ALABAMA: CHIKESIA CLEMONS (MOBILE) * JACQUELINE DIXON (SELMA) * MARSHAE JONES (BIRMINGHAM) *
ARIZONA: ADELAIDA REYNOSA * ERICA REYNOLDS (PHOENIX) * IESHA HARPER (PHOENIX) * MARIAH VALENZEULA
(PHOENIX) * MARISOL MENDOZA (ELOY DETENTION FACILITY) * CALIFORNIA: AMAYA* (CALIFORNIA DETENTION
CENTER) * ANGELICA GONZALEZ-GARCIA (NOW MASSACHUSETTS) * BETHANY NAVA (LOS ANGELES) * BRIANNA
BELL (LA MESA) * C.R. (CALIFORNIA BORDER) * DONISHA PRENDERGAST (RIALTO) * EMERALD BLACK (SAN
LEANDRO) * IRENE* (CALIFORNIA DETENTION CENTER) * JANE DOE * JANE DOES * JORDAN RODGERS (SAN
FRANCISCO) * KELLY FYFFE-MARSHALL (RIALTO) * MELYDA CORADO (LOS ANGELES) * MS L (CALIFORNIA BORDER)
* REBA PERRY-UFELE (LOS ANGELES) * TATIANA WALKER-MORRIS (LAX) * VANESSA MARQUEZ (SOUTH PASADENA) * COLORADO: DIANA SANCHEZ (DENVER) * CONNECTICUT: JANE DOE * LOLADE SIYONBOLA (NEW HAVEN) *
DISTRICT OF COLUMBIA: JANE DOES * FLORIDA: ARAMIS AYALA (ORLANDO) * JANASIA ROBINSON (PINELLAS

We <u>Still</u> Deserve Safety

RENEWING THE CALL TO END THE CRIMINALIZATION OF WOMEN AND GIRLS OF COLOR

SEPTEMBER 2020

eliminating racism empowering women

(NEW YORK) ◆ JAZMINE HEADY (NEW YORK) ◆ JENNIFER* (NEW YORK) ◆ LAYLEEN XTRAVAGANZA CUBILETTE-POLANCO (NEW YORK) ◆ MC (NEW YORK) ◆ RAQUEL* (NEW YORK) ◆ RAYHANAH ALHANAFI (NEW YORK) ◆ SANDRA GUARDIOLA (CANANDAIGUA) → TAMEIKA LOVELL (JFK) → YANG SONG (NEW YORK) → NORTH CAROLINA: ALYSIA STEVENSON → JAZMINE ABHULIMEN (WINSTON-SALEM) → MARIA* (MECKLENBURG COUNTY) → ROCKELL BALDWIN (WINSTON-SALEM) ◆ NORTH DAKOTA: LOLA MOORE (GRAND FORK) ◆ NORTHERN MARIANA ISLANDS: MIDORI NISHIDA → OHIO: ALEXIS MARTIN → BRESHA MEADOWS (CHAGRIN FALLS) → DONESHA GOWDY (CINCINNATI) → KASSANDRA JACKSON (CINCINNATI) → OKLAHOMA: DELANIE SEALS (BYNG) → IS'ABELLA MILLER (BYNG) ◆ OREGON: BIANCA AGUIRRE (PORTLAND) ◆ JATHINA CAMPOS (PORTLAND) ◆ TENNESSEE: CYNTOIA BROWN ◆ TEXAS: ATATIANA JEFFERSON (FORT WORTH) ◆ CLAUDIA PATRICIA GÓMEZ GÓNZALEZ (TEXAS BORDER) ◆ DIAMOND ROSS (DALLAS) ◆ GISELLE VASEQUEZ (HOUSTON) ◆ GRIZELDA HERNANDEZ (LAREDO) ◆ JANE DOE (BROWNSVILLE DETENTION CENTER) ◆ JANE DOE (HOUSTON DETENTION CENTER) ◆ JANE DOE (TEXAS BORDER) ◆ LAURA MONTERROSA (TEXAS DETENTION CENTER) ◆ MIRIAM (TEXAS DETENTION CENTER) ◆ PAMELA TURNER (HOUSTON) ◆ PATRICIA SPIVEY (HARRIS COUNTY) ◆ SARENEKA MARTIN (AUSTIN) ◆ SOPHIA CASIAS (SAN ANTO-NIO) ◆ TANIA (TEXAS BORDER) ◆ VIRGINIA: ABRAR OMEISH (FAIRFAX) ◆ RASHELE LEE (ROANOKE) ◆ WASHINGTON: JANE DOE (GRANT COUNTY) → RENEE DAVIS (KING COUNTY) → TIFFANY EUBANKS (YAKIMA) → WISCONSIN: **CHRYSTUL KIZER** (KENOSHA)

WARNING:

This report contains descriptions of violence against women and girls of color.

ABOUT YWCA

YWCA USA is on a mission to eliminate racism, empower women, stand up for social justice, help families, and strengthen communities. We are one of the oldest and largest women's organizations in the nation, serving over 2 million women, girls, and their families. YWCA has been at the forefront of the most pressing social movements for more than 160 years — from voting rights to civil rights, from affordable housing to pay equity, from violence prevention to health care reform. Today, we combine programming and advocacy in order to generate institutional change in three key areas: racial justice and civil rights, empowerment and economic advancement of women and girls, and health and safety of women and girls.

YWCA'S RACIAL JUSTICE HISTORY

Throughout our history, the women of YWCA have worked to build an inclusive organization and to pursue racial equity in our movement and in our world. What began as a focus on "race relations" and "interracial education" started to move towards a new focus on eliminating institutional policies and practices that produce and maintain racial disparities between 1946 and 1970. Our work as part of a national movement to address the institutional dimensions of racism was further solidified in 1991 by the video recording of Rodney King being beaten by police in Los Angeles, the subsequent nonconviction of the officers involved in the incident, and the protests that followed. In the wake of the King case, YWCA USA began public policy advocacy on racial profiling. In 1992, we proclaimed the last Thursday in April to be the YWCA USA National Day of Commitment to Eliminate Racism, an organizing focal point that helped YWCA local associations integrate racial justice into their work. And in 2015 "Stand Against Racism" became a signature campaign for YWCA USA.

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INTRODUCTION

Police killings of Black people and the ensuing nation-wide protests that swept across the United States during the spring and summer months of 2020 are certain to be recorded as defining elements of an unprecedented year. Like Tamir Rice, Eric Garner, and so many others before them, the names of the people of color killed by police in 2020 are now seared into our national consciousness: George Floyd. Rayshard Brooks. Tony McDade. Breonna Taylor. Their deaths unleashed a national fury and ignited a long overdue reckoning with racial violence by police against people of color.

But as so often happens, women and girls of color are again being left out of the story. Their experiences? Overlooked and erased by a media and policy narrative that overwhelmingly focuses on men and boys of color.

Alarmed by the gendered narrative that has emerged, YWCA undertook a media review for the years 2017-2020 and examined the extent to which women and girls of color continue to be criminalized and racially profiled by law enforcement. Three years after first issuing We Deserve Safety: Ending the Criminalization of Women and Girls of Color, YWCA's 2020 review paints a disturbing picture of the gendered racial profiling and criminalization that girls and women of color continue to experience, including:

- Alarming incidents of police violence and excessive use of force against women of color including pinning women down by kneeling on or pressing a baton on their necks—leading to physical injuries and death
- Arrests and physical restraint of girls of color as young as six years of age, and shocking
 incidents of physical violence by school resource officers against girls of color in school
 settings
- Violent treatment of pregnant women of color and mothers by law enforcement agents, and state punishment of women of color who exercise self-defense against gender-based violence
- Continued use of racial profiling, invasive body searches, and sexual violence against women of color, with profoundly harmful impacts to their physical and emotional health
- Heightened criminalization and mistreatment of migrant women of color seeking entry to the United States, particularly at the U.S. border with Mexico

What follows is page after page of documented incidents in which women and girls of color have experienced violence, racial profiling, and criminalization at the hands of police, immigration enforcement, and other state actors. In highlighting 110 incidents that occurred during a three-year span of time across 29 states, the District of Columbia, and the Northern Mariana Islands, this report identifies patterns of police conduct and state action that criminalize and harm women and girls of color, and points to a crisis for women and girls of color that is truly national in scale.

The traumatic and cumulative impact of this report is deeply disturbing—all the more so because policy solutions exist that can keep communities safe without sacrificing justice and safety for women and girls of color. It is imperative that reform efforts recognize and address the racialized violence that women and girls of color continue to experience at the hands of police and other state actors. This requires all of us—advocates, policymakers, media, and community members—to expand gendered narratives about police violence and to implement policy solutions that are responsive to the experiences and concerns of women and girls of color.

FINDINGS FROM WE DESERVE SAFETY (2017)

- Women of color were stopped more frequently and received higher rates of adverse outcomes during traffic stops, at airport security, and by immigration enforcement
- Their pregnancies and mothering choices were more severely scrutinized and often criminalized
- Black women were labeled as sex workers for engaging in behaviors as innocuous as having a drink with friends
- Women of color were subjected to invasive body searches, as well as rape and sexual assault by law enforcement
- Women of color were disproportionately represented in the criminal justice system.
- Excessive force was used more frequently against all women and girls of color, including Arab, Muslim, Sikh, and South Asian women, as well as lesbian, bisexual, transgender, and gender-nonconforming women of color
- Girls of color experienced disparate rates of school discipline as well as disparate rates
 of contact with, and deeper levels of involvement in, the juvenile justice system
- Black women were more likely than women of any other race to be killed by law
 enforcement, notably when they were suffering from a mental health crisis, when they
 requested help as domestic violence survivors, and even when they were no more than
 bystanders to police action

METHODOLOGY

During June and July 2020, YWCA USA conducted a media and literature review to identify incidents of violence against and criminalization of women and girls of color in the United States at the hands of state actors that occurred between September 2017 and July 2020. This report is not intended to provide a comprehensive inventory of this violence, but rather to provide illustrative examples.

Because the experiences of girls and women of color are so often overlooked in formal research settings, we reference news articles and media accounts to illustrate their experiences. Where publicly available we include names to ensure that the stories and experiences of women and girls of color are humanized and not forgotten; names noted with an asterisk indicate that a pseudonym has been used to protect the girl or woman's privacy. All women and girls noted in this report are of color, and where possible, their race or ethnicity is specified. Where available, we also reference studies and reports that document patterns, trends, and statistical comparisons between racial and ethnic groups. This information has been documented using federal, state, local, and occasionally nonprofit data sources, from no earlier than 2015.

With few exceptions, our research focused on cases of state violence against women of color that have occurred, or been made public, since the first *We Deserve Safety* report was published in September 2017. We reviewed and analyzed stories produced and shared online across the United States by traditional print journalism (e.g. *Washington Post*, *USA Today*), online journalism (e.g. *Politico*, *Vox*, *Gothamist*, *HuffPost Politics*) and television (e.g. *CBS*, *NBC*, *Fox*) to identify credible reports of women and girls of color suffering violence at the hands of state actors.

RECOMMENDATIONS

This report details profoundly disturbing experiences of violence, death, racial profiling, harassment, and criminalization that women and girls of color routinely experience. It is imperative that **POLICYMAKERS** at all levels, **MEDIA**, **ADVOCATES**, and **COMMUNITY MEMBERS** implement the following recommendations to advance racial justice and safety measures that protect women and girls of color from harm by law enforcement, school resource officers, immigration authorities, and other state actors.

1. Expand gendered narratives to ensure that the experiences of women and girls of color are known and addressed

- Raise awareness of the need to address police violence against women and girls of color by convening community forums and by participating in YWCA's <u>Until Justice Just Is</u> campaign and the African American Policy Forum's <u>#SayHerName</u> campaign
- Ensure that local and national news coverage includes stories like those detailed in this report
 and highlights the myriad ways in which women and girls of color are uniquely harmed by
 police practices, by disparities in incarceration and school discipline, and by the continuing
 criminalization and policing of their lives
- Convene public hearings to formally investigate and document incidents of police violence, harassment, and excessive force against women and girls of color
- In all efforts to raise awareness, seek out and amplify the voices of women and girls of color who are directly impacted by police violence, as well as advocates and academics who are well-versed in these areas

2. Declare racism and police violence a public health crisis

- Pass ordinances, resolutions, or other enforceable mechanisms that direct relevant agencies
 to develop and implement policies that reduce racial disparities in healthcare, criminal
 justice, nutrition, housing, economic opportunity, business ownership, transportation,
 education, and safe places to be active
- Engage community members—particularly women and girls of color who have experienced incidents like those described in this report—in developing a comprehensive response to racism and police violence in their communities

- Enact policies and standards to engage social service, behavioral health, and other professionals as first responders for mental health crises, wellness checks, and when deescalation is needed
- Increase resources for trauma-informed care, mental and behavioral health services, school counselors, and other interventions, services, and systems that promote social determinants of health

3. Enact and enforce legislation, policies, and standards of conduct to end police violence, use of force, and abuse of women and girls of color

- Prohibit the use of force unless necessary as a last resort after exhausting reasonable options
- Strictly ban the use of force against pregnant persons
- Prohibit the use of restraints on detained and incarcerated women during pregnancy, labor, and postpartum recovery
- Prohibit the arrest or use of handcuffs, zip-ties, or other restraint devices on young children, and the use of physically painful restraining techniques and excessive force (such as chokeholds, neck holds, kneeling on, dragging, or slamming into a wall or floor) against children of any age
- Prohibit the use of any maneuvers that restrict the flow of blood or oxygen to the brain, including neck holds, chokeholds, or other physical restraint, and any pressure to a person's throat or windpipe that can hinder or prevent breathing or reduce air intake
- Prohibit the use of force as a punitive measure or means of retaliation, particularly during purely verbal confrontations
- Prohibit profiling on the basis of race, gender, ethnicity, religion, national origin, disability, sexual orientation, or gender identity
- Ban law enforcement officers from groping or searching people to identify anatomical features as a means of assigning gender, and require officers to respect gender identity and expression in all police interactions
- Criminalize the false reporting of a crime in order to intimidate or harass a person because of their race or ethnicity

4. Eliminate violence, abuse, and neglect of migrant women and girls by immigration authorities

- Strengthen standards to protect the health and safety of migrant women and girls from neglect, sexual abuse, and other violence while held in immigration custody or detention facilities
- Immediately end "zero tolerance" and family separation policies, and reunify migrant families
- Invest in a comprehensive treatment plan to address the long-term negative impacts of trauma and harm caused to children and families by the ongoing family separation policies and by immigration and detention practices
- Preserve the status of courthouses as locations protected from immigration enforcement, particularly for immigrants appearing in connection with cases related to gender-based violence

5. Increase accountability and transparency through independent investigation, training, and data collection

- Establish an affirmative duty to accurately report all uses of force and to intervene when an officer witnesses the use of unnecessary or excessive force by other officers
- Create and maintain a national, publicly-available police misconduct database that would cover all law enforcement agencies in the United States and its territories
- Use established disciplinary procedures to hold law enforcement accountable for sexual harassment, sexual assault, and interpersonal violence
- Ensure police shootings, incidents of sexual violence, and other uses of force against women and girls of color are independently investigated and that all investigation results are made publicly available
- Establish comprehensive national standards for mandatory training of all law enforcement, school resource officers, and immigration agents. Training should include evidence-based curriculum to address:
 - Guidelines on use of force
 - Intervening to stop excessive force, harassment, sexual violence, and other violations of standards, laws, and policies by law enforcement officers

- De-escalation techniques, mental illness, and sexual trauma
- o Anti-racism, implicit bias, procedural justice, and systemic racism
- Gender-responsive, culturally-responsive, trauma-informed, age-appropriate, developmentally-appropriate, and disability-appropriate approaches when interacting with community members, particularly those who may be in crisis
- Require comprehensive, publicly-available data collection by justice, immigration, health
 and human services, and education agencies on key indicators of police violence,
 criminalization, and racial profiling
 - All data should be disaggregated by race, ethnicity, age, and gender
 - Key indicators should include: deaths in custody, stops, searches, arrests, harassment, sexual violence, and use of force by law enforcement, immigration officers, and school safety officers

Additional policy recommendations can be found in *Advancing Justice*, *Safety*, & *Accountability* (2020), Civil Rights Coalition Letter on Federal Policing Priorities, ² Civil Rights Principles for Safe, Healthy, and Inclusive School Climates, ³ Families Belong Together and Free, ⁴ and *We Deserve Safety*. ⁵

WOMEN'S STORIES

DEATHS CAUSED BY POLICE

POLICE SHOOTINGS

Between January 1, 2015 and June 20, 2020, there have been 238 fatal shootings of women by police. Overall, Black people are fatally shot at more than twice the rate of white people, and though Black women and girls represent only 13% of the U.S. population, 19% (47) of those shot by the police during that time period were Black women. Further, Black women specifically are 1.4 times more likely than white women to be killed by police using fatal force, and are 1.2 to 2.7 times more likely to have a fatal encounter.

As harrowing as these statistics are, the risk of being the victim of a fatal police encounter is even higher for American Indian/Alaska Native women. In fact, American Indian/Alaska Native women are 1.1 to 2.1 times more likely to be killed by police using fatal force than white women, and they have more than 3 times the number of fatal encounters with law enforcement as white women¹¹ Unfortunately, despite the knowledge that these harms are occurring, media reports of police violence against Native women are scarce, leaving many untold stories.

Women and girls of color are particularly vulnerable to being harmed or killed as a result of police shootings in three notable contexts: when police are summoned as first responders during mental health crises, when police conduct wellness checks, and when women of color are bystanders to police action.

Mental Health Crisis

As we noted in our 2017 report, women of color experiencing mental health crises are at significant risk when police officers are called on to be the first and often only responders.

TEXAS: Pamela Turner, a 44-year-old Black woman in a schizophrenic crisis, was fatally shot by a Houston officer at her apartment complex during an attempted arrest in May 2019.¹²

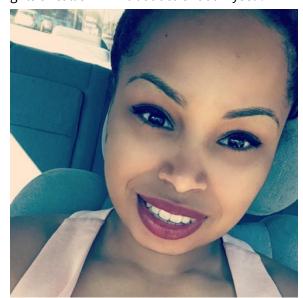
SOUTH CAROLINA: Darlington County Police shot and killed 47-year old **April Webster**, a Black woman who suffered from bipolar disorder and schizophrenia, when they responded to a call from April's wife that they were threatening to harm themselves in December 2018. Police had assured April's wife that they would use non-lethal force to control the situation.¹³

GEORGIA: In May 2018, Somali-American Shukri Said was fatally shot by Atlanta officers during a schizophrenic crisis episode during which she was hearing voices; her sister made it clear to 911 that Shukri was mentally ill.¹⁴



SHUKRI SAID. PHOTO CREDIT FAMILY | BBC

washington: In October 2016, Renee Davis, a depressed and suicidal young Native American woman, was fatally shot by King County officers when she failed to drop a weapon. Renee's boyfriend had called the police for a welfare check after the pregnant mother of three texted him to, "come get the girls or call 911 I'm about to shoot myself." ¹⁵



RENEE DAVIS.
PHOTO CREDIT FACEBOOK

Wellness Checks

While Black women and other women of color experience higher rates of use of force when they interact with law enforcement in their communities, they also face these risks inside their own homes. For instance, law enforcement officers are often called by family, friends, and coworkers to conduct "wellness checks" on their loved ones. However, it has become increasingly apparent that law enforcement officers are not properly trained to deal with the myriad of reasons welfare checks are requested. Notably, the examples highlighted here indicate that women of color who have disabilities or mental health issues

may be particularly vulnerable to police violence during welfare checks, where escalation of issues can lead to fatal results.

TEXAS: Twenty-eight year-old **Atatiana**

Jefferson was fatally shot by a Fort Worth police officer through her back window in October 2019 when a neighbor called in a welfare check request after



ATATIANA JEFFERSON. PHOTO CREDIT FAMILY

he noticed the front door was open. Atatiana was playing video games with her 8-year-old nephew when she heard noises coming from the backyard and retrieved her lawfully registered handgun for protection. The officer has since been indicted on murder charges.¹⁶

CALIFORNIA: In August 2018, South Pasadena police shot and killed Latina <u>Vanessa Marquez</u> during a welfare check after she pointed a BB gun at officers during the course of their conversations. Vanessa had experienced a seizure when officers arrived.¹⁷

NEW YORK: <u>Sandra Guardiola</u> was killed by an Canandaigua police officer in October 2017 when her workplace called to request a welfare check after she failed to show up for work. The officer fired several fatal shots when Sandra reached for her gun, startled that he was in her room.¹⁸

Bystanders to Targets of Police Action

Black women and other women of color continue to be killed even when they are not the targets of police action. They risk being harmed by indiscriminate fatal force simply by being in proximity to police targets.

NORTH DAKOTA: In May 2020 sixty-one year old **Lola Moore** was killed in her apartment by gunfire exchanged between Grand Fork's officers and her son as the officers attempted to evict Lola and her son from the apartment. 19



BREONNA TAYLOR. PHOTO CREDIT FACEBOOK KENTUCKY: In March 2020 Breonna Taylor was killed when Louisville police fired 20 bullets into her home when executing a "no-knock" warrant, searching for two people who were already in custody. The Louisville Metro Council has since passed a law banning no-knock warrants, named "Breonna's Law." As of August 2020, no officers have been charged in her death.20

CALIFORNIA: A Los Angeles Police Department officer shot and killed Melyda Corado, a 27year-old Latinx woman, in July 2018 when police exchanged fire with a man near the Trader Joe's where she worked as a manager.²¹

GEORGIA: Cynthia Fields, a 60-year-old Black grandmother, was resting at home in July 2018 when she was fatally shot by a stray bullet fired by Savannah police during a shootout elsewhere on the street between officers and her grandson.²²

DEATHS IN CUSTODY

As documented in our 2017 report, Black women continue to die in high numbers while in police custody as a result of neglect, denial of medical care, and use of force.

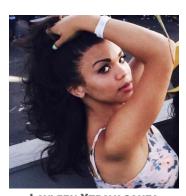
WASHINGTON: In June 2020, Tiffany Eubanks, a 33-year-old Black woman, died of cardiac arrest after experiencing a medical crisis in the back of a patrol car. In violation of department policy, Yakima officers had placed her in their car for transport instead of riding with her in an ambulance to the hospital for medical treatment. The coroner has theorized Tiffany was experiencing "excited delirium," a condition the department's use of force policy considers a medical emergency.²³

Twenty-eight year old **Layleen Xtravaganza Cubilette-**Polanco, an Afro-Latinx trans woman, died

YORK:

NEW

after experiencing an epileptic seizure



LAYLEEN XTRAVAGANZA **CUBILETTE-POLANCO. PHOTO CREDIT INSTAGRAM** while detained at Rikers Island in June 2020. After returning from Elmhurst Hospital's psychiatric ward, officials placed Layleen in

solitary confinement, failed to check on her for long periods of time, and failed to inform the guards who were checking on her that she suffered from a seizure disorder.²⁴

TEXAS: Thirty-four-year-old <u>Diamond Ross</u>, a Black woman, died in custody after Dallas police refused to provide care when she was arrested for outstanding warrants in November 2019. Diamond requested water while in the patrol car and complained that she could not breathe. She was unresponsive when she arrived at the detention center and was unable to be revived by CPR.²⁵

DEATHS CAUSED BY POLICE PURSUIT

Police pursuits across the nation often result in fatalities, and data from across the U.S. that Black indicates people are disproportionately impacted.²⁶ Between 1999 and 2018, all but nine states showed high rates of racial disparities in fatal police chases.²⁷ In fact, Black people are three times more likely to be killed during police pursuits than white people.²⁸ Further, fatal police pursuits of Black drivers were twice as likely as those of white drivers to start over minor offenses or nonviolent crimes; for instance a review of more than 5,300 fatal pursuits found that nearly every deadly pursuit in 2013 and 2104 started by an illegally tinted window, a seat-belt violation, or the smell of marijuana involved a Black driver.²⁹ Finally, Black people are also more likely to be the victim of police chases when they are mere bystanders to police pursuits, as police are more likely to chase Black people in crowded urban areas, during peak traffic hours, and when they have passengers in their cars; police pursuits of Black drivers were approximately 70% more likely to result in the death of an innocent bystander.³⁰

GEORGIA: Fourteen-year-old Shakayla Hill, a young Black girl, died in February 2020 when she was thrown from the car her fifteen-year-old friend was driving during an accident. A Macon Police Department deputy had previously stopped the teens for running a red light and initiated a chase when the teens left the stop prematurely.³¹

ILLINOIS: Mignonne Robinson, a Black woman, was killed in February 2020 when the car she was driving was struck by another vehicle. Chicago police had initiated a chase when the other driver refused to pull over for a traffic violation.³²

MISSOURI: Twelve-year-old <u>Akeelah Jackson</u>, a young Black girl, died in November 2019, one month after sustaining severe injuries when a



AKEELAH JACKSON. PHOTO CREDIT FAMILY

St. Louis police officer struck her with his patrol car as she stepped off of a sidewalk. The officer was pursuing another vehicle when he hit Akeelah, chasing the other driver at speeds of up to 59mph in a 30mph zone, without using lights or sirens.³³

VIRGINIA: A twenty-three-year-old Black woman, **Rashele Lee**, died in May 2019 when the car she was driving struck a telephone poll during a police chase. Roanoke officers had pulled Rashele over for running a red light and initiated the chase when Rashele prematurely left the traffic stop.³⁴

LAW ENFORCEMENT INTIMATE PARTNER HOMICIDE

Law enforcement-involved intimate partner violence is a national problem, with law enforcement families having higher rates of domestic violence than non-law enforcement families. In fact, some reports have shown that up to 40% of law enforcement families experience domestic violence compared to only 10% of families overall.35 Another study of older, more experienced police officers showed a domestic violence rate of 24%-2.5x higher than non-law enforcement families. Though these studies are dated, a more recent review by Professor Leigh Goodmark uncovered 102 incidents of intimate partner violence perpetrated by police between 2013 and 2015.³⁶ While not all partners of law enforcement officers are Black, many instances of intimate partner violence against Black partners can be found in news reports.37

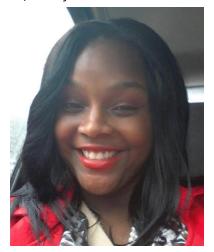
Unfortunately, this violence often turns deadly. According to data from the Centers for Disease

Control and Prevention (CDC), "homicide is one of the leading causes of death for women aged 44 years old and younger." In 2015, homicide caused the death of 3,519 girls and women in the United States, and nearly half of victims were killed by a current or former male intimate partner. Finally, rates of female homicide vary significantly by race/ethnicity, with Black and American Indian/Alaska Native women experiencing the highest rates of homicide (4.4 and 4.3 per 100,000 population, compared to 1.5 per 100,000 for white women).

TEXAS: A Harris County sheriff shot and killed his wife, <u>Patricia Spivey</u>, a 52-year-old Black woman, during an argument over his alleged steroid use in July 2019. Though the sheriff alleged to police the couple had been tussling with the gun and that he had accidentally shot Patricia, he has since been charged with her murder.⁴¹

MISSISSIPPI: In May 2019, <u>Dominique</u> <u>Lashelle Clayton</u>, a 32-year-old Black mother

of four, was murdered by her boyfriend, an Oxford police officer. The officer was overly possessive of Dominique and had been stalking her when he went to her



DOMINIQUE LASHELLE CLAYTON.
PHOTO CREDIT FACEBOOK

house one night and shot her in the back of the head. He has since been charged with her murder.⁴²

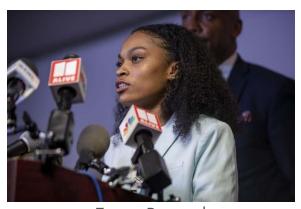
MARYLAND: A U.S. Park Police officer shot and killed his wife, **Brenda Jenette Harrison-Bumbray**, a 50-year-old Black woman, after an argument in April 2018 in an apparent murder-suicide. The officer used his department-issued firearm. 43



GRIZELDA AND ALEXANDER
HERNANDEZ. PHOTO CREDIT
FACEBOOK

TEXAS: Twenty-seven-year-old
Latina Grizelda
Hernandez and
her one-yearold son
Dominick
Alexander
Hernandez were
murdered in
Laredo in April
2018 when a
CBP supervisory

agent with whom she had a romantic relationship⁴⁴ repeatedly stabbed Grizelda and slashed Dominick's throat before stabbing him in the chest. ⁴⁵ The agent is currently facing capital murder charges in their deaths. ⁴⁶



TANIYAH PILGRIM. |
PHOTO CREDIT ALYSSA POINTER | ATLANTA
JOURNAL-CONSTITUTION VIA AP

USE OF FORCE AGAINST WOMEN OF COLOR

USE OF FORCE AGAINST BLACK WOMEN

Police violence and the use of force is a growing issue for women. The use or threat of force⁴⁷ for women overall has more than quadrupled since 1999,⁴⁸ when women made up approximately 13% of the 422,000 people who experienced the use of force during a police encounter.⁴⁹ While women made up almost double that in 2015—at 25% of all people experiencing force⁵⁰—the total number of women who experienced use of force increased 353% between 1999 and 2015, from 55,181 to 250,200.⁵¹

Of particular concern, use of force rates are notably different for Black women than for white women. According to the Survey of Police Public Encounters, Black women experience higher rates of all forms of police violence than white women: physical (6.3% vs. 1.3%), sexual (6.9% vs. 1.1%), psychological (20.6% vs. 12.1%), and neglectful (29.4% vs. 12.3%).⁵² The most recent data from the Bureau of Justice also indicates that police officers use force during police-initiated stops against Black women far more than they do against women of any other race, and that Black women are subject to force 3 times as often as white women.⁵³

GEORGIA: In May 2020, six Atlanta Police Department officers forcefully pulled **Taniyah Pilgrim** and her boyfriend, both young Black college students, from their car while they were stopped during traffic on their way home from

picking up food. The officers smashed the driver's side window and deployed stun guns before dragging the pair from the car.⁵⁴

INDIANA: Ivore Westfield, a Black woman, was walking home from a May 2020 protest against the police killing of George Floyd when Indianapolis officers beat her repeatedly with batons, shot her with pepper balls at close range, and held her to the pavement with a baton pressed against her neck. Ivore had initially pulled away from one officer who groped her breast while restraining her. 55

ILLINOIS: During the May 2020 protests against the police killing of George Floyd, Chicago police officers dragged Mia Wright, a 25-year-old Black woman, out of her car by the hair, threw her to the ground, and pinned her by pressing a knee into her neck, reminiscent of George Floyd's death. Mia had been running errands for a birthday celebration.⁵⁶

NEW YORK: While waiting for an appointment at the New York City Human Resources Administration (HRA) in December 2018, NYPD



JAZMINE HEADY. PHOTO CREDIT SARA NAOMI LEWKOWICZ | NYTIMES

officers violently threw **Jazmine** Heady, a 22year-old Black mother, to the floor while holding her one year old son. The NYPD officers pointed

taser inches from her face, yanked her child from her arms, and arrested her for sitting on the floor of the HRA to wait for her number to be called because no chairs were available at the agency. She was charged with trespass, resisting arrest, and endangering the welfare of a child; all charges were later dismissed.⁵⁷



KASSANDRA JACKSON. PHOTO CREDIT KASSANDRA JACKSON

OHIO: When a
28-year-old
Black woman,
Kassandra
Jackson,
became upset
in September
2018 that
Hamilton
County court
staff would not
let her file for a
protection

order against an abusive partner, a magistrate in a different courtroom chased her down a hallway as she left, grabbed her, and forcibly led her to his courtroom, where he pushed her into a seat into the jury box. When Jackson attempted to leave, the magistrates' two deputies violently arrested her for contempt of court, dragged her down hallways, and restrained her to a chair. The presiding judge later cleared her of all charges.⁵⁸

ALABAMA: In April 2018, <u>Chikesia Clemons</u> was dragged from her chair to the floor of a Waffle House by three Mobile officers after she questioned a waitress who charged her for plastic utensils and requested the corporate contact information for the restaurant chain. During her arrest, Chikesia's top was pulled down, exposing her breasts.⁵⁹

USE OF FORCE AGAINST LATINX, ARAB, MUSLIM, SIKH, AND SOUTH ASIAN WOMEN

As noted in our 2017 report, Latinx, Arab, Muslim, Sikh, and South Asian Women also experience high use of force rates at the hands of law enforcement.

ARIZONA: During a traffic stop in July 2020, Phoenix police threw 23-year-old Latina Mariah Valenzuela to the ground 20 seconds after pulling her over and slammed her against a car, causing bruises and cuts to her face, hands, and knees. During the attack, the officer went so far as to ask Ms. Valenzuela, "Why don't you act like a lady?". ⁶⁰

NEW YORK: A Black Muslim woman, <u>Rayhanah</u> <u>Alhanafi</u>, suffered a neck fracture in July 2019 during a traffic stop in New York City when officers grabbed her, threw her to the ground, and put their knees on her back and their hands around her throat. Rayhanah's request that she only be touched by female officers due to her religious beliefs was ignored. ⁶¹



RAYHANAH ALHANAFI.
PHOTO CREDIT NOAH MANSKAR | PATCH

VIRGINIA: In March 2019, <u>Abrar Omeish</u>, a Muslim woman running for a school board seat in Fairfax was pepper-sprayed by an officer and dragged out of her car, hitting her head and suffering a concussion, during a traffic stop for running a red light. ⁶²

CALIFORNIA: Bethany Nava, a young Latinx woman, was arrested for being loud and boisterous on the Los Angeles Metro in January of 2018. LAPD officers roughly dragged Bethany off of a subway car for refusing to remove her feet from a seat.⁶³

OREGON: In 2017 and 2018, two Latinx women experienced excessive force at the hands of the Port of Portland Police. **Blanca Aguirre** was attempting to confirm her reservation at the

airport hotel in October 2017 when police arrived and tackled her to the ground. She was arrested on of charges harassment and interfering with a peace officer; however, the



JATHINA CAMPOS.
PHOTO CREDIT FACEBOOK

former charge was never filed and the latter was dismissed. ⁶⁴ In February 2018, **Jathina Campos** suffered a black eye, a chipped tooth, and bruises when police tackled her and placed her in a hobble hold (tying her wrists to her ankles behind her back with a cord) when they suspected her of being under the influence of alcohol. ⁶⁵

Use of Force Against Pregnant Women of Color

In 2017, a survey of police departments around the country found that a majority failed to have *any* policies on the use of force against pregnant women. ⁶⁶ Without policy guidance, pregnant women of color continue to be subjected to excessive force at the hands of police, including: the use of tasers and stun guns; denials of medical care that result in women giving birth alone in jail cells; the use of rubber bullets against pregnant protesters; and violent arrests of pregnant women, sometimes in front of their children, and sometimes with enough severity to result in miscarriages.

TEXAS: While five months pregnant, 24-year-old Black woman <u>Saraneka Martin</u> was attending a May 2020 protest against police violence to highlight the lack of care she had received during her prior pregnancies as a Black woman. During the protest, Austin police fired rubber bullets, hitting her in the stomach and the back of the head.⁶⁷



SARANEKA MARTIN.
PHOTO CREDIT MICHAEL MINASI | KUT

CALIFORNIA: During a traffic stop for expired tags in 2019, San Leandro officers pulled a visibly pregnant Black woman, **Emerald Black**,

from her car, piled on top of her, and stomped on her stomach, leaving a shoe print and causing her to miscarry.⁶⁸



IESHA HARPER.
PHOTO CREDIT ROSS. D. FRANKLIN | AP

ARIZONA: After <u>lesha Harper</u>'s 4-year old child accidentally took a doll without paying for it from Family Dollar in October 2019, two Phoenix officers pointed their guns at the visibly pregnant 24-year-old Black woman and her 1-year old and 4-year old children, grabbed lesha and her baby around their necks, and tried to take the baby out of her mother's hands. Once lesha had handed her children to a bystander, the officer threw her face-first into a car and handcuffed her.⁶⁹

MISSISSIPPI: A Pass Christian police officer repeatedly tased <u>Aviana White</u>, a 27-year-old Black woman, in September 2017 even though she begged him to not do so because she was pregnant. Aviana's brother had been pulled over for speeding.⁷⁰

Shackling and Inadequate Medical Care During Pregnancy and Childbirth

Approximately 85% of incarcerated women are of reproductive age, 71 and 1,400 are expected to give birth while incarcerated each year, 72 making the conditions of their pregnancy, birth, and postpartum experiences of utmost importance. Unfortunately, the practice of

shackling prisoners during pregnancy and birth remains routine around the nation, risking harm to both pregnant women and their pregnancies and making it much more difficult to examine or treat them.

A patchwork approach to pregnancy care for incarcerated women in state prison systems and local jails has led to severe consequences for pregnant women in police custody, largely women of color.

COLORADO: In July 2018, 25-year-old Latina **Diana Sanchez** was forced to give birth to her son alone in her cell when Denver County Jail staff refused to offer her any assistance despite her pleas for help during the five hours she was in labor.⁷⁹

FLORIDA: In June 2018, Kirenda Welch, a pregnant Black woman, was arrested after making an illegal turn on a suspended license. After arriving at the jail, officers placed



KIRENDA WELCH. PHOTO CREDIT KIRENDA WELCH

Kirenda in four-point shackles, called, "Kunte Kinte," pepper sprayed, and punched repeatedly in the face and stomach by a Jacksonville police officer.⁸⁰

NEW YORK: At more than 40 weeks pregnant in February of 2018, <u>Jane Doe</u>, a 27-year-old Black woman, was arrested and placed in metal wrist cuffs and leg shackles by the NYPD for a nonviolent misdemeanor. Her restraints were removed only minutes before she gave birth and she was shackled again shortly afterward,

requiring her to feed her newborn daughter with one arm chained and her legs in shackles. She remained shackled until her arraignment in the hospital bed hours later.⁸¹

Racial Disparities in Incarceration Rates

More than 231,000 women are currently incarcerated in the United States in federal and state prisons and local jails, and that number is increasing;73 between 1980 and 2019, the number of incarcerated women grew by more than 775%, from 26,378 in 1980 to 231,000 in 2019.74 The majority of these women are women of color. In fact, even though the rate of imprisonment in state and federal prisons for Black women declined by 55% between 2000 and 2017, Black women were still imprisoned in 2017 at almost twice the rate of white women (92 vs. 49 per 100,000), while Latinx women were imprisoned at 1.5 times the rate of white women (66 vs. 49 per 100,000).75 Only 39% of women in the U.S. identify as women of color, but women of color make up 47% of the prison population. 76 This disparity is largely caused by Black women's overrepresentation among prison populations—only 13.7% of the U.S. female population identifies as Black, but Black women make up 39% of women imprisoned.⁷⁷ Further, Black women are more than 100% more likely to be in prison than white women, and Latinx women are 69% more likely to be imprisoned.⁷⁸

NEW YORK: A 22-year-old **Black woman** was forced to give birth with one arm and leg shackled to a hospital bed after being arrested on a minor assault charge in December of 2018. After her son was born, she struggled to feed him with one arm shackled, and she was not permitted to see him in the neonatal intensive care unit until officers shackled her legs together.⁸²

TEXAS: In March 2017, <u>Sophia Casias</u>, a young Latinx woman, was jailed in San Antonio for shoplifting while seven months pregnant. When Sophia lost her balance and fell after being placed in hand and leg irons, a guard grabbed her by the hair to make her stand, screaming, "'Bitch, get up. That is what happens when you are a fucking junkie. You shouldn't be using drugs or you wouldn't be in here.'"⁸³

USE OF FORCE AGAINST LESBIAN, BISEXUAL, TRANSGENDER, AND GENDER NON-CONFORMING WOMEN OF COLOR

Lesbian, bisexual, transgender, and gender non-conforming women continue to be at a heightened risk of racial profiling, sexual harassment and sexual violence in their interactions with law enforcement, particularly when they are also women of color.

KANSAS: Two Kansas City police officers slammed Breona Hill's face against a sidewalk multiple times; kneed her in the face, torso, and ribs; and forced her arms over her head while she was handcuffed after she and a store owner both called 911 over the young Black trans woman's dispute with a third party.⁸⁴



BREONNA HILL. PHOTO CREDIT FACEBOOK

NEW MEXICO: When <u>Jackson Howe</u> was booked on a trespassing charge in February of 2019, an Albuquerque police officer instructed fellow officers not to turn on their lapel cameras and slammed Jackson face-first into a wall after she was handcuffed.⁸⁵

Sex Work and the Profiling of Trans Women of Color

As noted in our 2017 report, it is not uncommon for police to racially profile women of color, including transgender women of color, as engaging in sex work when they are actually engaging in ordinary behavior. An overwhelming 80% of trans women of color reported having been approached or stopped by the Atlanta police in 2016; of those, nearly half (46%) said that police assumed they were sex workers.⁸⁶

Recent data confirms that trans women of color continue to face frequent profiling as sex workers. According to the National Transgender Survey, transgender Black (33%), multiracial (30%), Latinx (25%), Native American (20%), and Asian (20%) women who interacted with law enforcement who knew or suspected they were transgender also assumed

they were sex workers.⁸⁷ In addition, while 3% of transgender individuals reported that they interacted with police while engaged in sex work or when officers thought they were engaged in sex work, transgender women of color—including Black (15%), Middle Eastern (13%), American Indian (12%), multiracial (8%), and Latinx (7%) women —were more likely than other transgender individuals to interact with police who *assumed* they were engaged in sex work.⁸⁸

Further, nearly nine in 10 respondents who interacted with the police either while engaging in sex work or suspected of engaging in sex work, reported being harassed, attacked, sexually assaulted, or mistreated in some other way by police.89 This includes almost threequarters (74%) of trans women who reported that police referred to them as the wrong gender, nearly two-thirds (65%) who were verbally harassed by police, and 27% who reported that they were sexually assaulted by an officer, including being fondled, raped, or experiencing another form of sexual assault. 90 While 32% of respondents indicated that one or more interactions with law enforcement led to an arrest, Black respondents (50%) and trans women (40%) were more likely to report that their interactions with police led to arrest. 91

ILLINOIS: In March 2019, a Chicago officer threatened to arrest a <u>Black trans woman</u> sex worker unless she performed oral sex on him, stating, "that's what you do." The officer forced the woman into the front seat of his patrol car, telling her, "I can make you one of my regulars." ⁹²

DC/MARYLAND: In November 2018, multiple Black transgender sex workers alleged that a DC police Lieutenant and a Prince George's County police officer threatened them with arrest if they did not perform sex acts with the officers. In August of 2019, one officer pleading guilty to a lesser charge of soliciting sex, while the second was not charged but placed in an administrative role on non-contact.⁹³

NEW YORK: An undercover officer in East Harlem arrested and charged **Raquel***, a 23-year-old Black trans woman, in September 2017. Though Raquel had simply been walking down the street watching a YouTube video and had repeatedly ignored the man attempting to proposition her, finally telling him to leave her alone, the officer's report stated that she had agreed to perform oral sex.⁹⁴



RAQUEL*. PHOTO CREDIT SCOTT HEINS | THE CUT

NEW YORK: In June 2017, <u>Jennifer</u>*, a 27-yearold Latinx transwoman, was arrested in Queens, New York while headed to a club after she got into a black car she assumed was a livery cab. The undercover officer charged Jennifer with prostitution when, confused, she asked, "Are you sure that's what you're saying?" in response to his offer of money in exchange for oral sex.⁹⁵

RAPE AND SEXUAL ASSAULT OF WOMEN OF COLOR BY LAW ENFORCEMENT

In the aftermath of the Daniel Holtzclaw case and more recent incidents, the extent to which women of color continue to be targets of and vulnerable to sexual violence at the hands of police remains alarming.

KENTUCKY: During a traffic stop in January 2019, a Louisville officer groped the buttocks and genitals of <u>Kali Coates</u>, a young Black woman, placing his hands inside her underwear, until another officer admonished him to stop.⁹⁶

ARIZONA: Erica Reynolds, a 37-year-old Black woman, was sexually assaulted by police officers in December 2018 during a warrantless strip search and body cavity search at a Phoenix police station. Officers penetrated Ms. Reynolds digitally, in violation of department policy, resulting in physical pain and bleeding. ⁹⁷



ERICA REYNOLDS.

PHOTO CREDIT JOHANNA HUCKABA | THE REPUBLIC

MARYLAND: In October 2018, a <u>Latina</u> in Prince Georges County was sexually assaulted during a traffic stop when an officer attempted to touch her breast before telling her to pull

behind a store and forcing her to perform oral sex on him.⁹⁸

CALIFORNIA: In 2018, Los Angeles Police Department narcotics officers Luis Valenzuela and James C. Nichols pleaded no contest to sexually assaulting multiple women of color over a three year period. Their victims were drug informants or had recently been arrested on suspicion of drug-related crimes, and many feared they would be arrested if they did not comply with the officers' orders.⁹⁹

NEW YORK: In November 2017, <u>Yang Song</u>, a 38-year-old immigrant sex worker from Asia,

fell to her death from the balcony of her 4th floor apartment during а targeted NYPD raid. The year before, an undercover officer raped Yang Song at gunpoint. After she



PHOTO CREDIT FAMILY

reported the rape, Yang Song was harassed by the NYPD vice squad, pressured to become an informant, threatened with deportation, and harassed and arrested multiple times.¹⁰⁰

CRIMINALIZATION OF GIRLS OF COLOR

ARRESTS AND USE OF FORCE AGAINST GIRLS OF COLOR

Since our 2017 report, we have seen deeply disturbing instances in which girls of color experience excessive force in interactions with both school resource officers and the police.

WASHINGTON: In March 2020, a school district security guard in Seattle used his knee to smash seven-year-old **Renée's*** body and face against the wall and held his forearm across her neck, causing Renée to scream "Stop, stop, you're hurting me! Let me go, you're hurting me! I can't breathe!". When Renée fell to the floor, the security guard grabbed her by the leg, pulled her across the floor, placed his knee on top of her back and tried to hold her arms. ¹⁰¹



KAIA ROLLE. PHOTO CREDIT TORI LYNN SCHNEIDER | USA TODAY NETWORK – FLORIDA CAPITOL BUREAU

FLORIDA: In February 2020, six-year-old Black girl <u>Kaia Rolle</u> cried and screamed for help as officers tightened zip ties on her wrists before placing her in the back of a police cruiser in violation of the Orlando Police Department's policies, which require supervisor approval before arresting a child under the age of 12.

During the incident, Kaia begged officers not to put her in the police car and to give her a second chance, requests the officers ignored. She was arrested and charged with misdemeanor battery for throwing a tantrum; prosecutors dropped the charges the next day.¹⁰²

FLORIDA: In February 2020, six-year-old Nadia King was involuntarily committed to a behavioral health unit prior to her mother's knowledge and without her mother's consent. A social worker at Love Grove Elementary

school invoked Florida's Baker Act and called Jacksonville sheriff's officers to escort Nadiawho has ADHD global and developmental delay—to health mental facility after she threw tantrum. 103 Video



NADIA KING.
PHOTO CREDIT
THE COCHRAN FIRM

footage show Nadia acting calm and chatty, while the escorting officer stated, "I don't see her acting like they said. She's actually been very pleasant. Very pleasant."¹⁰⁴

FLORIDA: Pinellas County deputies arrested four young women of color—Vanna Allen, 16, Sharyah Felton, 15, and sisters Jerai and Janasia Robinson, ages 16 and 14—after they left a community pool because two older men had starting filming them in their bathing suits in July 2020. The deputies also involuntarily committed Janasia for a mental health

evaluation.
During the arrest, one of the officers punched Vanna Allen in the face and denied one of the other girls



JERAI (16), LEFT, AND JANASIA (14) ROBINSON.

her inhaler PHOTO CREDIT CHRIS URSO | TIMES

when she had difficulty breathing. The deputies were allegedly called by the older men who claimed the girls were trespassing and throwing rocks, crimes which officers determined had not been committed. The girls were charged with misdemeanor resisting arrest and two face felony charges of battery on a police officer. ¹⁰⁵

FLORIDA: An Orange County school resource officer yanked 13-year-old <u>Wilmica Edmonds'</u> head back by her hair scarf as deputies held her arms behind her back while detaining her in November 2019. The officer also pulled out his baton and yelled at students, calling them, "stupid children." ¹⁰⁶



WILMICA EDMONDS.

PHOTO CREDIT THE ORLANDO SENTINEL

NORTH CAROLINA: In October 2018, **Rockell Baldwin**, a 14-year-old Black girl, was tackled by a school resource officer in Winston-Salem. Rockell had requested and received a hall pass to step outside and call her mother because she was feeling unwell.¹⁰⁷

FLORIDA: A <u>14-year-old Black girl</u> in Coral Springs was punched several times in the side by a police officer who was kneeling on her back as she was being arrested after reports were made about "unruly teens" at a local mall in October 2018.¹⁰⁸

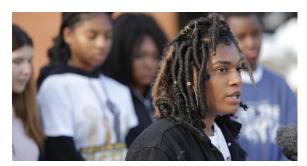


DONESHA GOWDY.

PHOTO CREDIT ALBERT CESARE THE ENQUIRER

OHIO: An off-duty Cincinnati police officer tased 11-year-old **Donesha Gowdy** in August 2018 when he suspected that the young Black girl was shoplifting groceries with her friends.¹⁰⁹

NEW MEXICO: In August 2018, an 11-year-old Black girl suffered a mild concussion when she was shoved to the ground and pinned by a school resource officer in Farmington for picking at a sign taped to a door. Though a school administrator told him the child was not a threat and not to use force, the officer tackled the girl and attempted to place her in handcuffs. 110



BRIANNA BELL. PHOTO CREDIT K.C. ALFRED | SAN
DIEGO UNION-TRIBUNE

CALIFORNIA: In January 2018, a La Mesa police officer slammed 17-year-old **Brianna Bell** to the ground twice after she was handcuffed. The incident occurred when school officials asked a school resource officer to escort Brianna off campus.¹¹¹

SCHOOL DISCIPLINE DISPARITIES

Although the most recent data set from the U.S. Department of Education suggests that some disparities in school discipline are marginally better than in prior years, over-policing, profiling, and criminalization of youth of color continue to be driving factors behind the school discipline disparities that girls of color experience. For example, updated data from the U.S. Department of Justice Office of Civil Rights indicates that Black girls are suspended from school at higher rates (9%) than girls of any other race or ethnicity, and at higher rates than white boys (5%). American Indian/Alaska Native girls (4%) are also suspended at rates that exceed those of white girls (2%). 112 Further, Black girls account for only 8% of student enrollment, but receive 14% of out-of-school suspensions overall and 47% of suspensions among girls; comparatively, white girls are 24% of enrolled students, but receive only 8% of outof-school suspensions overall and 26% of suspensions among female students.¹¹³

The following stories demonstrate the excessive punishment that girls of color frequently face in school settings. School dress code violations are a particular area of vulnerability for girls of color.

MICHIGAN: Fifteen-year old **Grace*** was sentenced to a Pontiac juvenile detention center in May 2020, during the COVID-19 pandemic, when a judge found she had violated her parole by not completing her online homework after her school switched to remote learning. Grace is a special needs student who was not receiving the support required under her Individualized Education Plan. ¹¹⁴ Grace was finally ordered released in response to an emergency request on July 31. ¹¹⁵



GRACE*. PHOTO CREDIT
INTERNATIONAL BUSINESS TIMES

OKLAHOMA: <u>Delanie Seals and Is'Abella</u> <u>Miller</u>, students at Byng High School, were given in-school detention in October 2019 if they refused to remove their African headwraps.¹¹⁶



FAITH FENNIDY. PHOTO CREDIT MATTHEW HINTON |
THE ADVOCATE VIA AP

LOUISIANA: In August, 2018, school officials sent 11-year-old **Faith Fennidy** home from her Terrytown private school the day before picture day and told her not to return. She was told she had violated the school's policy regarding "natural hair" by wearing box braids—even though Faith had worn braids at the school for two years—because a new policy forbade hair extensions. ¹¹⁷

RACIAL PROFILING AND INVASIVE SEARCHES

TRAFFIC STOPS

According to a 2019 report analyzing data from the Bureau of Justice Statistics, women, particularly women of color, are interacting with police far more than their arrest and incarceration numbers would suggest. Though 2.1 million women were arrested in 2015 (the most recent year for which analysis is available) ¹¹⁸, five times as many women (12 million) were approached by police, either in a traffic stop, street stop, or in the execution of an arrest warrant. ¹¹⁹ Women accounted for only 27% of arrests in 2015, ¹²⁰ but 44% of all police-initiated stops, including 41% of traffic stops and 36% of street stops. ¹²¹

Police-initiated stops are more likely to lead to arrest, use of force, and further justice-system involvement than voluntary police contacts such as calling the police for help, 122 and Black women are far more likely to receive negative consequences as a result of police-initiated stops. For instance, Black women are almost 300% more likely than white women to be arrested during a street or traffic stop, and are 200% more likely than Latinx women to be arrested. 123 Black women are about 17% more likely to be in a police-initiated traffic stop than white women, and 34% more likely to be stopped than Latinx women. However, these percentages are not adjusted for driving patterns and the rates of vehicle stops per mile could be significantly higher for Black and Latinx women. 124

FLORIDA: Orlando police stopped Florida's first Black state attorney general, <u>Aramis Ayala</u>, in 2017 but immediately sent her on her way when they discovered her identity. Ms. Ayala was told she was pulled over for a faulty registration and illegal window tinting, both of which were false. ¹²⁵



ARAMIS AYALA. PHOTO CREDIT JOE BURBANK |
ORLANDO SENTINEL

NEW MEXICO: Sherese Crawford, a 38-year-old Black woman, was stopped three times by officers during a temporary work assignment in Bernalillo County in 2017 for reasons that were incontrovertibly proven to be false. ¹²⁶

AIRPORT SECURITY

Airport security for both domestic and international travel continues to remain a setting where there is intense targeting and racial profiling of women of color. Women of color continue to experience disproportionate levels of screening, particularly screenings involving their hair. In April 2019, ProPublica asked individuals to respond to a survey about their experiences with Transportation and Security Administration (TSA); 70% of the responses received were from women, and more than 50% of those responses were from Black women and other women of color, largely describing their experiences as intrusive and disrespectful. ¹²⁷ Additionally, a TSA officer in

Texas shared that the hair pat-downs will likely continue, "With black females, the scanner alarms more because they have thicker hair...Maybe, down the line, they will be redesigning the technology, so it can tell apart what's a real threat and what is not. But, for now, we officers have to do what the machine can't." 128

These incidents continue to occur even though the TSA, in response to a 2015 lawsuit described in our 2017 report, agreed to conduct additional retraining to ensure race neutrality in its security activities, specifically its patdowns of Black women. ¹²⁹ The number of complaints filed with TSA by passengers alleging racial discrimination in hair pat-downs has continued to rise --from 73 in 2017 to 105 in 2018. ¹³⁰

MINNESOTA: In January 2020, Native American activist <u>Tara Houska</u> was travelling through Minneapolis when the TSA agent who was checking her braids for weapons grabbed them, pulled them behind her shoulders, and said, "giddyup."¹³¹

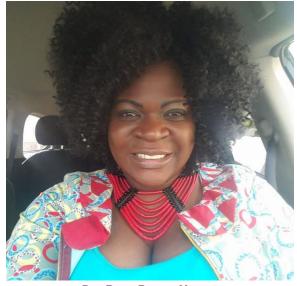


TARA HOUSKA. PHOTO CREDIT TARA HOUSKA

NORTH CAROLINA: TSA squeezed and parted the faux locs of <u>Alysia Stevenson's</u>, a <u>26-year-old Black woman</u>, in late 2019, while white

women with buns and French braids were permitted to travel through security unimpeded.¹³²

CALIFORNIA: While travelling through Los Angeles International Airport in April 2017 with her 12-year-old daughter, **Dr. Reba Perry-Ufele**, a Black woman, was pulled aside by a TSA agent after going through the scanning machine. Though Reba informed the agent that she did not consent to a search, she was told that it was mandatory protocol and the agent began pulling her braids apart, asking about the extensions that were used to make them thicker.¹³³



DR. REBA PERRY-UFELE.
PHOTO CREDIT FACEBOOK

CALIFORNIA: Tatiana Walker Morris, a Black woman, was searched by TSA agents in 2017 while wearing her hair straightened and in a low ponytail. Though Tatiana watched many white women with similar hairstyles pass through security unimpeded, only she was pulled aside to allow the agent to search through the top of her hair.¹³⁴

SEARCHES AT PORTS OF ENTRY

Unfortunately, far more invasive searches of women of color also take place in airports and other ports of entry, largely at the hands of U.S. Customs and Border Patrol (CBP). While CBP officers are permitted to conduct searches of individuals entering the United States, and their handbook does authorize the use of strip searches for a visual inspection, it prohibits them from conducting body cavity searches under the most exceptional circumstances, and even then only by a medical professional.¹³⁵ However, as the stories below. and many more, illustrate, CBP officers have gone beyond the limits of their handbook and the Constitution when it comes to searching women of color. Many women have described these searches as traumatic, and they are left feeling sexually assaulted. 136 For women who are survivors of sexual violence, these searches can retrigger traumatic memories and feelings, exacerbating health conditions symptoms caused by prior traumas.

CALIFORNIA: In September 2017, **C.R.**, a 16-year-old Latinx girl returning from Mexico to her home in the United States, was forced to completely disrobe, hand over her sanitary pad, and squat while agents shined a flashlight at her genitals in front of other agents after she was flagged for a secondary search by the CBP due to a false drug-sniffing dog alert.¹³⁷

NEW YORK: Tameika Lovell, a Black guidance counselor, was returning from a vacation in 2016 when she was detained by CBP agents at JFK International Airport. The agent touched her from head to toe, then ordered her to squat, squeezed her breasts, and forcibly inserted four fingers into Tameika's vagina before parting her buttocks "for viewing." ¹³⁸

CRIMINALIZATION TRENDS

USE OF POLICE TO THREATEN AND HARASS BLACK WOMEN

Since our 2017 report, there have been numerous instances of white individuals racially weaponizing police reporting by making unsubstantiated calls, complaints, or reports against Black people. Threats of law enforcement intervention seek to capitalize on law enforcement mistreatment against Black people in order to harm victims because of their race. These frivolous reports about innocuous activities put the lives of Black women at risk and create a myriad of other harms. For instance, an arrest record can preclude obtaining housing, employment, or school admissions. 139 Recognizing these dangers, lawmakers around the country have begun introducing and passing legislation to fine or criminalize using the police to unlawfully discriminate.140

NEW YORK: In June 2020, a white woman in

New York City called 911 several times to report Janae Garcia, Black woman who was sitting alone on a park bench, accusing Janae of smoking in



"her" (the white woman's)

neighborhood; Ms. Garcia lives in a nearby building. During the calls, the woman became increasingly agitated, telling police she felt that she and her children were threatened by Ms. Garcia, who remained sitting on the bench filming the encounter and the calls.¹⁴¹



JORDAN RODGERS, PHOTO CREDIT RAY CHAVES |
BAY AREA NEWSGROUP

CALIFORNIA: In June 2018, a white woman claimed to be calling San Francisco police to complain about someone "illegally selling water without a permit" after seeing 8-year-old **Jordan Rodgers**, a young Black girl who was selling bottled water in her neighborhood to raise money for a trip to Disneyland with her family.¹⁴²

NEW YORK: When <u>Darsell Obregon</u> refused to move after she took cover from a torrential downpour in a doorway of a random Brooklyn apartment building while waiting for an Uber in August 2018, a white woman called 911 to report a criminal trespass.¹⁴³

NORTH CAROLINA: A white pool chairman in Winston-Salem called police in July 2018 to report a disturbance when <u>Jazmine</u>

Abhulimen, a Black woman, and her son failed to acquiesce to his unreasonable demand that she produce an ID to use the community pool

after she had already provided her address and a working keycard. 144

ILLINOIS: A white CVS manager called the Chicago police in July 2018 to report that a Black woman, **Camilla Hudson**, had assaulted him after she had politely asked him to contact corporate headquarters to resolve a dispute about a coupon she had tried to redeem at his store and began filming him when he refused. ¹⁴⁵

CONNECTICUT: In May 2018, a white Yale

University grad student called campus police when she discovered

Lolade
Siyonbola, a
fellow grad
student who
was Black,



LOLADE SIYONBOLA.
PHOTO CREDIT YALE UNIVERSITY

taking a nap in their dorm's common room. 146

CALIFORNIA: Three young Black travelers, **Kelly Fyffe-Marshall, Donisha Prendergast, and Komi Oluwa Olafimihan**, were checking out of their Airbnb in May 2018 when seven police cars arrived. A white neighbor in Rialto



KOMI-OLUWA OLAFIMIHAN, DONISHA PRENDERGAST (CENTER), AND KELLY FYFFE MARSHALL. PHOTO CREDIT MARY ALTAFFER | AP

had called the police because the trio had failed to smile or wave at her as they checked out.¹⁴⁷

POLICING AND CRIMINALIZATION OF PREGNANCY AND MOTHERHOOD

As described in our 2017 report, women of color experience gendered and racialized policing of pregnancy and motherhood in ways that are distinct from white women. Recent examples include:

NEW MEXICO: In early 2020, all pregnant Native American women at Lovelace Hospital in Albuquerque were denied contact with their newborns after birth, pending COVID-19 testing, if their home zip code was in a list of zip codes maintained by the hospital, regardless of their symptoms or lack thereof.¹⁴⁸

ALABAMA: In early December 2019, Marshae

Jones
miscarried
after being
shot in the
stomach
during an
altercation
with
another
woman.
Instead of



Marshae Jones.

charging PHOTO CREDIT CBS EVENING NEWS

the woman who fired the gun, a Birmingham grand jury indicted Ms. Jones for manslaughter because she initiated a physical altercation. The charges were later dropped after a national outcry over the criminalizing of Ms. Jones' pregnancy.¹⁴⁹

SAIPAN: Hong Kong Express Airways forced a 25-year-old Japanese woman, Midori Nishida,



MIDORI NISHADA.
PHOTO CREDIT FACEBOOK

to take a pregnancy test to confirm she was not pregnant before she was permitted to board her November

2019 flight to Saipan in the Northern Mariana Islands to visit her family. The airline claimed it enacted the practice to curb "birth tourism" in Saipan in accordance with U.S. government requests to ensure that U.S. immigration laws were not being violated.¹⁵⁰

TEXAS: Houston Prosecutors charged **Giselle Vasquez**, a young Latinx mother, with felony endangering a child in August 2019 after her 18-month-old son was killed in their apartment complex parking lot. Giselle had crossed the lot with her infant daughter after leaving her son with her sister. Unbeknownst to Giselle, the toddler came after her and was struck by a neighbor who was backing out.¹⁵¹

LOUISIANA: Baton Rouge police charged a 20-year-old Black mother, **Brittany Stephens**, with negligent homicide in the death of her infant child after an off-duty officer, driving 94 mph, crashed into the car in which she and her daughter were riding in October 2017. Officers claimed the child's car seat was not properly secured. Prosecutors later dropped the charges. ¹⁵²

SELF-DEFENSE AGAINST GENDER-BASED VIOLENCE BY BLACK WOMEN AND GIRLS

A double standard exists when women and girls of color, particularly, Black women and girls, act in self-defense to save themselves from gender-based violence. Abused Black women and girls who act in self-defense against their abuser face significant barriers because of societal resistance to seeing them as victims: their victimhood is often ignored entirely when they do not fit the stereotypical mold of what a "good" victim should be. Police and court often view survivors of color as mutual combatants, and sometimes instigators. Survivors who are Black women and girls are frequently arrested, charged, and convicted under the same laws that are supposed to protect them.

wisconsin: In June 2018, then-17-year-old child sex trafficking survivor Chrystul Kizer, a young Black girl, acted in self-defense when she killed the man who was sexually abusing her and a dozen other young Black girls; the man had pinned her to floor when she refused to have sex. Even though Kenosha police had evidence of her abuser's crimes and had



CHRYSTUL KIZER. PHOTO CREDIT SARAH L. VOISIN
THE WASHINGTON POST VIA GETTY IMAGES

arrested him on charges of child sexual assault in February of 2018, they released him the same day without bail. Chrystul is currently standing trial for premeditated murder.¹⁵³

OHIO: Child sex trafficking survivor Alexis Martin was only 15 years old in 2015 when she was sentenced to 21 years in prison after being charged as an adult in the murder of her pimp, even though she was being sexually assaulted in another room as he was shot. Though she should have been granted protections under the Ohio's Safe Harbor Law, which could have freed her earlier, Alexis, now 22, was finally granted clemency by Governor DeWine in April 2020.¹⁵⁴

TENNESSEE: In August 2004, then-16-year-old child sex trafficking survivor **Cyntoia Brown**, a



CYNTOIA BROWN.
PHOTO CREDIT TWITTER

young Black girl, shot and killed a man who picked her up for sex when she thought she saw him reaching for gun. Though Cyntoia was child, a acting to

protect herself from adult violence, she was convicted as an adult for murder and robbery and sentenced to concurrent life sentences in 2008. In January 2019, after serving 15 years, her life sentence was commuted by then-Governor of Tennessee, Bill Halsem.¹⁵⁵

ALABAMA: Prosecutors charged a 38-year-old Black woman, <u>Jaqueline Dixon</u>, with murder in Selma in July 2017 for shooting her husband with a small-caliber handgun, despite the fact that she told officers she was acting in self-defense after he charged at her aggressively. A year prior, she had requested an order of protection against her husband for punching her in the face and verbally abusing her multiple times. A grand jury declined to issue an indictment against her. ¹⁵⁶



Bresha Meadows. Photo Credit Maddie McHarvey | Huffington Post

OHIO: Bresha Meadows, a 14-year-old Black girl in Chagrin Falls, fatally shot her father in July 2016 after enduring years of physical, emotional, and sexual violence, and watching her mother endure the same. After 229 days behind bars, her attorney was finally able to secure a deal permitting her to plead "true" to an involuntary manslaughter charge in juvenile court, rather than be tried as an adult. Bresha was sentenced to a year and a day in juvenile detention, with credit for time served, as well as six additional months at a residential mental health facility and two years of probation. 157

CRIMINALIZATION OF MIGRANT WOMEN

FAMILY SEPARATION



MOTHER AND CHILD AT U.S. SOUTHERN BORDER, PHOTO CREDIT JOHN MOORE | GETTY IMAGES

On May 8, 2018, the administration announced a new "zero tolerance" policy, 158 requiring all immigrants crossing the southern border, even asylum-seekers, to be detained and referred to the Department of Justice for prosecution. Undocumented migrants and asylum-seekers were imprisoned; however, because the *Flores* Settlement 159 forbids keeping children in detention for more than 20 days, any accompanying children were taken from their parents or custodians and given to the Department of Health and Human Services. This marked a distinct change from the previous administration's policy apprehending asylum-seekers and releasing them to live in U.S. communities while waiting for their immigration hearings. It also resulted in a dramatic increase in the number of individuals and families detained immigration agencies. In 2017, U.S. Customs and Border Patrol apprehended and detained approximately 304,000 individuals, including unaccompanied minors and family members; in 2019, this number was more than 851,000. Hore than half of the people detained in 2019 (nearly 474,000) had traveled / migrated with family members. Hore

Judge Sabraw of the U.S. District Court for the Southern District of California issued an order on June 6, 2018, requiring the administration to stop family separations unless the parent posed a danger to the child, or had a criminal record or communicable disease. He also ordered that all children be reunited with their parents, and that those under 5 years old be reunited within two weeks. However, the separation policy did not stop.¹⁶²

More than a thousand families have been separated since the 2018 order, ¹⁶³ and since the summer of 2017, ten thousand family members have been separated with more than 5,400 children taken from their parents. ¹⁶⁴ Sparse and inaccurate record-keeping means that hundreds have yet to be reunited as of June 2020.

TEXAS: At an immigration holding facility in July 2019, an agent told <u>Tania</u>'s family that their three children could stay in the U.S. with one parent, but the other would be deported. The agent then asked her three-year-old



TANIA'S DAUGHTER, SOFIA.

PHOTO CREDIT CLAIRE HARBAGE | NPR

daughter, Sofia, to choose which parent would get to stay. The family was only permitted to stay together due to heroic efforts by medical personnel to document Sofia's heart condition.¹⁶⁵

CALIFORNIA: Angelica Gonzalez-Garcia, an undocumented mother from Guatemala, was separated from her daughter in May of 2018 by ICE agents, who first asked her if she celebrated Mother's Day in her country, then said, "Happy Mother's Day, we're taking your daughter" as they took her child. It took Gonzales-Garcia 55 days to be reunited with her daughter.¹⁶⁶



ANGELICA GONZALEZ-GARCIA AND HER DAUGHTER,
SANDY. PHOTO CREDIT JOSH REYNOLDS |
WASHINGTON POST

TEXAS: In 2018, an <u>Honduran woman</u> and her infant daughter were detained under the administration's "zero tolerance" policy for attempting to cross the border without documentation. Immigration officials took her daughter from her as she was breastfeeding in the detention center; when she resisted, she was placed in handcuffs.¹⁶⁷

CALIFORNIA: In November 2017, Ms. L, a Congolese mother seeking asylum, was separated from her 7-year-old daughter by immigration officials. Without explaining why

her daughter was being taken from her, where her daughter was going, or when she would see her again, ICE officials sent Ms. L to a California detention facility while her daughter was sent to Chicago. Mother and child were not reunited until March 2018.¹⁶⁸



MARIA REYNOSA.
PHOTO CREDIT KEVIN SIEFF | WASHINGTON POST

ARIZONA: Adelaida Reynoso and her mother, María, were one of the first families broken up by the administration's family separation policy. The Guatemalan mother and daughter were separated on July 31, 2017 and have yet to be reunited -- María was deported alone to rural Guatemala, while Adelaida remains detained in Florida. 169

ABUSE OF MIGRANT WOMEN IN DETENTION

The rapid, mass influx of immigration detainees under the "zero tolerance" policy led the administration to hastily open contracts with private, for-profit detention facilities. ¹⁷⁰ The conditions in many government and privately-run immigration facilities, and the treatment received by detainees, has repeatedly been found to violate health and safety standards by federal inspectors. ¹⁷¹ In addition, stories of detainee abuse are commonplace. ¹⁷²

NEW MEXICO: Johana Medina León, a young trans woman and asylum-seeker from El Salvador, died in Immigration and Customs Enforcement (ICE) custody in June 2019 after being repeatedly denied medical care or the means to provide her own care. ¹⁷³

TEXAS: Jane Doe was being detained at a Houston immigration facility in June 2018 when she and two other women were raped by three immigration officials. Within hours of the brutal attack, she was deported to Mexico where she has since given birth to a child as a result of the rape. ¹⁷⁴



LAURA MONTERROSA. PHOTO CREDIT FACEBOOK

TEXAS: While detained in a Texas detention center in 2017 <u>Laura Monterrosa</u>, a 23-year-old asylum seeker from El Salvador, was repeatedly sexually assaulted by a guard.¹⁷⁵

NEW MEXICO: In May 2018, <u>Roxsana</u> <u>Hernandez</u>, a transgender asylum-seeker from Honduras, died in ICE custody after being denied antiretroviral medication for her known HIV infection by ICE and CBP.¹⁷⁶

TREATMENT OF PREGNANT MIGRANTS BY IMMIGRATION AUTHORITIES

Immigration authorities' treatment of pregnant migrants has remained a cause for concern, which has increased since the start of the "zero tolerance" policy.

According to a GAO report commissioned by Members of Congress, after the administration ended a policy against detaining pregnant immigrants in December 2017, detentions of pregnant migrant women increased by 80%.¹⁷⁷ Between 2016 and 2018, ICE detained 4600 pregnant women, most (68%) for seven days or less, 22% for 8-30 days, and 10% for more than 30 days. Inspectors noted that one woman was kept for 181-270 days, and another for 271-334 days.¹⁷⁸ Between January 2015 and July 2019, detentions of pregnant migrants at ICE facilities resulted in 58 miscarriages, 2 abortions, and 1 birth.¹⁷⁹

Further, the Office of Field Operations (OFO) and CBP reported detaining 3,900 pregnant women at the border between March 2018 and September 2019; however, some of these women may have been transferred to ICE custody and thus could be counted in those numbers. OFO and CBP facility records indicate



PREGNANT MIGRANT, AFTER TURNING HERSELF IN TO ICE. PHOTO CREDIT JOHN MOORE | GETTY

that detainees experienced 43 births, 3 miscarriages, 6 stillbirths. 180

While the GAO report found 79% compliance with standards of providing care to pregnant women, it also noted deficiencies. For instance, between December 2016 and March 2019, 9% of their inspections found that pregnant women were not seen by a gynecologist/obstetrician within 30 days of their pregnancy confirmation, most centers provided no prenatal vitamins or perinatal/labor care, and none provided vaccinations to pregnant women. ¹⁸¹ In addition, ICE medical personnel were not present at the detention locations for 22% of the 4,600 pregnant detainees. ¹⁸² This level of noncompliance paved the way for further abuses of pregnant women.

CALIFORNIA: In 2019, Amaya*, a 25-year-old asylum-seeker from Honduras, was held for 18 days in CBP custody while five months pregnant. During her time in custody, Amaya lost 22 pounds and developed a vaginal infection due to the conditions of confinement and inadequate medical care she received, including a refusal to allow her to bathe and a lack of clean clothing or undergarments.¹⁸³

CALIFORNIA: In January of 2019, Irene*, a 35-year-old asylum-seeker from Honduras, lost her pregnancy and experienced a flare of HIV symptoms while in immigration custody after CBP agents confiscated her HIV medication and prenatal vitamins. Irene did not receive any medical assistance from CBP officials before, during, or after her miscarriage, and was not even permitted to shower or speak with her husband.¹⁸⁴

TEXAS: A 24-year-old <u>asylum-seeker from</u> <u>Honduras</u> went into premature labor while in ICE custody and delivered a stillborn baby at a detention center in Brownsville. The woman was apprehended by immigration authorities in February of 2018 while six months pregnant.¹⁸⁵

DETENTION AND FAMILY SEPARATION UNDER COVID-19

In February 2020, ICE began testing detainees for the COVID-19 virus. As of July 11, 2020, only 60% of detainees had been tested, revealing 3,567 cases. By early July 2020, the virus had already caused the death of three detainees. 186 In response to an April 2020 court order mandating the release of children from immigration detention, immigration officials gave detainees with children a binary "choice"—stay together in detention indefinitely and risk the health of your child or be separated to save your child's health. 187 In early May 2020, officials created a new form that asked parents to consent to a longer period of detention for their children, in violation of *Flores* Settlement. 188 In June, a federal judge ordered ICE to release all children held with their parents by July 17, citing COVID-19 concerns. 189



A YOUNG MOTHER IN A FAMILY DETENTION CENTER IN TEXAS. PHOTO CREDIT LANA PANICH-LINSMAN | THE WASHINGTON POST VIA GETTY IMAGES

TEXAS: In May of 2020, as COVID-19 spread through detention facilities, <u>Miriam</u>, a Honduran immigrant, was offered this binary choice. She had been held for more than nine months in detention when she was brought into a room with other mothers and told to sign a paper written in English, which agents did not explain. Frightened that signing the paper would mean being separated from her 15-year-old daughter, Miriam refused to sign. ¹⁹⁰

ARIZONA: Marisol Mendoza, a 47-year-old Mexican woman contracted COVID-19 in ICE custody in May 2020 after immigration officials at the Eloy Detention Facility failed to follow

orders to improve her detention conditions and make them constitutional, laid out by the judge in Ms. Mendoza's

case



MARISOL MENDOZA.

requesting her **PHOTO CREDIT LESLIE ROSALES** release. She has type 2 diabetes, which puts her at high risk for contracting COVID-19 and for experiencing worse outcomes from the illness.¹⁹¹

GEORGIA: In April 2020, <u>five migrant women</u> in ICE custody in rural Georgia lost their privileges to use video visitation in retaliation for previously using the platform to share messages that they were scared of being infected with COVID-19, and asking for help. Though their access to the service was later restored, the women were threatened with criminal charges if they made any further videos.¹⁹²

IMMIGRATION ENFORCEMENT IN SENSITIVE LOCATIONS

It has been a long-standing policy of immigration enforcement officials enforcement activities are not conducted in sensitive locations, such schools, hospitals, religious institutions, public demonstrations, and public religious ceremonies (such as weddings and funerals) unless certain emergency situations exist, and prior approval is obtained. 193 In addition, under the Immigration and Nationality Act (INA) a courthouse is a location protected from immigration enforcement when an "alien is appearing in connection with a protection order case, child custody case, or other civil or criminal case relating to domestic violence, sexual assault, trafficking, or stalking in which the alien has been battered or subject to extreme cruelty." Protections also apply if an immigrant is the victim of severe trafficking or has suffered great physical or mental abuse as a result of criminal activity and agrees to be helpful to law enforcement investigations of the activity, as well as to those described in "subparagraph" (T) or (U) of section 1101(a)(15)."194

However, despite this history, and despite the pleas of judges, prosecutors, and advocates that the presence of immigration enforcement would stifle witness appearances, ICE officials finalized a policy to send agents to detain immigrants in local, federal, and state courthouses in January 2018. Based on this new policy, and in contravention of the INA, undocumented victims of violence have been arrested and detained while seeking assistance at courthouses around the country.

NEW YORK: In January 2019, MC was arrested by ICE in New York when she went to the courthouse to contest false extortion charges her abusive ex-husband filed when she requested that he pay child support. 196

WASHINGTON: A <u>single mother</u> went to an Adams County Courthouse in Washington regarding a car accident in October 2018, but never returned home to her children, who ranged in age from 10 months to 10 years old. Only after two weeks did her oldest child receive a call reporting that DHS had arrested her as she was leaving the courthouse and that she was detained at the Northwest Detention Center, facility in Tacoma.¹⁹⁷



MARIA.

PHOTO CREDIT HANNAH RAPPLEYE | NBC NEWS

NORTH CAROLINA: Maria*, an undocumented woman from Columbia, and her son were arrested and detained by ICE at the Mecklenburg County courthouse in July 2018 while they were in the midst of legal proceedings to secure safety from her abusive former fiancé. Her arrest sparked national outcry, and an immigration judge finally terminated her deportation order in November 2018, giving her the ability to pursue status as a victim of violence. 198

WASHINGTON: DHS agents arrested a domestic violence survivor outside of the Grant County courthouse in late 2018 as the woman was attempting to seek a protection order. 199

VULNERABILITY OF IMMIGRANTS AND WOMEN WHO SPEAK LANGUAGES OTHER THAN ENGLISH

Law enforcement officials have continued to assault and harass immigrant women and those who speak a language other than English because they perceive these women to be incapable of navigating the justice system.

CONNECTICUT: Over a period of seven years, an immigration agent known as "The Wolf" used the threat of deportation to repeatedly sexually assault <u>Jane Doe</u>, a Honduran woman living in Connecticut.²⁰⁰



"JANE DOE," A 44-YEAR OLD GUATEMALAN WOMAN.
PHOTO CREDIT IVAN KASHINSKY | WASHINGTON
POST

CALIFORNIA: In 2019, a CBP agent sought out an undocumented **Guatemalan woman** living in California whose son was in custody in Flint, Texas where he worked, sending her Facebook messages and asking her to watch a live video of him masturbating.²⁰¹

¹ YWCA USA supports the elimination of police and school-based law enforcement, including school resource officers (SROs). To the extent that law enforcement, including school security guards, school police officers and similar school personnel including volunteers, contractors, and affiliates, remain in schools, local education agencies must establish and clearly define the role and responsibilities of all law enforcement and prohibit similar personnel from enforcing student codes of conduct and engaging in discipline roles.

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ALABAMA: CHIKESIA CLEMONS (MOBILE) ◆ JACQUELINE DIXON (SELMA) ◆ MARSHAE JONES (BIRMINGHAM) ◆ ARIZONA: ADELAIDA REYNOSA ◆ ERICA REYNOLDS (PHOENIX) ◆ IESHA HARPER (PHOENIX) ◆ MARIAH VALENZEULA (PHOENIX) ◆ MARI-SOL MENDOZA (ELOY DETENTION FACILITY) ◆ CALIFORNIA: AMAYA* (CALIFORNIA DETENTION CENTER) ◆ ANGELICA GONZA-LEZ-GARCIA (NOW MASSACHUSETTS) ◆ BETHANY NAVA (LOS ANGELES) ◆ BRIANNA BELL (LA MESA) ◆ C.R. (CALIFORNIA BOR-DER) ◆ DONISHA PRENDERGAST (RIALTO) ◆ EMERALD BLACK (SAN LEANDRO) ◆ IRENE* (CALIFORNIA DETENTION CENTER) ◆ JANE DOE ◆ JANE DOES ◆ JORDAN RODGERS (SAN FRANCISCO) ◆ KELLY FYFFE-MARSHALL (RIALTO) ◆ MELYDA CORADO (LOS ANGELES) ◆ MS L (CALIFORNIA BORDER) ◆ REBA PERRY-UFELE (LOS ANGELES) ◆ TATIANA WALKER-MORRIS (LAX) ◆ VANESSA MARQUEZ (SOUTH PASADENA) ◆ COLORADO: DIANA SANCHEZ (DENVER) ◆ CONNECTICUT: JANE DOE ◆ LOLADE SIYONBOLA (NEW HAVEN) * DISTRICT OF COLUMBIA: JANE DOES * FLORIDA: ARAMIS AYALA (ORLANDO) * JANASIA ROBIN-SON (PINELLAS COUNTY) → JANE DOE (CORAL SPRINGS) → JERAI ROBINSON (PINELLAS COUNTY) → KAIA ROLLE (ORLANDO) → KIRENDA WELCH (JACKSONVILLE) ◆ NADIA KING (JACKSONVILLE) ◆ SHARYAH FELTON (PINELLAS COUNTY) ◆ VANNA ALLEN (PINELLAS COUNTY) → WILMICA EDMONDS (ORANGE COUNTY) → GEORGIA: CYNTHIA FIELDS (SAVANNAH) → JANE DOES (GEORGIA DETENTION CENTER) ◆ SHAKAYLA HILL (MACON) ◆ SHUKRI SAID (ATLANTA) ◆ TANIYAH PILGRIM (ATLANTA) ◆ ILLINOIS: CAMILLA HUDSON (CHICAGO) → JANE DOE (CHICAGO) → MIA WRIGHT (CHICAGO) → MIGNONNE ROBINSON (CHICAGO) ◆ INDIANA: IVORE WESTFIELD (INDIANAPOLIS) ◆ KANSAS: BREONA HILL (KANSAS CITY) ◆ KENTUCKY: BREONNA TAYLOR (LOUISVILLE) ◆ KALI COATES (LOUISVILLE) ◆ LOUISIANA: BRITTANY STEPHENS (BATON ROUGE) ◆ FAITH FENNIDY (TERRYTOWN) ◆ MARYLAND: BRENDA JENETTE HARRISON-BUMBRAY (INDIAN HEAD) ◆ JANE DOE (PRINCE GEORGES COUNTY) ◆ MICHIGAN: GRACE* (PONTIAC) ◆ MINNESOTA: TARA HOUSKA (MINNEAPOLIS) ◆ MISSISSIPPI: AVIANA WHITE (PASS CHRIS-TIAN) ◆ DOMINIQUE LASHELLE CLAYTON (OXFORD) ◆ MISSOURI: AKEELAH JACKSON (ST. LOUIS) ◆ NEW MEXICO: JACKSON HOWE (ALBUQUERQUE) → JANE DOE (FARMINGTON) → JANE DOES (ALBUQUERQUE) → JOHANA MEDIA LEÓN (NEW MEXICO DETENTION CENTER) ◆ ROXSANA HERNANDEZ (NEW MEXICO DETENTION CENTER) ◆ SHERESE CRAWFORD (BERNALILLO COUNTY) ◆ NEW YORK: DARSELL OBREGON (NEW YORK) ◆ JANAE GARCIA (NEW YORK) ◆ JANE DOE (NEW YORK) ◆ JANE DOE (NEW YORK) ◆ JAZMINE HEADY (NEW YORK) ◆ JENNIFER* (NEW YORK) ◆ LAYLEEN XTRAVAGANZA CUBILETTE-POLANCO (NEW YORK) ◆ MC (NEW YORK) ◆ RAQUEL* (NEW YORK) ◆ RAYHANAH ALHANAFI (NEW YORK) ◆ SANDRA GUARDIOLA (CANANDAIGUA) ◆ TAMEIKA LOVELL (JFK) ◆ YANG SONG (NEW YORK) ◆ NORTH CAROLINA: ALYSIA STEVENSON ◆ JAZMINE ABHULIMEN (WINSTON-SALEM) ◆ MARIA* (MECKLENBURG COUNTY) ◆ ROCKELL BALDWIN (WINSTON-SALEM) ◆ NORTH DAKOTA: LOLA MOORE (GRAND FORK) ◆ NORTHERN MARIANA ISLANDS: MIDORI NISHIDA ◆ OHIO: ALEXIS MARTIN ◆ BRESHA MEADOWS (CHAGRIN FALLS) ◆ DONESHA GOWDY (CINCINNATI) ◆ KASSANDRA JACKSON (CINCINNATI) ◆ OKLAHO-MA: DELANIE SEALS (BYNG) → IS'ABELLA MILLER (BYNG) → OREGON: BIANCA AGUIRRE (PORTLAND) → JATHINA CAMPOS (PORTLAND) ◆ TENNESSEE: CYNTOIA BROWN ◆ TEXAS: ATATIANA JEFFERSON (FORT WORTH) ◆ CLAUDIA PATRICIA GÓMEZ GÓNZALEZ (TEXAS BORDER) → DIAMOND ROSS (DALLAS) → GISELLE VASEQUEZ (HOUSTON) → GRIZELDA HERNANDEZ (LAREDO) ◆ JANE DOE (BROWNSVILLE DETENTION CENTER) ◆ JANE DOE (HOUSTON DETENTION CENTER) ◆ JANE DOE (TEXAS BORDER) ◆ LAURA MONTERROSA (TEXAS DETENTION CENTER) ◆ MIRIAM (TEXAS DETENTION CENTER) ◆ PAMELA TURNER (HOUSTON) ◆ PATRICIA SPIVEY (HARRIS COUNTY) ◆ SARENEKA MARTIN (AUSTIN) ◆ SOPHIA CASIAS (SAN ANTONIO) ◆ TANIA (TEXAS BORDER) ◆ VIRGINIA: ABRAR OMEISH (FAIRFAX) ◆ RASHELE LEE (ROANOKE) ◆ WASHINGTON: JANE DOE (GRANT COUNTY) ◆ RENEE DAVIS (KING COUNTY) ◆ TIFFANY EUBANKS (YAKIMA) ◆ WISCONSIN: CHRYSTUL KIZER (KENOSHA)

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