

WE *STILL* DESERVE SAFETY: EXECUTIVE SUMMARY

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

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.

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,ⁱ 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 [Until Justice Just Is](#) campaign and the African American Policy Forum's [#SayHerName](#) 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 de-escalation 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
- 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](#),ⁱⁱ [Civil Rights Principles for Safe, Healthy, and Inclusive School Climates](#),ⁱⁱⁱ [Families Belong Together and Free](#),^{iv} and [We Deserve Safety](#).^v

ⁱ 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.

ⁱⁱ The Leadership Conference on Civil and Human Rights. (2020, June 1). Civil Rights Coalition Letter on Federal Policing Priorities. Retrieved from <https://civilrights.org/resource/civil-rights-coalition-letter-on-federal-policing-priorities/>.

ⁱⁱⁱ The Leadership Conference on Civil and Human Rights. (2020, June 17). Civil Rights Principles for Safe, Healthy, and Inclusive School Climates. Retrieved from <https://civilrights.org/resource/civil-rights-coalition-letter-on-federal-policing-priorities/>.

^{iv} YWCA USA. (2018, July 17). Families Belong Together and Free. Retrieved from <https://www.ywca.org/wp-content/uploads/YWCA-USA-Immigration-Briefing-Recommendation-UPDATED-20180717.pdf>.

^v YWCA USA. (2017, September 29). We Deserve Safety. Retrieved from https://www.ywca.org/wp-content/uploads/CriminalizationGWOC_FINAL.pdf.