATEMENT

CRITICAL RESISTANCE - INCITE! STATEMENT ON GENDER VIOLENCE & THE PRISON INDUSTRIAL COMPLEX, 2001

We call on social justice movements to develop strategies and analysis that address both state *and* interpersonal violence, particularly violence against women. Currently, activists/movements that address state violence (such as anti-prison, anti-police brutality groups) often work in isolation from activists/movements that address domestic and sexual violence. The result is that women of color, who suffer disproportionately from both state and interpersonal violence, have become marginalized within these movements. It is critical that we develop responses to gender violence that do not depend on a sexist, racist, classist, and homophobic criminal justice system. It is also important that we develop strategies that challenge the criminal justice system and that also provide safety for survivors of sexual and domestic violence. To live violence-free lives, we must develop holistic strategies for addressing violence that speak to the intersection of all forms of oppression.

The anti-violence movement has been critically important in breaking the silence around violence against women and providing much-needed services to survivors. However, the mainstream anti-violence movement has increasingly relied on the criminal justice system as the front-line approach toward ending violence against women of color. It is important to assess the impact of this strategy.

1) Law enforcement approaches to violence against women may deter some acts of violence in the short term. However, **as an overall strategy for ending violence, criminalization has not worked.** In fact, the overall impact of mandatory arrest laws for domestic violence have led to decreases in the number of battered women who kill their partners in self-defense, but they have not led to a decrease in the number of batterers who kill their partners.¹ Thus, the law protects batterers more than it protects survivors.

2) **The criminalization approach has also brought many women into conflict with the law,** particularly women of color, poor women, lesbians, sex workers, immigrant women, women with disabilities, and other marginalized women. For instance, under mandatory arrest laws, there have been numerous incidents where police officers called to domestic incidents have arrested the woman who is being battered.² Many undocumented women have reported cases of sexual and domestic violence, only to find themselves deported.³ A tough law-and-order agenda also leads to long punitive sentences for women convicted of killing their batterers.⁴ Finally, when public funding is channeled into policing and prisons, budget cuts for social programs, including women's shelters, welfare, and public housing are the inevitable side effect.⁵ These cutbacks leave women less able to escape violent relationships.

3) **Prisons don't work.** Despite an exponential increase in the number of men in prisons, women are not any safer, and the rates of sexual assault and domestic violence have not decreased.⁶ In calling for greater police responses to and harsher sentences for perpetrators of gender violence, the anti-violence movement has fueled the proliferation of prisons which now lock up more people per capita in the U.S. than any other country.⁷ During the past fifteen years, the numbers of women, especially women of color in prison has skyrocketed.⁸ Prisons also inflict violence on the growing numbers of women behind bars. Slashing, suicide, the proliferation of HIV, strip searches, medical neglect, and rape of prisoners has largely been ignored by anti-violence activists.⁹ The criminal justice system, an institution of violence, domination, and control, has increased the level of violence in society.

4) **The reliance on state funding to support anti-violence programs has increased the professionalization of the anti-violence movement and alienated it from its community-organizing, social justice roots.**¹⁰ Such reliance has isolated the anti-violence movement from other social justice movements that seek to eradicate state violence, such that it acts in conflict rather than in collaboration with these movements.



CRITICAL RESISTANCE - INCITE! STATEMENT

5) **The reliance on the criminal justice system has taken power away from women's ability to organize collectively to stop violence and has invested this power within the state.** The result is that women who seek redress in the criminal justice system feel disempowered and alienated.¹¹ It has also promoted an individualistic approach toward ending violence such that the only way people think they can intervene in stopping violence is to call the police. This reliance has shifted our focus from developing ways communities can collectively respond to violence.

In recent years, the mainstream anti-prison movement has called important attention to the negative impact of criminalization and the build-up of the prison industrial complex. Because activists who seek to reverse the tide of mass incarceration and criminalization of poor communities and communities of color have not always centered gender and sexuality in their analysis or organizing, we have not always responded adequately to the needs of survivors of domestic and sexual violence.

1) **Prison and police accountability activists have generally organized around and conceptualized men of color as the primary victims of state violence.**¹² Women prisoners and victims of police brutality have been made invisible by a focus on the war on our brothers and sons. It has failed to consider how women are affected as severely by state violence as men.¹³ The plight of women who are raped by INS officers or prison guards, for instance, has not received sufficient attention. In addition, women carry the burden of caring for extended family when family and community members are criminalized and warehoused.¹⁴ Several organizations have been established to advocate for women prisoners¹⁵; however, these groups have been frequently marginalized within the mainstream anti-prison movement.

2) **The anti-prison movement has not addressed strategies for addressing the rampant forms of violence women face in their everyday lives,** including street harassment, sexual harassment at work, rape, and intimate partner abuse. Until these strategies are developed, many women will feel shortchanged by the movement. In addition, by not seeking alliances with the anti-violence movement, the anti-prison movement has sent the message that it is possible to liberate communities without seeking the well-being and safety of women.

3) **The anti-prison movement has failed to sufficiently organize around the forms of state violence faced by Lesbian, Gay, Bisexual, Trans, Twospirited and Intersex (LGBTTI) communities.** LGBTTI street youth and trans people in general are particularly vulnerable to police brutality and criminalization.¹⁶ LGBTTI prisoners are denied basic human rights such as family visits from same sex partners, and same sex consensual relationships in prison are policed and punished.¹⁷

4) **While prison abolitionists have correctly pointed out that rapists and serial murderers comprise a small number of the prison population, we have not answered the question of how these cases should be addressed.**¹⁸ The inability to answer the question is interpreted by many anti-violence activists as a lack of concern for the safety of women.

5) **The various alternatives to incarceration that have been developed by anti-prison activists have generally failed to provide sufficient mechanism for safety and accountability for survivors of sexual and domestic violence.** These alternatives often rely on a romanticized notion of communities, which have yet to demonstrate their commitment and ability to keep women and children safe or seriously address the sexism and homophobia that is deeply embedded within them.¹⁹

We call on social justice movements concerned with ending violence in all its forms to:

1) **Develop community-based responses to violence that do not rely on the criminal justice system AND which have mechanisms that ensure safety and accountability for survivors of sexual and domestic violence.** Transformative practices emerging from local communities should be documented and disseminated to promote collective responses to violence.



Please visit www.incite-national.org for more info!

CRITICAL RESISTANCE - INCITE! STATEMENT

- 2) Critically assess the impact of state funding on social justice organizations and **develop alternative fundraising strategies to support these organizations**. Develop collective fundraising and organizing strategies for anti-prison and anti-violence organizations. Develop strategies and analysis that specifically target state forms of sexual violence.
- 3) **Make connections** between interpersonal violence, the violence inflicted by domestic state institutions (such as prisons, detention centers, mental hospitals, and child protective services), and international violence (such as war, military base prostitution, and nuclear testing).
- 4) **Develop an analysis and strategies to end violence that do not isolate individual acts of violence (either committed by the state or individuals) from their larger contexts**. These strategies must address how entire communities of all genders are affected in multiple ways by both state violence and interpersonal gender violence. Battered women prisoners represent an intersection of state and interpersonal violence and as such provide and opportunity for both movements to build coalitions and joint struggles.
- 5) **Put poor/working class women of color in the center of their analysis, organizing practices, and leadership development**. Recognize the role of economic oppression, welfare “reform,” and attacks on women workers’ rights in increasing women’s vulnerability to all forms of violence and locate anti-violence and anti-prison activism alongside efforts to transform the capitalist economic system.
- 6) **Center stories of state violence committed against women of color in our organizing efforts**.
- 7) **Oppose legislative change that promotes prison expansion**, criminalization of poor communities and communities of color and thus state violence against women of color, even if these changes also incorporate measure to support victims of interpersonal gender violence.
- 8) **Promote holistic political education** at the everyday-level within our communities, specifically how sexual violence helps reproduce the colonial, racist, capitalist, heterosexist, and patriarchal society we live in as well as how state violence produces interpersonal violence within communities.
- 9) **Develop strategies for mobilizing against sexism and homophobia WITHIN our communities in order to keep women safe**.
- 10) **Challenge men of color and all men in social justice movements to take particular responsibility to address and organize around gender violence** in their communities as a primary strategy for addressing violence and colonialism. We challenge men to address how their own histories of victimization have hindered their ability to establish gender justice in their communities.
- 11) **Link struggles for personal transformation and healing with struggles for social justice**.

We seek to build movements that not only end violence, but that create a society based on radical freedom, mutual accountability, and passionate reciprocity. In this society, safety and security will not be premised on violence or the threat of violence; it will be based on a collective commitment to guaranteeing the survival and care of all peoples.



CRITICAL RESISTANCE - INCITE! STATEMENT

⇒ ENDNOTES

- ¹ In a twenty year study of 48 cities, Dugan et al found that greater access to criminal legal remedies for women led to fewer men being killed by their wives, as women who might otherwise have killed to escape violence were offered alternatives. However women receiving legal support were no less likely to be killed by their intimate partners, and were exposed to additional retaliatory violence (Dugan et al 2003).
- ² See McMahon, Martha. "Making Social Change", *Violence Against Women*, Jan 2003, Vol. 9, Iss. 1, 47-74; Osthoff, Sue. "But Gertrude, I Beg to Differ, a Hit is Not a Hit is Not a Hit", *Violence Against Women*, Dec 2002, Vol. 8, Iss. 12, 1521-1544. Miller, Susan. "The Paradox of Women Arrested for Domestic Violence", *Violence Against Women*, Dec 2001, Vol. 7, Iss. 12. Noting that in some cities, over 20% of those arrested for domestic violence are women, Miller concludes: "An arrest policy intended to protect battered women as victims is being misapplied and used against them. Battered women have become female offenders."
- ³ Women's dependent or undocumented status is often manipulated by batterers, who use the threat of deportation as part of a matrix of domination and control. Although the Violence Against Women Act (VAWA 1994 and 2000) introduced visas for battered immigrant women, many women do not know about the act's provisions or are unable to meet evidentiary requirements. Since the Illegal Immigration Reform and Immigrant Responsibility Act made domestic violence grounds for deportation, women may also be reluctant to subject a legal permanent resident spouse to potential deportation proceedings by reporting him to the police. In addition, women arrested under mandatory arrest laws could themselves face deportation. See Raj, Anita and Jay Silverman. "Violence Against Immigrant Women: The Role of Culture, Context and Legal Immigrant Status on Intimate Partner Violence", *Violence Against Women*, Vol. 8, No. 3, March 2002, 367-398. Jang, Deena, Len Marin and Gail Pendleton. *Domestic Violence in Immigrant and Refugee Communities: Assessing the Rights of Battered Women*, 2nd Edition, 1997, San Francisco: Family Violence Prevention Fund.
- ⁴ For example, California Governor Grey Davis, whose tough law-and-order platform included a promise that no one convicted of murder would go free, has rejected numerous parole board recommendations on behalf of battered women incarcerated for killing in self defense. Vesely, Rebecca, "Davis' Right to Deny Parole to Abused Women Upheld", *Women's Enews* December 19, 2002. For further information and testimonies of incarcerated survivors of domestic violence, see www.freebatteredwomen.org.
- ⁵ Christian Parenti documents the shift in government spending from welfare, education and social provision to prisons and policing in *Lockdown America: Policing and Prisons in the Age of Crisis*. Verso Books. 1999.
- ⁶ The US prison and jail population grew from 270,000 in 1975 to 2 million in 2001 as legislators pushed "tough on crime" policies such as mandatory minimums, three-strikes-and-you're-out and truth in sentencing (Tonry 2001: 17). Over 90% of these prisoners are men, and approximately 50% are black men. Despite claims that locking more people away would lead to a dramatic decrease in crime, reported violent crimes against women have remained relatively constant since annual victimization surveys were initiated in 1973. Bureau of Justice Statistics, National Crime Victimization Survey Report: "Violence Against Women", NCJ 145325, 1994.
- ⁷ In 2001, the U.S., with 686 prisoners per 100,000 residents surpassed the incarceration rate of gulag-ridden Russia. The U.S. dwarfs the incarceration rate of Western European nations like Finland and Denmark, which incarcerate only 59 people in every 100,000. Home Office Development and Statistics Directorate. 2003. *World Prison Population List*. Available at: www.homeoffice.gov.uk/rds/pdfs2/r188.pdf.
- ⁸ The rate of increase of women's imprisonment in the U.S. has exceeded that of men. In 1970, there were 5,600 women in federal and state prisons, by 1996 there were 75,000 (Currie 1998).
- ⁹ Amnesty International's investigation of women's prisons in the U.S. revealed countless cases of sexual, physical, and psychological abuse. In one case the Federal Bureau of Prisons paid \$500,000 to settle a lawsuit by three black women who were sexually assaulted when guards took money from male prisoners in exchange for taking them to the women's cells; prisoners in Arizona were subjected to rape, sexual fondling, and genital touching during searches as well as constant prurient viewing when using the shower and toilet; women at Valley State Prison, California were treated as a "private harem to sexually abuse and harass"; in numerous cases women were kept in restraints while seriously ill, dying, or in labor and women under maximum security conditions were kept in isolation and sensory deprivation for long periods. *Not Part of My Sentence: Violations of the Human Rights of Women in Custody*, 1999.
- ¹⁰ Smith, Andrea. "Colors of Violence". *Colorlines*, Vol. 3, No. 4. 2000-01.
- ¹¹ May Koss argues that the adversarial justice system traumatizes survivors of domestic violence. "Blame, Shame and Community: Justice Responses to Violence Against Women", *American Psychologist*, Nov 2000, Vol. 55, Iss. 11, p1332. For a first-person account of a rape survivor's fight to hold the police accountable see *The Story of Jane Doe: A Book About Rape*, Random House, 2003. Jane Doe was raped by the Toronto "balcony rapist" after police used women in her neighborhood as "bait".
- ¹² Ritchie article
- ¹³ For a comprehensive account of state violence against women in the U.S. see Bhattacharjee, Annanya. *Women of Color and the Violence of Law Enforcement*. Philadelphia: American Friends Service Committee and Committee on Women, Population and the Environment. 2001.
- ¹⁴ Additional burdens on women when a loved one is incarcerated include dealing with the arrest and trials of family members, expensive visits and phone calls from correctional facilities, and meeting disruptive parole requirements (Richie 2002).
- ¹⁵ In the U.S. see Justice Now; Legal Services for Prisoners with Children <http://prisonerswithchildren.org>; Free Battered Women www.freebatteredwomen.org; California Coalition for Women Prisoners <http://womenprisoners.org>; Chicago Legal Advocacy for Incarcerated Mothers www.c-l-a-i-m.org. In the UK see Women in Prison www.womeninprison.org; Justice for Women www.jfw.org.uk. In Canada see the Canadian Association of Elizabeth Fry Associations www.elizabethfry.ca/caefs_e.htm.
- ¹⁶ According to transgender activists in the Bay Area, the police are responsible for approximately 50% of all trans abuse cases. The Transaction hotline regularly receives reports from TG/TS survivors of police violence who have been forced to strip in order to "verify gender", or subjected to demands for sex from undercover police officers. "Transgender Sues Police", *San Francisco Examiner*, August 9, 2002. "Another Transgender Murder", *Bay Area Reporter*, Apr 8, 1999, Vol. 29, No. 14.
- ¹⁷ Faith, Karlene. 1993. *Unruly Women: The Politics of Confinement and Resistance*. Vancouver: Press Gang Publishers. pp211-223.
- ¹⁸ Abolitionists Thomas and Boehlfeld's response to the question: "What Do We Do About Henry?" where Henry is a violent rapist, is an example of this problem. The authors conclude that this is the wrong question since it focuses attention on a small and anomalous subsection of the prison population and detracts from a broader abolitionist vision (Thomas and Boehlfeld 1993).
- ¹⁹ Alternatives to the traditional justice system such as Sentencing Circles are particularly developed in Canada and Australia, where they have been developed in partnership with indigenous communities. However, native women have been critical of these approaches, arguing that they fail to address the deep-rooted sexism and misogyny engendered by experiences of colonization and that they may revictimize women (Monture-Angus 2000). See also Hudson, Barbara. "Restorative Justice and Gendered Violence" *British Journal of Criminology*, Vol 42, Iss. 3, Summer 2002.



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RESOURCES & ORGANIZATIONS

The following is a non-exhaustive list of resources and organizations working on law enforcement violence against women and trans people of color and some of the resources they offer...

- ⇒ **The Audre Lorde Project - Safe Outside the System (SOS) Collective**, New York, NY — The SOS Collective works to challenge hate and police violence against LGBTSTGNC people of color. They are currently organizing a Safe Neighborhood Campaign to empower community members to be proactive in preventing anti-LGBTST violence, intervene when violent situations arise, and build stronger relationships between LGBTST people of color, our allies, and the community as a whole. For more information, see the SOS and Living Against Violence brochures in this toolkit and visit <http://www.alp.org/organizing/sos.php>
- ⇒ **The Audre Lorde Project - Transjustice**, New York, NY — TransJustice is a political group created by and for Trans and Gender Non-conforming people of color. TransJustice works to mobilize its communities and allies into action on the pressing political they face, including gaining access to jobs, housing, and education; the need for Trans-sensitive healthcare, HIV-related services, and job-training programs; resisting police, government and anti-immigrant violence. For more information, go to: <http://www.alp.org/transjustice>
- ⇒ **Bay Area NJ4 Solidarity Committee** – a group of queer people of color organizing in support of the NJ 4. For more information, go to: <http://freenj4.wordpress.com>
- ⇒ **Coalición de Derechos Humanos**, Tucson, AZ — Coalición de Derechos Humanos ("The Human Rights Coalition") is a grassroots organization which promotes respect for human/civil rights and fights the militarization of the Southern Border region, discrimination, and human rights abuses by federal, state, and local law enforcement officials affecting U.S. and non-U.S. citizens alike. For more information about their documentation and organizing projects, go to <http://www.derechoshumanosaz.net/>
- ⇒ **Communities Against Rape and Abuse (CARA)**, Seattle, WA - CARA pushes a broad agenda for liberation and social justice while prioritizing anti-rape work as the center of our organizing. CARA is spearheaded by survivors of sexual and domestic violence who have led organizing efforts against forced institutionalization of people with disabilities, against racist sterilization abuse of women of color and poor women, and against the alarming criminalization of young people. Organizers and activists demonstrate how these issues are intricately connected to the process of undermining sexual violence. CARA also uses community organizing as a tool to reconnect people to each other with a common goal of building safe, supportive, and accountable communities. Community members participate in support group facilitation training; in-depth dialogue about family/friend-based accountability strategies; and projects that emphasize positive sexuality. For more information, go to: <http://www.cara-seattle.org/aboutus.html>
- ⇒ **Community United Against Violence**, San Francisco, CA — Community United Against Violence (CUAV) is a multicultural organization working to end violence against and within our lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQQ) communities. We believe that in order to end homo/bi/transphobia, we must confront all forms of oppression, including racism, sexism, ageism, classism, and ableism. For more information, go to: <http://www.cuav.org>



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RESOURCES & ORGANIZATIONS

⇒ **Creative Interventions, Oakland, CA** - Embracing the values of social justice and liberation, Creative Interventions is a space to re/envision solutions to family, intimate partner and other forms of interpersonal violence. Creative Interventions seeks to bring knowledge and power back to families and the community to resolve family, intimate partner and other forms of interpersonal violence at early stages and multiple points of abuse. It offers resources towards collective, creative, and flexible solutions, breaking isolation and clearing the path towards viable and sustainable systems of intervention. For more information, go to:

<http://www.creative-interventions.org/>

⇒ **Critical Resistance, Oakland, CA** - Critical Resistance seeks to build an international movement to end the Prison Industrial Complex by challenging the belief that caging and controlling people makes us safe. We believe that basic necessities such as food, shelter, and freedom are what really make our communities secure. As such, our work is part of global struggles against inequality and powerlessness. The success of the movement requires that it reflect communities most affected by the PIC. For more information, go to:

<http://www.criticalresistance.org>

⇒ **Different Avenues, Washington, D.C.** — Different Avenues is a diverse group of community activists, youth and HIV program specialists, and human rights experts. Recognizing that many people we serve are members of sexual and gender minorities, Different Avenues has extensive ties to transgender, bisexual, lesbian and gay communities in the Washington DC area. For more information, go to: <http://www.differentavenues.org>.

Different Avenues recently released *Move Along: Policing Sex Work* in Washington, D.C. which documents the results of a participatory research project on the impacts of “prostitution free zones” in D.C. The report is available at: <http://www.differentavenues.org/MoveAlongReport.pdf>

⇒ **Esperanza Peace and Justice Center, San Antonio, TX** — Esperanza's work helps individuals and grassroots organizations acquire knowledge and skills so that we can control decisions that affect our day-to-day lives in a way that respects and honors shared goals for a just society. We believe that by having a place with resources available we can come together to facilitate and provoke discussions and interactions among diverse groups of people who believe that together we can bring positive social change to our world and address the inherent interconnection of issues and oppressions across racial, class, sexual orientation, gender, age, health, physical and cultural boundaries. For more information, go to: <http://www.esperanzacenter.org/>

⇒ **Fabulous Independent Educated Radicals for Community Empowerment (FIERCE!), New York, NY** — FIERCE is a membership-based organization building the leadership and power of lesbian, gay, bisexual, transgender, and queer (LGBTQ) youth of color in New York City. We develop politically conscious leaders who are invested in improving ourselves and our communities through youth-led campaigns, leadership development programs, and cultural expression through arts and media. FIERCE is dedicated to cultivating the next generation of social justice movement leaders who are dedicated to ending all forms of oppression. For more information, go to <http://www.fiercenyc.org/> (More info on FIERCE! on next page...)



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RESOURCES & ORGANIZATIONS

Fenced OUT: FIERCE!'s Youth-Produced Documentary: Fenced OUT is a youth-inspired, produced and directed video created in collaboration between FIERCE!, Paper Tiger Television and The Neutral Zone. Fenced OUT documents the struggle of LGBTSTQ youth of color to save the Christopher Street pier and the West Village from re-development and gentrification. While researching the history of the pier, FIERCE! members discovered past generations of queer peoples' fight for use of public spaces at Christopher Street and the piers. FIERCE! has continued to use the documentary as a public education tool to raise awareness about the increasing displacement, violence, and criminalization experienced by LGBTSTQ youth of color. FIERCE! offers several workshops in conjunction with Fenced OUT screenings, (including: LGBTSTQ youth organizing against gentrification and displacement; and LGBTSTQ youth of color and the prison industrial complex).

- **Live Arts Media Project (LAMP), Detroit, MI** - LAMP is a youth-led initiative to transform education in Detroit through creativity and critical thinking.

In 2006, youth used participatory research, hip hop and sound collages to build a hip hop audio documentary called "Rising Up From the Ashes: Chronicles of A Drop-out," which is available for sale at <http://www.detroitsummer.org>. Currently, they lead workshops in schools and community centers using the documentary to spark dialogue around the root causes of the city's over 60% drop-out rate and envision concrete solutions to those problems.

- **National Network for Immigrant and Refugee Rights, Oakland, CA** - The National Network for Immigrant and Refugee Rights (NNIRR) is a national organization composed of local coalitions and immigrant, refugee, community, religious, civil rights and labor organizations and activists. It serves as a forum to share information and analysis, to educate communities and the general public, and to develop and coordinate plans of action on important immigrant and refugee issues. We work to promote a just immigration and refugee policy in the United States and to defend and expand the rights of all immigrants and refugees, regardless of immigration status. For more information go to: <http://www.nnirr.org>

NNIRR recently launched a national documentation project on the violation of human rights of immigrants. For more information, go to: <http://www.nnirr.org/hurricane/index.php>

- **The Sex Workers Project, New York, New York** - Created in December 2001, the Sex Workers Project is the first program in New York City and in the country to focus on the provision of legal services, legal training, documentation, and policy advocacy for sex workers. Using a harm reduction and human rights model, the SWP protects the rights and safety of sex workers who by choice, circumstance, or coercion remain in the industry. For more information, go to: <http://www.sexworkersproject.org/>

- **Sista II Sista, Brooklyn, NY** - Sista II Sista was a Bushwick, Brooklyn based community-based collective of young and adult Black and Latina women organizing to end violence in their community in all its forms. You can learn more about their work in the chapter they wrote in *The Color of Violence: The INCITE! Anthology*, published by South End Press, found on the Resource CD that accompanies this toolkit, and from their website <http://www.sistaiisista.org>.

Videos: *You Have the Right to Break the Silence* and *No More Violence Against Our Sistas* feature Sista II Sista's documentation and organizing around police violence against young women of color in their neighborhood, and the development of *Sistas Liberated Ground*, an organizing project to address violence against women in their community without relying on the police. Both videos are available on DVD from incite_national@yahoo.com for a donation of \$10-\$25.



RESOURCES & ORGANIZATIONS

- ⇒ **Sylvia Rivera Law Project, New York, NY** — The Sylvia Rivera Law Project (SRLP) works to guarantee that all people are free to self-determine their gender identity and expression, regardless of income or race, and without facing harassment, discrimination, or violence. SRLP is a collective organization founded on the understanding that gender self-determination is inextricably intertwined with racial, social and economic justice. Therefore, we seek to increase the political voice and visibility of low-income people of color who are transgender, intersex, or gender non-conforming. SRLP works to improve access to respectful and affirming social, health, and legal services for our communities. We believe that in order to create meaningful political participation and leadership, we must have access to basic means of survival and safety from violence. For more information, go to: <http://www.srlp.org>

Toilet Training is a documentary video and collaboration between transgender videomaker Tara Mateik and the Sylvia Rivera Law Project, an organization dedicated to ending poverty and gender identity discrimination. The video addresses the persistent discrimination, harassment, and violence that people who transgress gender norms face in gender segregated bathrooms. Using the stories of people who have been harassed, arrested or beaten for trying to use bathrooms, Toilet Training focuses on bathroom access in public space, in schools, and at work. Includes discussion of legal questions of equal access; the health effects associated with "holding it"; and the social consequences of experiencing pervasive discrimination in bathrooms and other gendered spaces. Interviews with lawyers, social workers and activists explore current law and policy, and highlight recent and future policy changes necessary to enable equal bathroom access for all. Concluding with examples of policy change, Toilet Training provides a necessary foundation to public education and organizing to address this overlooked issue. This race, age, ability and gender diverse video is a great activist tool for those who want to struggle for gender self-determination and bathroom liberation for all people starting with local communities and institutions. Toilet Training is also an excellent classroom resource. Appropriate for undergraduate and graduate classes in Women's Studies, Gender Studies, LGBT Studies, Disability Studies, Law, Social Work and Education. Comes with a companion toolkit full of useful facts and talking points about trans equality and bathroom access.

- ⇒ **Transgender, Gender Variant and Intersex Justice Project, Oakland, CA** — The TGI Justice Project's (TGIJP) mission is to challenge and end the human rights abuses committed against transgender, gender variant/genderqueer and intersex (TGI) people in California prisons and beyond. Because of the profound and complex impact the prison industrial complex has had on the disabled, poor communities, communities of color and TGI communities, TGIJP operates at the intersections of race, gender, sex, class, sexual orientation, intersexuality, and ability, among others. In doing this work, TGIJP prioritizes and centralizes the wisdom and leadership of TGI prisoners and former prisoners. For more information, go to: <http://www.tgijp.org/>
- ⇒ **Young Women's Empowerment Project, Chicago, IL** — Our mission as the Young Women's Empowerment Project is to offer safe, respectful, free-of-judgment spaces for [girls and young women impacted by the sex trade and street economies](#) to recognize their goals, dreams and desires. We are run by girls and women with life experience in the sex trade and street economies. We are a youth leadership organization grounded in [harm reduction](#) and social justice organizing by and for girls and young women (ages 12-23) impacted by the sex trade and street economies. For more information, go to: <http://www.youarepriceless.org>



RESOURCE CD

This toolkit is accompanied by a resource CD which contains a number of reports, resources, and organizing tools on law enforcement violence against women of color and trans people of color. It is intended to supplement and provide background to the information contained in the toolkit, and inform the sample workshop we have included. While INCITE! may not necessarily endorse the language, political perspective, analysis or conclusions of every document we have included on the resource CD, we do think that they all provide important and information that is not widely available.

The CD is organized into folders of documents as follows:

➔ Folder A - Research Reports on Law Enforcement Violence Against Women of Color and Trans People of Color

1. *Whose Safety? Women of Color and the Violence of Law Enforcement*, by Anannya Battacharjee, A Justice Visions Working Paper, American Friends Service Committee and Committee on Women, Population and the Environment, 2001.
2. *Law Enforcement Violence Against Women of Color*, in *The Color of Violence: The INCITE! Anthology*
3. *Driving While Female: A National Problem in Police Misconduct*, Samuel Walker and Dawn Irlbeck, Police Professionalism Initiative, Department of Criminal Justice, University of Nebraska at Omaha, 2002
4. Press Release, *Driving While Female Report Launches UNO Police Professionalism Program*, available at: <http://www.unomaha.edu/uac/releases/2002may29ppi.html>
5. *Stonewalled: Police Abuse and Misconduct Against Lesbian, Gay, Bisexual and Transgender People in the U.S.*, Amnesty International, AMR 51/122/2005, 2005.
6. *Family Violence and Prevention Act of 1995: Examining the Effects of Mandatory Arrest in New York City*, Family Violence Project of the Urban Justice Center. 2001.
7. *Over Raided, Under Siege, U.S. Immigration Laws and Enforcement Destroy the Rights of Immigrants*, National Network of Immigrant and Refugee Rights, 2008.
8. *In Our Own Backyard: A Community Report on Human Rights Abuses in Texas Rio Grande Valley*, Valley Movement for Human Rights, 2004.
9. *Move Along: Policing Sex Work in Washington, D.C.*, Different Avenues, 2008.
10. *Behind Closed Doors*, Sex Workers Project, 2005.
11. *Revolving Door: An Analysis of Street-Based Prostitution in New York City*, Sex Workers Project, 2003
12. *Unfriendly Encounters: Street-Based Sex Workers and Police in Manhattan*, Sex Workers Project, 2005
13. *Research for SexWork: Sex Work and Law Enforcement*, June 2005.
14. *Frequently Asked Questions*, Young Women's Empowerment Project, 2007.
15. *Police Turned Predators*, a series by the Philadelphia Inquirer, August 2006.
16. *Caught in the Net: The Impact of Drug Polices on Women and Families*, ACLU, The Brennan Center for Justice at NYU and Breaking the Chains, 2005.
17. *It's War in Here: A Report on the Treatment of Transgender and Intersex People in New York State Men's Prisons*, Sylvia Rivera Law Project, 2007.
18. Testimony of Dean Spade, Sylvia Rivera Law Project, to Prison Rape Elimination Commission, 2005.
19. Testimony of Chris Daley, Transgender Law Center, to Prison Rape Elimination Commission, 2005.



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RESOURCE CD - TABLE OF CONTENTS

➤ Folder B - Resources on Alternatives to Law Enforcement Responses to Violence Against Women and Community Accountability

1. Critical Resistance-INCITE! Statement, 2008 Reflections and 2001 Statement
2. INCITE! Principles of Community Accountability document
3. *Community Accountability Within the People of Color Progressive Movement*, INCITE!, 2005.
4. *The Community Engagement Continuum: Outreach, Mobilization, Organizing, and Accountability to Address Violence Against Women in the Asian and Pacific Islander Communities*, Mimi Kim, Asian Pacific Islander Institute on Domestic Violence, 2005.
5. *Taking Risks: Implementing Grassroots Community Accountability Strategies*, written by a collective of women of color from Communities Against Rape and Abuse (CARA): Alisa Bierria, Onion Carrillo, Eboni Colbert, Xandra Ibarra, Theryn Kigvamasud'Vashti, and Shale Maulana, in *Color of Violence: The INCITE! Anthology*, 2006.
6. *Sistas Makin' Moves: Collective Leadership for Personal Transformation and Justice*, Sista II Sista, in *Color of Violence: The INCITE! Anthology*, 2006.

➤ Folder C - Organizing Tools

1. Responding to Mandatory Arrest Toolkit - Safehouse Progressive Alliance
2. Fix Broken Policing Toolkit - INCITE! Denver
3. Safe Streets, Strong Communities Outreach Flyer
4. *Documenting Our Stories: Decolonizing Research Through Community Based Research Projects*, The Data Center, 2005
5. *Power to Our People! Participatory Research Kit: Creating Surveys*, The Data Center, 2004
6. *Participatory Research*, Escuela Popular Nortena, 2005
7. Video: Transgenderation 2000 - Visibility Action, video of action against police brutality by Transgeneros Unidos, Los Angeles.
8. *Warning! Protect Yourself from Immigration Raids!*, CASA of Maryland, 2007
9. *What is an Abuse?*, Coalicion de Derechos Humanos.
10. *Know Your Rights – ICE and Border Patrol*, Coalición de Derechos Humanos.
11. *Street Harassment flyer* - INCITE! D.C.
12. *Interim Tips for Trans People Dealing With Cops and Jails*, Sylvia Rivera Law Project, 2008.



EVALUATION

WE REALLY APPRECIATE YOUR FEEDBACK!

What did you find most useful about the toolkit? (fact sheets, organizing tools, resources, sample workshop, other?)

What did you use it for (popular education and grassroots organizing, classroom teaching, personal information, advocating for policy change)? When? Where?

What is missing or what would you like to see more of?

What did you not find helpful?

Do you have or know of materials you think should be added to the toolkit?

Do you have a story of experiencing or resisting law enforcement violence you would like to share?

Please share your contact information, if you feel comfortable doing so (name, e-mail, phone, address)

You can return this evaluation form to us:

By e-mail: incite_national@yahoo.com

By **Phone:** 484-932-3166

By mail: INCITE!

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YOU CAN ALSO ACCESS AND PRINT THE CONTENTS OF THIS TOOLKIT AND THE RESOURCE CD
THAT COMES WITH IT ONLINE AT <http://www.incite-national.org>



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