

Color of Violence
The INCITE! Anthology

Incite! Women of Color Against Violence

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Law Enforcement Violence Against Women of Color

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Cau Bich Tran, a twenty-five-year-old Vietnamese woman, shot to death by police responding to a call for help at her San Jose home.¹

Malaika Brooks, a Black woman who was eight months pregnant, shot by a police officer in November 2004 with a fifty-thousand volt Taser gun outside the African American Academy in Seattle, where she was dropping her son off for school.²

Mrs. Afaf Saudi, a sixty-eight-year-old Egyptian permanent US resident, forcibly removed from a store in Greensboro, South Carolina, "hog-tied" and tossed into a police cruiser, suffering a broken shoulder, a broken rib, and a mild heart attack in November 2004.³

Jaisha Akins, African American, five, handcuffed and forcibly removed from her St. Petersburg, Florida, school by police.⁴

Margarita Acosta, a sixty-two-year-old Puerto Rican grandmother, slapped and beaten by police officers before being shoved into a police van without her shirt or shoes.⁵

Ms. H., an undocumented Latina woman sexually assaulted by a Los Angeles police officer responding to her 911 call for help when a man was beating her in her home.⁶

Frankie Perkins, a Black woman choked to death by Chicago police officers who believed she had swallowed drugs.⁷

Jalea Lamot, a Latina woman sexually harassed by officers responding to a call for emergency medical assistance, who, along with her family, was beaten and pepper-sprayed once the officers realized she is transsexual.⁸

An African American woman who plays on the D.C. women's football team arrested after using the women's bathroom at a local restaurant.⁹

In workshops on law enforcement violence against women I often ask participants to jot down the first name or image that comes to mind when I say "police brutality." None of these women's names or experiences come up. The same is true when I ask them to note the first image that comes to mind when I say "violence against women." Yet, clearly, these experiences are manifestations of both.

To date, public debate, grassroots organizing, litigation strategies, civilian oversight, and legislative initiatives addressing police violence and misconduct have been almost exclusively informed by a paradigm centering on the young Black or Latino heterosexual man as the quintessential subject, victim, or survivor of police brutality.¹⁰ To cite just one example of how pervasive this paradigm is, one need look no further than a 2002 call-to-action from the Black Radical Congress, an organization which embraces a gender analysis in its Principles of Unity. In seeking support for a boycott of the City of St. Louis in response to several incidents of police brutality, the call states:

[r]egardless of the city, the scenarios of police violence are the same; only the names and faces change. A handcuffed black male shot to death because he allegedly lunged at an officer; a black youth running from an officer and posing no threat is shot in the back; car chases by police that kill innocent bystanders; a black man shot to death because police thought he had a weapon; and the scenarios go on.¹¹

Not much has changed in this regard in recent years, although our understanding of racial profiling and arbitrary detentions has broadened to include the experiences of Arab, Middle Eastern, South Asian, and Muslim men. These narratives of racial profiling and police brutality, as well as prevalent quantitative comparisons of the frequency and nature of traffic stops experienced by "African Americans," "Hispanics," and "whites" which fail to analyze data along gender *and* racial lines, dominate discourse and debate around race-based policing and police violence to the exclusion of the experiences of women of color.

Yet women and girls, and particularly women of color, are sexually assaulted, raped, brutally strip-searched, beaten, shot, and killed by law enforcement agents with alarming frequency, experiencing many of the same forms of law enforcement violence as men of color, as well as gender- and race-specific forms of police misconduct and abuse. Dramatic increases in the number of African American and Latina women incarcerated pursuant to "law and order" agendas and "war on drugs" policies over the past two decades suggest that police interactions with women of color are increasing in frequency and intensity.¹² The "war on terror" continues to reach into the lives of women of color across the United States as well as abroad in the form of harassment, violence, and sexual abuse at the hands of military and law enforcement agents, including federal immigration and "homeland security" officers. "Zero tolerance" and "quality of life" policing practices have particular impacts on young women in schools and on the streets, women street vendors, and women engaged in sex work which are rarely addressed in our assessment of or resistance to these policies. It is long past time that law enforce-

ment accountability and organizing integrate and address the experiences of women of color—not just as mothers, partners, and children of men of color targeted by systemic state violence and the criminal legal system, but as both targets of law enforcement violence and agents of resistance in our own right.

Similarly, women's experiences of police brutality—rather than police protection—in the context of domestic violence interventions, implementation of mandatory arrest policies, and policing of racist, homophobic, and transphobic violence (“hate crimes”) have not generally been addressed in service provision or in challenging violence against women, lesbian, gay, bisexual, and transgender (LGBT) individuals, and people of color. Rather, mainstream organizations advocating on behalf of and providing services to survivors of intimate violence, sexual assault, and racist, homophobic, and transphobic violence continue to rely almost exclusively on law-enforcement agencies as the primary, if not exclusive, response to interpersonal violence.

The proliferation of mandatory arrest policies across the country is leading to increased arrests of domestic violence survivors, who then become subject to further violence in the criminal justice system, including use of force during arrest, threats to remove and removal of children into state custody, abusive strip searches, and other violent and degrading conditions of confinement. The impacts of our almost exclusive reliance on such law enforcement–based responses to violence in our homes and communities fall disproportionately on women of color, poor and low-income women, and lesbians. For instance, a New York City–based study found that a significant majority (66%) of domestic violence survivors arrested along with their abusers (dual arrest cases) or arrested as a result of a complaint lodged by their abuser (retaliatory arrest cases), were African American or Latina.¹³ 43% were living below the poverty line, and 19% were receiving public assistance at the time of their arrest.¹⁴ Lesbian survivors of domestic violence are frequently arrested along with their abusive partners by law enforcement officers who frame abuse in same-sex relationships as “mutual combat.”¹⁵ Alternatively, police base their decisions regarding who is the abuser in lesbian relationships on raced and gendered presumptions and stereotypes—the abuser must be the “bigger” partner, the more “butch” partner, the woman of color, or the person who is less fluent in English. Similarly, survivors of homophobic and transphobic violence have also been subject to arrest, as well as frequent verbal abuse and blame, by officers acting on similar stereotypes, or on a belief that survivors of such crimes “brought it on themselves” by simply being who they are.¹⁶

Until we challenge mainstream police accountability and antiviolence organizing to take up the challenge of integrating and addressing these realities, women of color survivors of law enforcement violence will continue to find that their experiences are not reflected in the dominant paradigms of police brutality and violence against women, leaving their voices largely unheard and their rights unvindicated.

This is not to say that women of color's experiences with law enforcement violence have never been the subject of discourse or organizing. In an essay entitled “Violence Against Women and the Ongoing Challenge to Racism,” Angela Y. Davis commented on police violence against Black women involved in struggles

for Black liberation in the sixties and seventies.¹⁷ Indeed, the FBI's recent increase of the bounty on Black freedom fighter Assata Shakur's head serves as a potent reminder of the day she was shot three times by New Jersey state troopers during a traffic stop as she stood with her hands in the air by the side of the road.¹⁸ Angela Davis has also described a personal experience of finding a woman by the side of a highway who had been raped, first by a group of strangers, and then by police officers who stopped to “investigate.”¹⁹ In a chapter of *Resisting State Violence*, Joy James cites a report entitled “Black Women under Siege by New York City Police,” published by the Center for Law and Social Justice at Medgar Evers College four years before the Rodney King incident brought police violence to the forefront of the national consciousness.²⁰ The report documents incidents of police brutality against Black women which garnered virtually no national attention, including, among others, cases in which a police officer intentionally drove a patrol car into a woman, officers severely beat a woman who had witnessed a police assault on a Black man, and an officer maced a handcuffed woman in the eyes.

In 1984, when Eleanor Bumpurs, an elderly and disabled African American grandmother, was killed by a shotgun blast to the chest fired by officers who had come to assist in her eviction from public housing (because she was less than ninety dollars behind in her rent), Black communities in New York City rose up in outrage.²¹ In 1998, when Tyisha Miller was shot twenty-four times by police officers who, responding to a distress call, found her in the midst of an epileptic seizure in her car, yet claimed she pulled a gun—which was never found—Black communities in Riverside, California, took to the streets.²² When Margaret Mitchell, “a frail, mentally ill, homeless African American woman in her 50s,” was stopped, harassed, and then shot by San Francisco police officers in 1999, Earl Ofari Hutchinson argued that controlling images of Black women as “menacing” inform police brutality against African American women in much the same way as do similar controlling images of Black men.²³ When US Customs authorities' practice of racially profiling and strip-searching Black women at airports on the presumption that Black women are “drug mules” was challenged in the nation's courts and on the floor of Congress, national mainstream civil rights organizations began to recognize, albeit only in that limited context, that Black women are also targets of law enforcement abuses. In 2002, Sista II Sista, a New York City–based organization of young African American and Latina women, made a video about sexual harassment of young women in their neighborhood by local police officers, and successfully organized their community to speak out against this form of law enforcement violence.

However, the few incidents of police violence against women of color which have commanded national attention continue to be viewed as isolated, anomalous deviations from the police brutality “norm.” Perhaps the overwhelming silences are yet another manifestation of the ongoing sublimation of women of color's experiences to those of men in struggles for racial justice. Perhaps police violence against women of color is experienced as merely one strand in a seamless web of daily gendered/racialized assaults by both state and private actors, unworthy of the focused attention commanded by police brutality against men of color perceived as a “direct” form of state violence. Violence by law enforcement officers

is also seen as beyond the explicit scope of mainstream conceptions of gender-based violence, which, in the United States, focus on the “private sphere,” failing to imagine women as subjects of state violence in public spaces. Perhaps women’s experiences of such violence have not been integrated into the dominant discourse surrounding violence against women because they are dissonant to a society which has invested considerable energy in framing law enforcement agents as protectors rather than as perpetrators of violence against women.

The challenge, then, is to bring these experiences to the center of our organizing against both state and interpersonal violence against women of color and our communities. Doing so will not only give voice to survivors of law enforcement violence, who, more often than not, are women who are also vulnerable to other forms of state, community, and interpersonal violence. It will also challenge us to move beyond law enforcement-based responses to violence and toward community-based responses which truly promote safety for women of color.

Policing Gender, Policing Sex

Systems act as though they have a stake in keeping gender lines clear. If you step over them, you are treated as a suspicious character.²⁴

You want to act like a man, I’ll treat you like a man.—*Statement made by a police officer immediately before punching an African American lesbian in the chest.*²⁵

In 2002, DC police officers grabbed an African American woman by the neck and smashed her face into a door, and then proceeded to force her to unzip her pants. Upon seeing that she was wearing men’s underwear, they demanded “Why are you wearing boys’ underwear? Are you a dyke? Do you eat pussy?”²⁶

As the Audre Lorde Project, the first center for lesbian, gay, bisexual, Two Spirit,²⁷ and transgender (LGBTST) people of color in the United States, emphasizes, law enforcement agencies uphold and enforce society’s raced, gendered, and class structures, conventional notions of “morality,” and social norms established by dominant groups.²⁸ Accordingly, individuals whose existence, expression, or conduct defies these structures are, at best, objects of suspicion, heightened attention, and harassment by law enforcement officers, and, at worst, disposable people turned over to police to punish or ignore as they please.

Enforcement of racialized gender boundaries and regulation of sexual conduct are two cornerstones of police interactions with women of color. From enforcement of historical laws prohibiting people from wearing apparel associated with the opposite gender,²⁹ to present day enforcement of social expectations regarding use of gender-segregated facilities such as restrooms,³⁰ law enforcement agents have explicitly policed the borders of the binary gender system. Additionally, police officers engage in subconscious gender policing: departure from socially constructed norms of “appropriate” gender expression is perceived as grounds for suspicion and

securing submission to gender roles.³¹ Such perceptions are further complicated by presumptions of criminality based on race or class. Moreover, law enforcement agents have historically acted and continue to act on racialized gender stereotypes which reinforce existing systemic gendered and raced power relations. And, through historic laws making it an offense for a woman to be found in the streets unaccompanied at night³² and current prostitution laws, morals regulations such as “lewd conduct” statutes, and, until recently, sodomy laws, police have been charged with enforcing dominant sexualities and punishing sexual “deviance.”

Individuals perceived to be transgressing racialized gender norms or who are framed within gendered racial stereotypes are more frequently subjected to verbal abuse, invasive searches, and use of excessive force during encounters with police; are more likely to suffer abuse while in police custody; and are often denied protection by law enforcement when crimes are committed against them. The interactions of transgender women, often perceived as the “ultimate” gender transgressors, with law enforcement are generally marked by insistence on gender conformity and punishment for failure to “comply,” including harassment, verbal abuse, and physical violence at the hands of police, often based on perceptions that they are fraudulent, deceitful, violent, or mentally unstable because of their perceived gender disjuncture.³³ Women framed as “masculine”—including African American women, who are routinely “masculinized” through systemic racial stereotypes³⁴—are consistently treated by police as potentially violent, predatory, or noncompliant regardless of their actual conduct or circumstances, no matter how old, young, disabled, small, or ill.³⁵ As a result, they are subjected to verbal abuse in interactions with law enforcement officers, their handcuffs are tightened excessively, they are called “fucking dyke” while being beaten, and generally treated with greater physical harshness by law enforcement officers.³⁶ Working-class or low-income women are also perceived as more “masculine” than middle- or upper-class women, and therefore subject to greater violence by law enforcement officers.³⁷ Young women wearing “thuggish attire,” as current hip-hop fashions are sometimes described, have also been reported to attract greater police attention than other women.³⁸

Similarly, lesbians are often “defeminized” and “dehumanized” by the criminal justice system, and therefore subjected to considerable abuse by law enforcement agents.³⁹ Women perceived to be lesbians—often based on gender nonconforming appearance or conduct—are regularly called “dyke,” “bulldagger,” and “wannabe man,” and subject to violence during interactions with law enforcement. For instance, an attorney in Chicago reports that one of her clients, whom she describes as very “butch,” is subjected to constant harassment by police, and is frequently “slammed up against a wall, patted down, and verbally assaulted.”⁴⁰ One sixty-five-year-old African American lesbian who lives in senior public housing in San Francisco is so frequently beaten by police officers responding to complaints by homophobic neighbors that she now says, “If I need help, I call the fire department. If they show up, at least it’s not with guns drawn.”⁴¹ One advocate reports knowing an African American lesbian sex worker who is hit and “roughed up” by police officers so frequently that she is inured to the abuse.⁴²

Violation of gender norms through public sexual conduct deemed inappropriate—be it engaging in sex work or expressions of affection between women—also

gives rise to heightened police surveillance, harassment, and abuse. Two groundbreaking reports by the Sex Workers' Project in New York City document significant rates of violence experienced by sex workers at the hands of police: 30% of street-based sex workers and 14% of indoor sex workers interviewed reported violence by police officers.⁴³ "Reported incidents included officers physically grabbing and kicking prostitutes, as well as beating them; one incident of rape; one woman was stalked by a police officer; and throwing food. Sexual harassment included fondling of body parts; giving women cigarettes in exchange for sex; and police offering not to arrest a prostitute in exchange for sexual services."⁴⁴ 16% of indoor sex workers reported sexual assault or rape by police.⁴⁵

Sexual harassment and abuse of lesbians aimed at securing sexual conformity is also prevalent. For instance, a South Asian lesbian reports that, in Los Angeles, when two women walking down the street are visibly a couple, officers driving or walking by will laugh and throw kisses.⁴⁶ Lesbians also report being regularly asked by police officers if they "would like to know how it felt with a man."⁴⁷ According to one researcher, women perceived as lesbian are also the subject of increased attention by law enforcement because they are perceived to be taking something that is not theirs to take, intruding on male territory and undermining male privilege by having sexual relationships with other women.⁴⁸ As a result, officers "get a kick out of breaking down their self-esteem, they feel that they need to be broken."⁴⁹

Transgender women are framed by law enforcement agents as not only the ultimate gender transgressors, but also as overtly sexualized, as indicated by the fact that they are pervasively profiled as sex workers and routinely subject to sexual abuse by police officers.⁵⁰ They are also frequently subject to sexualized verbal abuse—officers regularly call transgender women of color "fags," "whores," "sluts," "bitches," and "prostitutes" when they encounter them on the street.⁵¹

While the degree to which police are enforcing gender lines or acting on racialized gender stereotypes varies between law enforcement interactions with women of color, it is clear that the role played by gender in law enforcement violence has received insufficient attention in our analysis and organizing. What follows is the beginnings of development of an analysis of both "conventional" and more "gender specific" forms of law enforcement violence which centers gender along with race and class.

Racial Profiling and Use of Force

In February of 1996, Dr. Mae Jemison, the first Black woman astronaut, was stopped by a Texas police officer who alleged she made an illegal turn in her hometown. Upon discovering that Jemison had an outstanding traffic ticket, the officer cuffed her, pushed her face down into the pavement, and forced her to remove her shoes and walk barefoot from the patrol car to the police station. Commentators opined that, because she was wearing a low-cut afro hairstyle, she was mistaken for a man by police officers.⁵²

In early 1996, Sandra Antor, a 26-year-old African American nursing student from Miami, was traveling along Interstate 95 to visit friends in North Carolina when she was pulled over by an unmarked car driven by a state trooper. A video camera on the dashboard previously recorded Officer Beckwith making approximately 15 traffic stops over the course of the day. Rather than approaching Ms. Antor's car with a friendly, "How ya' doin'?" as he had previously done with white motorists, the trooper charged out of the patrol car, gun drawn, screaming repeatedly at the top of his lungs "Roll your window down NOW! Roll your [expletive deleted] window down NOW!" Approaching the car swiftly until his gun was pointed directly at Ms. Antor's head, he proceeded to violently yank the driver side door open and tear at Ms. Antor's clothes, screaming "Out of the car NOW! Out of the damn car NOW!" Ms. Antor is heard explaining that she's having trouble getting out of the car because she has her seat belt on. Beckwith continues to pull violently on Ms. Antor's clothing and scream at her until she finally manages to disengage herself and begins exiting the car slowly. Beckwith then yanks her out of the car, throws her down to the ground on her hands and knees, shoves her into a prone position, face down on the asphalt in the right lane of the fast-moving highway, shoves his knee into her back, and proceeds to sit on her.

Although the videotape clearly shows that Antor put up absolutely no resistance to the officer's abuse, Beckwith is heard screaming "Quit fighting me!" and seen striking her as he handcuffs her. Once Ms. Antor is cuffed, Beckwith rises quickly and screams, "Stand your ass up lady, NOW! You're fixin' to taste liquid hll in just a minute," threatening to use pepper spray on the completely subdued woman. Once she manages to rise, the officer drags Ms. Antor to the patrol car, yelling "Get in the fucking car!" Ms. Antor's perception of the incident as motivated by both her race and gender is unwavering. When asked what she believed the patrolman was thinking when he was hitting her, she immediately responds "Damn Black bitch." She goes on to say "He was pissed... he couldn't believe this bitch didn't stop for him. Who the hell do I think I am? Don't I know where I am? This is his neck of the woods," adopting a white southern accent for the last sentence. "That is how I interpret it," she says, summarizing in a single statement the historical context in which she perceived her experience, as well as the inseparable role played by her race and gender identity in the officer's conduct.⁵³

A Latina from Douglas, Arizona, says, "I have been pulled over so many times I can't even count them, sometimes with no reason at all. Once or twice the Border Patrol told me they received an

anonymous tip about someone driving a car similar to mine. I've been told that my car looked weighted down, so it looked suspicious! I've heard of a lot of rapes and killings by the Border Patrol. It seems like the Border Patrol feels that they have the power to do whatever they want."

Going forward, our efforts to combat racial profiling and police brutality must recognize and reflect that women of color have been and continue to be subject to racial profiling and the use of force on streets and highways across the United States. For instance, Amnesty International's 1998 *Rights for All* report on police misconduct and abuse in the United States suggests that a pattern and practice of assaulting African American women developed among the all-male, all-white police force in Riverdale, a Chicago suburb which saw a dramatic increase in the number of Black residents in the mid-1990's:

Linda Billups was stopped by police while driving home from church with her four young children in September 1993; she was... manhandled, arrested and charged with several offenses including assaulting an officer. All charges were later dropped, except for driving without child restraints. Dianne Overstreet was reportedly kicked, thrown to the ground and subjected to racial slurs after an officer stopped her for allegedly going through a red light in February 1994. At least eight [B]lack women were assaulted in separate incidents in two years.⁵⁵

Similarly, at an October 2003 Amnesty International hearing on racial profiling held in Tulsa, Oklahoma, Native women reported frequent traffic stops, during which no citations would be written, of cars with tribal license plates.⁵⁶

Women of color's experiences of traffic and street stops are often uniquely gendered. For instance, in 2001, a rash of traffic stops of Latina women took place in a low-income community in Suffolk County, Long Island, during which women would be forced to perform sexual acts and/or strip in public.⁵⁷ In one case, instead of being issued a traffic citation, a woman was forced to walk home in her underwear.⁵⁸ In two others, officers were alleged to have forced women to have sex with them after pulling them over for traffic infractions.⁵⁹ More recently, two New York City police officers followed a 35-year-old 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.⁶⁰

Women of color, and particularly African American and Latina transgender women, are also routinely profiled on the streets as sex workers by police, regardless of whether they are actually engaging in sex work at the time, or whether they are involved in the trade at all, and subjected to stops, strip searches, and arbitrary arrest and detention on this basis. Additionally, racial profiling of women of color has branched out from streets and airport lounges to more gender-specific contexts, including delivery rooms across the nation, where drug-testing of pregnant women fitting the "profile" of drug users—young, poor, and Black—has given rise

to a new race-based policing phenomenon: "giving birth while Black."⁶¹ Similarly, as demonstrated by professor Dorothy Roberts in her 2003 book, *Shattered Bonds: The Color of Child Welfare*, "mothering while Black" gives rise to more frequent allegations of child abuse and neglect against Black women, be it for perceived neglect resulting from poverty or for alleged failure to protect their children from witnessing abuse against them in the home.⁶²

Use of force against women of color is also uniquely informed by racialized and gendered stereotypes—officers often appear to be acting based on perceptions of Black women as "animalistic" women possessing superhuman force, Latina women as "hot-tempered mamas," Asian women as "devious," knife-wielding martial arts experts, and so on. The operation of one such stereotype is apparent in the case of Cau Bich Tran, 25-year-old Vietnamese mother of two, who was shot to death by police responding to a call for help at her San Jose home in 2003. She had locked herself out of her bedroom and had called 911 for help getting back in. When police arrived at her home, she was sitting in the kitchen holding a vegetable peeler which she had been using to try to jimmy the door open. When she began explaining what had happened, using the vegetable peeler to point at the bedroom door, a police officer standing six to seven feet away from her immediately shot the woman, who was four feet eleven inches tall and weighed ninety pounds, in the heart.⁶³ She was dead within three minutes of police responding to her call for assistance.

These stereotypes are also apparent in the shooting death on August 15, 1998, of Ms. Cora Jones, a 79-year-old Black woman who suffered from Alzheimer's disease, who was partially blind and deaf, and used a wheelchair.⁶⁴ Ms. Jones was in her home when a drive-by shooting occurred nearby. Twenty police officers subsequently stormed the house, and began beating Ms. Jones's great-grandson, who allegedly came down the stairs with a gun to protect his family in the wake of the drive-by.⁶⁵ Ms. Jones yelled at the intruders, whom she may not have known were police officers, to stop beating her great-grandson.⁶⁶ When the officers maced her, her great-grandson begged them to let him calm her down.⁶⁷ Instead, the officers proceeded to shoot Ms. Jones in the chest at point-blank range as she sat in her wheelchair.⁶⁸ The officers later claimed that she had a knife, and the Detroit police force ruled the shooting a "proper use of force," coldly stating "a shot was fired and it went where it was directed."⁶⁹ It stretches the bounds of credulity to believe that a nearly 80-year-old woman who could neither see, hear, nor walk, and was the victim of a dangerous crime, posed such a danger to twenty armed police officers that she needed to be shot at point-blank range as she sat in a wheelchair, regardless of whether she held a knife.

Presumptions about Black motherhood also inform police violence. In December 1993, Los Angeles police shot twenty-seven-year-old Sonji Taylor after they cornered her and her three-year-old son in a rooftop parking lot where she had parked her car to go Christmas shopping. According to her family, the police officers surrounded Ms. Taylor for half an hour before she was killed. The officers claimed that Ms. Taylor was holding her son hostage with a kitchen knife while repeating "the blood of Jesus." Ms. Taylor's family maintains that the knife was a Christmas present, Ms. Taylor never harmed her son, and that "the blood of Jesus" was a phrase

Ms. Taylor repeated when in danger, a product of her Pentacostal upbringing. The scene is easy to imagine—a terrified Black woman, holding a Christmas present, trying to protect her child, surrounded by strange men in a lonely parking lot, seeking protection from her god. At some point, the officers charged Ms. Taylor, maced her, and tore her son from her. The officers say they shot Ms. Taylor after she “lunged” after them, as no doubt any mother would to protect her child, alleging that they had no choice but to act in self-defense. The autopsy revealed that Ms. Taylor was shot twice in the chest, and then seven times in the back. The fact that several shots had “mushrooms” indicated that she was also shot while lying face-down on the ground. This incident clearly reveals the operation of gender-specific controlling images informing police responses to Black women: as a Black mother, Sonji Taylor was presumed to be harming and holding her own child hostage, and this predominant stereotype of Black motherhood cost her her life.

These incidents illustrate the fact that, while racial profiling and the use of force against women of color take many of the same forms as they do with men of color, there are clearly gendered dynamics at play which require a more complicated analysis of racial profiling and a more complex approach to police brutality organizing and advocacy. Moreover, racial profiling takes place in gender-specific contexts—such as implementation of mandatory arrest policies, in which women of color are disproportionately perceived to be perpetrators of domestic violence rather than survivors—and takes gender-specific forms—such as sexual harassment and assaults of motorists—which are unlikely to be uncovered by conventional cop-watches and monitoring of existing traffic stop statistics. These examples therefore bolster the need to center women of color’s experiences within police accountability organizing and advocacy in order to ensure maximum effectiveness for all members of communities of color.

Rape, Sexual Assault, and Sexual Harassment

19-year-old Clementine Applewhite was walking down the street in her hometown of Baton Rouge, Louisiana, with two friends at ten o’clock in the evening when they were approached by a uniformed, on-duty officer traveling in a police K-9 unit. The officer told the three women that they would be arrested for vagrancy if they did not get off the street. The young women explained to the officer that they were walking to a friend’s house several blocks away, and began to hurry along as they attempted to comply with his order. After the women traveled a few more blocks, they were again stopped by the officer and his companion, a uniformed corrections officer, and told that the officer would flip a coin to determine who went to jail. Losing the coin toss, Ms. Applewhite was ordered into the patrol car and told to keep her head down. The officer then drove to the Memorial Stadium, where he forced Ms. Applewhite to have oral sex with him at gunpoint. Both officers then proceeded to rape her. During this time, another officer came upon them, but turned around and left the area at the request of the first two.⁷⁰

An African American lesbian reports being raped by a police officer who forced his way into her apartment at gunpoint and told her prior to assaulting her that he was “teaching her a lesson” because the world needed “one less dyke.”⁷¹

An Immigration and Naturalization Service (INS) officer in Fontana, California, was convicted in 2004 of demanding sex and cash from two Chinese women seeking asylum.⁷²

Rape, sexual assault, and sexual harassment by on-duty law enforcement officers are foremost among gender-specific forms of police brutality directed at Black women. Sex workers in particular report endemic extortion of sexual favors by police officers in exchange for leniency or to avoid routine police violence against them, as well as frequent rapes and sexual assaults. As described by fellow contributor Sylvanna Falcón, immigrant Latina women, both documented and undocumented, are routinely raped by local law enforcement and border patrol agents in the borderlands between Mexico and the United States.⁷³ Officers are also reported to regularly sexually harass young Latina women perceived to be gang members, in one instance telling them “give me a piece of your ass and I’ll let you go.” In some cases, sexual harassment takes place in the context of police response to domestic violence. In July 2005, 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.⁷⁴ In a number of domestic violence cases involving lesbians, officers have made comments to the effect that “this wouldn’t happen if you were with a man, you need to try a man,” and suggested that they, in fact, might be the man for the job.

The city of Eugene, Oregon, recently paid \$667,000 to a woman who was sexually assaulted by officer Roger Magaña, who was recently convicted of sexually abusing more than a dozen women over a period of eight years and against whom eleven other suits are pending. His case, while unique in that it resulted in a criminal conviction and substantial penalty, is common in other respects. Officer Magaña preyed on domestic violence survivors, women involved in the sex trade, others who use controlled substances, and women who are labeled as mentally ill, first threatening arrest and then offering leniency in exchange for sexual acts. In some cases, he was conducting “welfare checks”—which allow officers to enter residents’ homes by simply stating that they believe a person’s well-being is at risk—at the time he raped and sexually assaulted women. He frequently conducted inappropriate and abusive searches of women on the side of the road. Many of the women who eventually came forward said they did not initially report the abuse because they were afraid of police retaliation and feared they would not be believed. One woman told of Magaña putting his service weapon up against her genitals and saying he would “blow her insides out” if she told anyone. Nevertheless, police files indicate that at least half a dozen officers and supervisors heard complaints from women that they had been raped or sexually assaulted by Officer Magaña and one of his fellow officers before either one was arrested.⁷⁵

Some community organizing around sexual harassment by law enforcement

officers has taken place. As described in their piece in this anthology, Sista II Sista, a Brooklyn-based collective of working-class young and adult Black and Latina women, began organizing against sexual harassment and violence by law enforcement officers in their neighborhood after two young women from the community were killed by police officers.⁷⁶ One was killed during a dispute with her mother on their stoop when a police officer stopped to intervene, and ended up shooting the young woman in the chest, claiming self-defense, while the second was killed by her boyfriend, who was an auxiliary cop. As they were organizing around these incidents, young women's experiences of daily sexual harassment by police officers began to come to light, and they decided to use video to document sexual harassment by officers from New York City's 83rd Precinct. They subsequently screened the video and performed skits depicting sexual harassment by police during a neighborhood block party outside the precinct house. The event was a success, leading the community to take up the issue in their ongoing police accountability work. Sista II Sista's work in this area serves as an important example of developing joint antiviolence and police accountability organizing strategies that link state and interpersonal violence in the ways they manifest in our every day lives.

Responses to Domestic Violence and Sexual Assault

On September 28, 1999, 39-year-old African American Bronx resident Cherae Williams called 911 for help because her boyfriend was beating her.⁷⁷ Frustrated by responding officers' refusal to even get out of their patrol car to assist her or take her complaint, she asked for their names and badge numbers.⁷⁸ The two white officers responded by handcuffing Ms. Williams and driving her to a deserted parking lot. During the drive to the parking lot, a terrified Ms. Williams managed to get one hand out of her handcuffs only to be pepper sprayed by the officers. When they arrived at the lot, the officers pulled Ms. Williams out of the patrol car by her hair, repeatedly shook her and struck her head against the car, and beat her so badly she suffered a broken nose and a broken jaw which had to be wired shut.⁷⁹ Ms. Williams appeared before a New York City Council hearing on police responses to domestic violence complaints in October of 1999, testifying that "[the officers] beat me until I was bloody ... they left me there dazed and with a warning. They told me if they saw me on the street, that they would kill me ... I called the police to prevent a serious incident, and they brutalized me."⁸⁰

Society's reliance on law enforcement-based responses to violence against women has had a number of unintended consequences, not the least of which is increased vulnerability of survivors to violence—at the hands of both their abusers and law enforcement officers. Often, police brutality against women of color and their families occurs when they seek assistance in the context of domestic violence or sexual assault. As a result, "law and order" agendas and "tough on crime" policies

have not necessarily increased women of color's safety from violence—instead, fear of police violence or of inappropriate responses to interpersonal violence by law enforcement agents, combined with the lack of alternative responses, often leaves women of color with nowhere to turn when we face violence in our homes and communities. Moreover, in the current anti-immigrant climate, the absence of societal responses to violence that does not rely on law enforcement agencies, increasingly more concerned with detecting and deporting undocumented women than protecting them, increases immigrant women's vulnerability to violence.

Police interactions are very much informed by racialized notions of gender which dictate who is a legitimate survivor of domestic violence and sexual assault, and who is likely to be a perpetrator of violence. For instance, one African American woman testified at a 1999 Amnesty International hearing on police brutality in Los Angeles that on one occasion police officers responding to a "family quarrel" at her home beat her as her children were locked outside, powerless to answer their mother's cries for help. She reported that she was subsequently gagged with a rag by officers, and beaten again until she fainted, at which point officers dragged her across her yard to their police car.⁸¹ In June 1994, Rebecca Miller, a twenty-two-year-old Black woman was shot and killed at close range in the hallway of her apartment, with her two-year-old son at her side, after police were called to intervene in a fight with her boyfriend.⁸² 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, alleging that she attacked the police officers with a butcher knife.⁸³

These incidents highlight the pervasive nature of the archetypes governing the manner in which women of color are perceived. At their most vulnerable, subjected to physical abuse in their own homes, women called on law enforcement officers for help. Rather than "serve and protect," officers brutalized them, either for daring to challenge or seek protection from violence, or simply because they were acting on stereotypes that framed women of color as violent and requiring submission by physical force regardless of the context. These women's experiences undermine the women's movement's purported success in increasing women's safety by exposing violence in the "private sphere" of the home and sensitizing law enforcement officers to take domestic violence seriously. Rather, they expose one of the failures of the mainstream domestic violence movement, which has been to contribute to perceptions of victims of domestic violence as almost exclusively white and middle class, excluding women of color from the "battered woman" narrative and, therefore, the right to protection by law enforcement. They also illustrate the isolation women of color survivors of both interpersonal and law enforcement violence face in light of the mainstream antiviolence movement's failure to integrate their experiences into their analysis, strategies, and advocacy.

The "War on Drugs"

Frankie Perkins, mother of three daughters, aged four, six, and sixteen, was on her way home one evening, crossing an empty lot, when she was stopped by police, who later claimed that they had

seen her swallowing drugs, and tried to get her to spit them up. Witnesses state that the officers simply killed her, strangling her to death. Autopsy photos reveal bruises on her face and rib cage, and show her eyes swollen shut, and the hospital listed the cause of death as strangulation.⁸⁴

Lori Penner, a Native woman living in Oklahoma, testified at a 2003 Amnesty International hearing on racial profiling that her house was raided in August of that year by law enforcement officers claiming to be searching for drugs. During the raid, she stated that her fifteen-year-old daughter "was jerked out of the shower and forced to stand naked in front of three male officers. She was taken to her room to put some clothes on where she had to get dressed in front of three officers...the police laughed and smirked at us when no drugs were found. One police officer had the audacity to tell my daughter she cleaned up nice and looks good for a fifteen-year-old girl."⁸⁵

Myths and stereotypes implicating women of color in the drug trade have also proven deadly when acted upon by police officers. In South Seattle, Washington, in October 1997, Theresa Henderson, like Frankie Perkins, was choked to death by police who alleged that she tried to swallow a small amount of cocaine and claimed that they were merely attempting to recover "evidence."⁸⁶ Danette Daniels, a pregnant Black woman, arrested for dealing drugs in June of 1997 by New Jersey police officers, was shot to death by officers as she sat in the squad car, after an alleged "scuffle."⁸⁷ Witnesses deny that Ms. Daniels was involved in any drug transaction at the time of her death.⁸⁸

Additionally, in the "war on drugs," the potential consequences of a drug conviction which, as discussed in greater detail in this volume by Patricia Allard, can include long mandatory prison sentences; loss of child custody; loss of access to public housing, food stamps, and cash assistance; loss of professional licenses; and denial of access to government loans for higher education—have given law enforcement officers increased power, and have therefore increased the likelihood of police abuse of women of color. From arbitrary stops, strip searches, and detentions based on perceptions of women of color as "drug mules" to increased leverage for police extortion schemes such as those in which officers routinely demand sexual acts in exchange for leniency, it seems beyond question that the "war on drugs" has increased the prevalence of law enforcement violence against women. For instance, a Milwaukee police officer was recently charged with dropping drug charges against a South Dakota woman in exchange for sex.⁸⁹ In another case recently before the federal Ninth Circuit of Appeals court, Darla Motley was allowed to proceed with her suit against the LAPD based on a March 1999 drug raid. During the raid, Motley was shoved against a wall, and a police officer entered her baby's room pointed a gun at the child while others rifled through her belongings.⁹⁰ However, beyond documentation of rising incarceration rates of women of color, the nature and quality of police interactions with women of color in the context of the "war on drugs" has yet to be systematically examined or addressed.⁹¹

The "War on Terror"

In early March 2003, F., a former high school teacher who describes herself as "hapa" (mixed race) and gender-queer, was walking in downtown Los Angeles around midnight with two friends, when two men wearing purple shirts and black pants approached them, telling them, "You have to stop, you have to stop." Although the two men did not identify themselves as law enforcement or security officers until later, they immediately grabbed the three friends by the arms. An unmarked police car pulled up, and two men jumped out, guns drawn, also failing to identify themselves as police officers at the time. One of the men placed a gun to F.'s friend, G.'s head. Although F. was the smallest of the three, she was grabbed by three of the men. The officers then began questioning F. regarding the contents of her backpack, which, in addition to several antiwar buttons, had one button with two joined women's symbols on it and another which said, "We're here, we're queer, get used to it." The officers then grabbed her and threw her up against a wall with enough force to "bust" a cell phone in her back pocket, and held her there with her feet barely touching the ground as they questioned her.

One of the men wearing a purple shirt, whom F. believes, based on information she later obtained, was assigned to patrol the business district as part of a "homeland security" initiative, told her that they had received reports of people engaged in "un-American stuff" in the area. The officers repeated their questions regarding what was in F.'s bag, and then began demanding to know what was under F.'s sweatshirt. The officers next asked if F. was a boy or a girl, and tried to unzip her sweatshirt, asking what she had on underneath. Despite her protests that she did not consent to a search, the officers grabbed F.'s arms and held her down while another officer pulled up her sweatshirt and T-shirt and groped her chest area, while asking her repeatedly, "What are you, are you a boy or a girl?" and grabbing her inappropriately. According to F., one of the officers had his gun drawn during the entire search, while another was telling her, "You need to calm down and cooperate." When describing the incident, F. wryly commented—"It was not pretty."⁹²

One of the officers then grabbed F. by the hair, pulling her face up to allow him to take her photograph. One of the officers asked her, "Why do you dress this way?" while another was heard saying under his breath, "What is it, is it a he or a she?" F. was then placed in handcuffs so tight they cut F.'s wrists and interfered with circulation to her hands. When F. asked the officers to loosen them, they refused. When a marked police car arrived on the scene, the three

friends repeatedly asked why they were being detained. The officers threatened several times to call the INS, asked them, "Why don't you go back where you came from?" called them "towel head lovers," and told them "If you are against war, you are for terrorism." At one point, F. said something to G. in German. The officers, assuming she was speaking Arabic, reportedly said, "You're one of them." Later on, at the police station, when F. removed the hat she had been wearing as she sat handcuffed to a bench, revealing long hair, one of the arresting officers walked by and said "Oh, maybe it is a girl." Another officer reportedly walked by and asked a third, "Is that the one that's a he-she? It must be a girl, look at her hair." Charges against F. were eventually dismissed. Her complaint against the arresting officers is still pending.

The voices and experiences of Arab, Middle Eastern, South Asian, and Muslim women—and women perceived to be members of these groups—have been noticeably absent from discourse regarding the impacts of the "war on terror" on communities of color in the United States. This does not mean, by any stretch of the imagination, that they have escaped its grasp. Rather, dominant anti-Arab/anti-Muslim racism represents Arab, Muslim, and South Asian women as passive victims of their violent, misogynist men, without agency and in desperate need of "liberation" by Western militaries and feminists alike, thereby eliminating the possibility in the popular mind that they would be targets of state violence in the context of this very "liberation."

However, images of Arab, Muslim, and South Asian women as potential suicide bombers are increasingly gaining currency, as evidenced by the case of sixteen-year-old Tashnuba Hayder, a South Asian Muslim living in Queens, New York, who was recently the subject of the first terrorism investigation involving a minor. FBI agents who had monitored her visits to an Internet chat room where sermons by an Islamic cleric in London were posted showed up at her home one day, pretending to follow up on a missing persons report filed five months earlier when Tashnuba briefly left home with a friend. The agents immediately began going through her diary, papers, and home schooling materials, focusing on one essay discussing the positions taken on suicide by various religions and another about the Department of Homeland Security, in which she stated that she felt that Muslims were being targeted and "outcasted" by the state since 9/11. Three weeks later, based on a "secret" declaration, a dozen federal agents raided her home at dawn, citing the expiration of her mother's immigration papers as justification for taking the daughter into custody. Without providing her parents with any information as to her whereabouts for two weeks, Tashnuba was transferred to a juvenile detention center in Pennsylvania where she was interrogated, without a parent or a lawyer present, by the members of the FBI Joint Terrorism Task Force, and released only upon her mother's agreement to a "voluntary departure" to Bangladesh. Another Muslim girl, Adama Bah, was also detained as part of the investigation.⁹³

Since 9/11, Arab, Middle Eastern, and Muslim women have also been rou-

tinely subject to street and airport profiling. Women who wear the *hijab* are disproportionately targeted by law enforcement. For instance, in December 2001, a Muslim woman wearing a veil was stopped by police for driving with suspended plates. Rather than simply write her a ticket upon production of a valid driver's license and registration, the officer arrested her, shoved her into the patrol car, and made inappropriate comments about her religion and her veil.⁹⁴ In November 2001, a Muslim woman was asked to remove her headscarf at an airport—even though the metal detector had not gone off when she went through it—and taken to a room for a full body search.⁹⁵ Transgendered women also report increased profiling as potential terrorists based on assumptions that they are "disguised" as women. These cases, and countless others which have not yet come to light, must also guide our analysis and our antiviolence and law enforcement accountability organizing efforts in the post-9/11 world.

"Quality of Life" and "Gang" Policing

While the "war on drugs" and the "war on terror" have played significant roles in driving law enforcement policies and practices over the past decade, two additional trends in law enforcement have also influenced and contributed to police interactions with women of color. In an effort to address what are often described as "quality of life" crimes, many local governments have either passed or increased enforcement of legislation establishing juvenile curfews and prohibiting activities such as loitering, panhandling, unlicensed street vending, public drunkenness, urination in public places, graffiti, and sleeping on public benches or parks.⁹⁶ These provisions lead to criminalization of normally noncriminal behavior, and are often discriminatorily enforced.

Provisions targeted at those congregating in and using public spaces or living on the streets disproportionately impact homeless, precariously housed, and low-income women of color and youth who have limited access to private spaces, as well as individuals providing vital outreach services to those communities. "Gang policing" initiatives have been intricately intertwined with "quality of life" policies, and often serve as a pretext for profiling and harassment of groups of young people of color in schools and neighborhoods. Latina lesbians are reportedly profiled by police as gang members under these policies, at times based on gender-nonconforming appearance, behavior, and attire, such as wearing baggy pants.⁹⁷ Asian girls have also been subject to "gang" profiling based on stereotypes regarding criminal activity among recent East Asian immigrants.⁹⁸ School safety officers and school police charged with enforcing "zero tolerance" policies are reported to routinely harass and abuse youth, particularly youth of color, engaging in profiling based on race, ethnicity, religion, gender, gender identity, sexual orientation, or style of clothing, as well as arbitrary stops and searches.⁹⁹ Sexual harassment and abuse of young women of color has also been reported, as well as violent arrests and detentions of young women of color—once again revealing the operation of gender policing and racialized gender-based stereotypes in current police practices.

Conclusion

Gender, sex, and race policing, as informed by stereotypical and archetypal representations of women of color, clearly underlie law enforcement interactions with women of color. Brutal physical and psychological assaults on women of color by police officers appear to be informed by beliefs that deviations from socially constructed norms of gender and sexual expression are legitimate bases for suspicion. Consequently, use of force on the part of state agents becomes necessary, as women of color, by their very existence, are seen as threats who must be met with brutal force; are sexually available and subject to sexual subjugation at the hands of police officers; are vessels for drugs swallowed or concealed; and/or are instruments of "terror." Yet the complexity of the interaction of structural oppressions in police encounters with women of color is not reflected within analytical and organizing frameworks which allow for consideration of only one axis of oppression—such as race-based police brutality against men of color or gender-based interpersonal violence against white women.

A reformulation of our struggles against police brutality to integrate an analysis of state violence based on gender *and* race, as well as other structural oppressions such as class, national origin, occupation, gender identity and expression, sexual orientation, age, and disability is clearly required. Similarly, a revisioning of our struggles to end violence against women is required to integrate women of color's experiences of state violence, as well as its intersections with interpersonal and community violence. The experiences of the women whose stories are recounted and countless others counsel strongly in favor of a critical examination of current approaches to violence against women, and the development and support of alternative, community-based accountability strategies which prioritize safety for survivors, community responsibility for creating and enabling the conditions which permit violence to take place, and transformation of private and public gender relations. These experiences not only challenge the effectiveness of law enforcement-based responses to domestic and sexual violence against women, but serve as a basis for pursuing collaborations between antiviolence and anti-police brutality organizers to develop such community-based responses to violence against women which do not involve the criminal legal system.

Through such coalitions, all of our movements will be better able to integrate women of color's lived experiences into our organizing and advocacy strategies—after all, a woman's gender, race, immigration status, economic status, and gender identity can all converge in a single interaction with a law enforcement agent committing or responding to violence against a woman of color. Indeed, until the role of law enforcement agents in perpetrating and facilitating violence against women of color and their communities is examined and addressed, we cannot claim to be working toward safety for all women.

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Crime, Punishment, and Economic Violence

Patricia Allard

"Tough on crime" policies, particularly those associated with the "war on drugs," are the primary engines driving mass incarceration in the United States. The current preoccupation with punishment rather than prevention and rehabilitation has resulted in the increasing dehumanization of women, especially women of color, through arrest, prosecution, and incarceration without regard for the circumstances that lead to women's contact with the criminal punishment system. Adding insult to injury, following a criminal conviction, through post-conviction penalties, the state further strips women of access to the very antipoverty tools—housing, financial assistance, food stamps, and educational supports—they need to survive. Limited thought is given to the destabilizing impact that incarcerating and disenfranchising growing numbers of mothers, workers, sisters, students, grandmothers, taxpayers, survivors of violence, educators, and young and old women will have on our families and communities.

This essay examines the impact of three specific post-conviction penalties—the lifetime ban on receipt of welfare benefits, the federal ban on receipt of post-secondary financial aid, and the public housing ban—on women of color with drug convictions. The existence and persistence of these penalties is linked not only to an extension of criminal punishment beyond prison walls, but also to the state's interest in providing greater tax cuts to already wealthy Americans, and the consequent claimed need to cut social spending. The implementation of these penalties also reflect the Bush administration's commitment to increasing the role of faith-based communities in social reform, and to diverting funding from individual entitlements to marriage promotion and abstinence programs, advancing the latter as the solution to poverty in the United States. These punitive policies amount to economic violence against women, and disproportionately affect poor and low-income women of color.

The number of women in federal and state prisons has increased dramatically since the 1980s—there were 12,300 women behind bars in 1980, compared to over 105,000 in 2004.¹ The "war on drugs" is the most significant contributing factor to growth of the women's prison population in the United States. Latinas and African American women are most likely to be incarcerated for drug offenses: according to Bureau of Justice Statistics (BJS), in 1997, 44% of Latinas and 39% of African American women incarcerated in state prisons had been convicted of a drug offense, whereas only 23% of white women, 24% of Black men, 16% of Latinos, and 11% of white men were incarcerated for drug offenses.²

Women convicted of criminal offenses are further punished after serving their prison terms through a complex web of civil penalties. This essay addresses only three types of post-conviction penalties, but women leaving prison face many more statutorily imposed penalties. While employment and voting bias for people