

JEZEBEL

Cops Don't Care About Violence Against Women

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In 2018, several women in central Texas filed a class-action lawsuit on behalf of “all women” against Austin’s police chief Brian Manley, as well as the Travis County sheriff and the city’s district attorney. The lawsuit alleged that the Austin Police Department had badly mishandled rape cases.

Marina Conner, one of the plaintiffs in the case, had been raped in a parking lot in 2015, leaving her bruised and bloodied. During the attack, the University of Texas student tried to call a friend for help. Unable to reach her friend, Conner left a voicemail that included her cries begging her rapist stop. “I had a black eye and a gash on my forehead from when my head was slammed against the wall; I had bruises on the back of my arms and legs from when he pinned me against the wall; my vaginal and anal cavities were torn up to where no one could argue that was consensual in any way,” Conner recounted in an interview. But her attacker claimed it was consensual, and the police agreed, closing her case using a method known as “exceptional clearance,” a designation that allows officers to claim cases have been solved even when no arrests have been made. A recent ProPublica investigation found that exceptional clearance is used frequently by police departments to make it seem as if they solve more rape cases than they actually do.

“It was hard,” Conner added, “to understand how all of that was not enough.”

The issue isn’t limited to Austin. In cities around the country, women filed similar lawsuits in recent years, which collectively painted a damning pattern and picture of law enforcement agencies willfully refusing to investigate sexual assaults. Most people who are raped do not report their crimes to the police, and the stories told in these lawsuits offer some obvious reasons why: There is an overwhelming body of evidence that not only clearly demonstrates how poorly police departments around the country handle and investigate sexual assaults and rapes, but that officers regularly wield their authority to commit sexual assault.

The story of Daniel Holtzclaw, the former Oklahoma City police officer who in 2015 was convicted of assaulting and raping 13 black women, is fairly notorious, but he’s merely the most egregious example of a pattern of police officers abusing their power in this context. A 2015 investigation by the Associated Press found that during a six-year period, about 1,000 officers in law enforcement agencies around the country had had their badges revoked due to sexual assault or other forms of sexual misconduct. That number, the AP reported, is “unquestionably an undercount” of the widespread nature of the problem, due in part to victims’ unwillingness to report police officers to the very department that employs them.

But these numbers are often ignored as calls to defund the police and redirect at least a portion of police departments’ bloated budgets towards social welfare programs gain momentum. Some

defenders of police departments cling to the argument, contrary to all evidence, that one of their necessary functions is to investigate cases of violence against women, cases that for decades they have shown they simply do not care about—a disregard that they apply broadly to women of all races but in particular black and brown women. “Who do we call if there’s an emergency situation? What about domestic violence? What about child abuse, what about murder and rape?” Fox News host Ainsley Earhardt mused recently. “Defunding the police would be great for robbers and rapists,” Republican Senator Bill Cassidy said similarly in a separate Fox segment, a statement that earned him an approving tweet from Donald Trump.

“But what about rapists?” is, as the prison abolitionist and activist Mariame Kaba said in a 2017 interview, “the question that always gets thrown at anybody who identifies as abolitionist.” The question isn’t just posed as a bad-faith response by conservatives eager to defend the police, but by feminists who have embraced what the sociologist Elizabeth Bernstein termed “carceral feminism”—punitive policing, criminalization, and incarceration—as the solution to problems of violence against women. But as Kaba pointed out, “The vast majority of rapists never see the inside of a courtroom, let alone get convicted and end up in prison.” She continued: “So the system you feel so attached to and that you seem invested in preserving is not delivering what you say you want, which is presumably safety and an end to violence. Worse than that it is causing inordinate additional harm. The logics of policing and prisons are not actually addressing the systemic causes and roots of violence.” As the researcher and activist Andrea Ritchie put it to me, “They’re not actually doing what their public relations say they’re doing about sexual assault.” Ritchie continued: “And they’re certainly not preventing it.”

The logics of policing and prisons are not actually addressing the systemic causes and roots of violence

To argue that we *need* police in order to address violence against women disregards their failure and unwillingness to do so in practice. And it ignores another reality—that far too often, it is police officers themselves who commit sexual and physical violence, both against the people they are supposedly sworn to protect as well as their own partners. Stories of police officers raping and sexually assaulting people while on the job are common. As Ritchie and her co-author Delores Jones-Brown noted in their 2017 report “Policing Race, Gender, and Sex,” news reports along with a limited number of studies “indicates that police officers sexually harass and assault women with alarming frequency.” In 2010, the libertarian Cato Institute released a report that, as Ritchie and Jones-Brown noted, “concluded that sexual assault and misconduct was the second most frequently reported form of police misconduct after excessive force.” (According to the Cato Institute, more than half of the sexual misconduct complaints lodged against officers were from minors.)

Even some police chiefs admitted that officers abusing their authority to sexually harass and assault people is widespread. “It’s happening probably in every law enforcement agency across the country,” Chief Bernadette DiPino of the Sarasota Police Department told the Associated Press. “It’s so underreported and people are scared that if they call and complain about a police officer, they think every other police officer is going to be then out to get them.” And according to Diane Wetendorf, a former domestic violence counselor, the few times that victims reported assault by a police officer led to retaliation as well as a blanket denial of the women’s claims. “It starts with the officer denying the allegations—‘she’s crazy,’ ‘she’s lying,’” Wetendorf told the AP. “And the other officers say they didn’t see anything, they didn’t hear anything.”

This culture of violence, unsurprisingly, extends into officers' homes as well. While the few studies that exist are limited and dated, it's clear even from the limited data that partners of police officers face far higher levels of domestic violence than the broader public. According to the National Center for Women and Policing, domestic violence is "two to four times more common among police families than American families in general."

When one's abuser is a police officer, victims are even more isolated and less able to access the paltry support systems that exist. As the National Center for Women and Policing has found, "Victims often fear calling the police, because they know the case will be handled by officers who are colleagues and/or friends of their abuser." The group also notes that "victims of police family violence typically fear that the responding officers will side with their abuser and fail to properly investigate or document the crime," fears that are utterly founded.

One particularly egregious example the group highlighted is from the Los Angeles Police Department, which, in an eight-year period in the '90s, investigated more than 200 cases of domestic violence brought by partners of LAPD officers. The department found that fewer than half of those cases were worthy of investigation; of those 91 cases, only four officers were convicted on criminal charges, one of those officers only received a 15-day suspension. Allegations of domestic violence didn't seem to hurt the careers of those officers—nearly one-third were promoted up the ranks. Not much has changed since then. As the *New York Times* noted in 2013, "In many departments, an officer will automatically be fired for a positive marijuana test, but can stay on the job after abusing or battering a spouse."

It's hard to look at this body of evidence and conclude that police departments can somehow be reformed, either through increased training or changes in policy, when it comes to how they handle sexual assault and domestic violence cases. "We've been in that project for 30 years," Ritchie said of reform efforts pushed by anti-violence organizations. "None of that changes it. And part of the reason is because sexual violence is actually a tool of policing." She added, "You can't try and reform an institution that is about doing the thing that you're trying to stop."

In her recently released book *The Feminist War on Crime*, law professor Aya Gruber argues that feminist activism in the 1970s and '80s transformed policing, turning towards a reliance on law enforcement to address issues of domestic violence and sex crimes. "[P]owerful feminist subgroups repeatedly chose criminal law" when it came to the best ways to address violence against women," Gruber writes, adding, "Their reform agendas expanded police and prosecutorial power, emphasized criminals' threat to vulnerable women, diverted scarce resources to law enforcement, and ultimately made many feminists soldiers in the late twentieth-century war on crime."

That deliberate move, Ritchie said, was a mistake. "The anti-violence movement threw all of its eggs in the police basket," she said. The decision had enormous repercussions that have not led to healing, justice, or safety for the majority of survivors. It's time, she said, "to stop resourcing the institution that's perpetuating and not preventing sexual violence."