

INTERRUPTING CRIMINALIZATION

Police Responses to Domestic Violence: A Fact Sheet

Defunding police is a survivor led anti-violence strategy that stops police from looting resources survivors need to prevent, avoid, escape and heal from violence - and puts more money into violence prevention and interruption, and meeting survivors' needs.

Less than half of survivors call police in the first place

- According to official statistics, less than half of domestic violence survivors ever call or report to the police.¹
- The number is even lower for survivors of sexual assault - only a quarter ever call or report to police.²
- The number of people reporting violence to police is going down, not up.³
- More than half (67%) of respondents to the 2015 US National Transgender Survey said they would feel uncomfortable asking the police for help if they needed it. Middle Eastern, Black, and multiracial respondents, as well as disabled people and low-income people were most likely to feel uncomfortable seeking assistance from police.

IN CITIES WHERE 911 CALL DATA IS PUBLICLY AVAILABLE, DOMESTIC VIOLENCE CALLS MAKE UP 1-7% OF 911 CALLS.⁴

Police responses to domestic violence calls are sites of physical and sexual violence, and neglect

- One study found that an overwhelming majority (88%) of survivors and service providers said police sometimes or often don't believe survivors or take their complaints seriously.⁵
- Two thirds of survivors and service providers said police use force against survivors sometimes or often during DV calls, particularly against Black survivors. More than half reported anti-Black, anti-immigrant, anti-Muslim, and anti-LGBTQ attitudes among responding officers.⁶

- Research has shown that police target survivors for sexual harassment, extortion and assault.⁷
- Among survivors of homophobic and transphobic violence who reported it to the police, 39% said police were hostile, 33% experienced verbal abuse and 16% experienced physical abuse by police.

Police contact contributes to criminalization of survivors, particularly survivors of color and LGBTQ survivors

- Mandatory arrest policies have increased criminalization and arrests of survivors, particularly survivors of color and LGBTQ survivors.⁸
- The vast majority (89%) of survivors and service providers surveyed in one study indicated that police contact results in contact with the family regulation system (“child welfare”); 61% stated it can cause survivors to face criminal charges that could lead to deportation, and 70% reported that contact with the police “sometimes” or “often” results in the loss of housing, employment, or welfare benefits.⁹
- Nationally, girls of color are disproportionately arrested for assaults of family members in their homes. In Washington state, Black and Native youth are arrested for assault at a rate between 2 and 4 times greater than white youth.¹⁰

Survivors want safety and support

- A study of survivors and service providers found that:
 1. Survivors were looking for options other than punishment for the abuser, options that were not necessarily focused on separation from the abuser.
 2. Survivors feared that once they were involved in the criminal justice system, they would lose control of the process.
 3. Survivors were reluctant to engage the system because they believed that it was complicated, lengthy, and would cause them to suffer more trauma.¹¹
- A majority of survivors describe housing, health care, income and immigration status as things that would enable them to prevent, avoid, escape and mitigate violence.

A LETTER SIGNED BY 45 STATE DOMESTIC VIOLENCE AND SEXUAL ASSAULT COALITIONS ACKNOWLEDGED:

This is a moment of reckoning.

The murder of George Floyd broke the collective heart of this country, and now, finally, millions of people are saying their names:

George Floyd, Breonna Taylor, Tony McDade, Ahmuad Arbery—an endless list of Black Lives stolen at the hands and knees of the police. The legacies of slavery and unfulfilled civil rights, colonialism and erasure, hatred and violence, have always been in full view.

Turning away is no longer an option. Superficial reform is not enough.

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

- ▶ We have **failed to listen to Black feminist liberationists and other colleagues of color in the movement** who cautioned us against the consequences of choosing increased policing, prosecution, and imprisonment as the primary solution to gender-based violence.
- ▶ We have **promoted false solutions** of reforming systems that are designed to control people, rather than real community-based solutions that support healing and liberation.
- ▶ We have **invested significantly in the criminal legal system**, despite knowing that the vast majority of survivors choose not to engage with it and that those who do are often re-traumatized by it.
- ▶ We have **held up calls for “victim safety” to justify imprisonment** and ignored the fact that prisons hold some of the densest per-capita populations of trauma survivors in the world.
- ▶ We have **ignored and dismissed transformative justice approaches to healing, accountability, and repair**, approaches created by BIPOC leaders and used successfully in BIPOC communities.

Anti-violence organizations are inviting all of us to invest in community-based safety strategies and divest from policing, criminalization and punishment in favor of accountability and transformation.

It is time to transform not only “the state,” but ourselves.

Divestment and reallocation must be accompanied by rigorous commitment to and participation in the community solutions and support that are being recommended by multiple organizations and platforms.

We are listening to and centering BIPOC-led groups, organizations, and communities. We join their vision of liberation and support the following:

- ▶ **Reform the idea of “public safety”**—to promote and utilize emerging community-based practices that resist abuse and oppression and encourage safety, support, and accountability.
- ▶ **Remove police from schools**—and support educational environments that are safe, equitable, and productive for all students.
- ▶ **Decriminalize survival**—and address mandatory arrest, failure to protect, bail (fines and fees), and the criminalization of homelessness and street economies (sex work, drug trades, etc.).
- ▶ **Provide safe housing for everyone**—to increase affordable, quality housing, particularly for adult and youth survivors of violence, and in disenfranchised communities.
- ▶ **Invest in care, not cops**—to shift the word, resourcing, and responsibility of care into local communities.

The undersigned coalitions address that the above actions are both aspirational and essential. While timing and strategy may differ across communities, states, and sovereign nations, we commit to supporting and partnering with BIPOC leaders and organizations.

We commit to standing in solidarity with sovereignty, land and water protection, and human rights. And we say resoundingly and unequivocally: BLACK LIVES MATTER!

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Endnotes

- 1 Rachel E. Morgan, Ph.D., and Barbara A. Oudekerk, Ph.D, *Criminal Victimization*, 2018, Bureau of Justice Statistics, September 2019, NCJ 253043, available at: <https://www.bjs.gov/content/pub/pdf/cv18.pdf>
- 2 Rachel E. Morgan, Ph.D., and Barbara A. Oudekerk, Ph.D, *Criminal Victimization*, 2018, Bureau of Justice Statistics, September 2019, NCJ 253043, available at: <https://www.bjs.gov/content/pub/pdf/cv18.pdf>
- 3 Rachel E. Morgan, Ph.D., and Barbara A. Oudekerk, Ph.D, *Criminal Victimization*, 2018, Bureau of Justice Statistics, September 2019, NCJ 253043, available at: <https://www.bjs.gov/content/pub/pdf/cv18.pdf>
- 4 Jeff Asher and Ben Horwitz, "How Do the Police Actually Spend Their Time?," *New York Times*, June 19, 2020; Los Angeles Calls for Service Dashboard, <https://data.lacity.org/A-Safe-City/LAPD-Calls-for-Service-2020/84iq-i2r6> (1.5% of calls for service in 2020); Seattle Calls for Service Dashboard, <https://www.seattle.gov/police/information-and-data/calls-for-service-dashboard> (4% of 911 calls for assaults, 4% for domestic incidents in 2019).
- 5 Responses from the Field: Sexual Assault, Domestic Violence, and Policing, October 2015, available at: https://www.aclu.org/sites/default/files/field_document/2015.10.20_report_-_responses_from_the_field.pdf
- 6 Responses from the Field: Sexual Assault, Domestic Violence, and Policing, October 2015, available at: https://www.aclu.org/sites/default/files/field_document/2015.10.20_report_-_responses_from_the_field.pdf
- 7 Andrea J. Ritchie, *Invisible No More: Police Violence Against Black Women and Women of Color*, Beacon Press 2017.
- 8 Amy Leisenring, "Whoa! They Could've Arrested Me!": Unsuccessful Identity Claims of Women During Police Response to Intimate Partner Violence," *Qual. Sociol.* (2011) 34:353-370; Kris Henning, Brian Renauer, Robert Holdford, "Victim or Offender? Heterogeneity Among Women Arrested for Intimate Partner Violence," *Journal of Family Violence*; *New York Vol. 21, Iss. 6, (Aug 2006): 351-368.*
- 9 Responses from the Field: Sexual Assault, Domestic Violence, and Policing, October 2015, available at: https://www.aclu.org/sites/default/files/field_document/2015.10.20_report_-_responses_from_the_field.pdf
- 10 Sherman, Francine T., and Annie Balck. *Gender Injustice: System-level Juvenile Justice Reforms for Girls*. Report. Law School, Boston College. September 2015, available at: <https://incorrigibles.org/gender-injustice-report/>
- 11 Responses from the Field: Sexual Assault, Domestic Violence, and Policing, October 2015, available at: https://www.aclu.org/sites/default/files/field_document/2015.10.20_report_-_responses_from_the_field.pdf