

THE ROOT

#CopsToo: When Police Officers Use Sexual Assault to Terrorize Vulnerable Communities

Danielle Butler

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In August of last year, Texas attorney Samuel Cammack III published a disturbing and graphic video on his website in an effort to send shockwaves throughout Harris County and the entire state of Texas.

“Once the community sees this, they’re going to be outraged and disgusted,” Cammack asserted to Houston’s KTRK-TV.

The video was dashcam footage of what he and his client, a young black woman by the name of Carnesha Corley, alleged to be “rape by a cop.” Late on a June evening in 2015, two Harris County deputies, Ronaldine Pierre and William Strong, pulled Corley over into a bustling parking lot of a Texaco garage in Houston for allegedly running a stop sign and failing to use turn signals. In the video, Carnesha is handcuffed and made to stand, while the two Harris County deputies search her vehicle. When the car search turned out to be fruitless an officer on the tape can be heard saying “Oh we are going to find something, even if we have to put hands on her.”

Corley, who was a 20-year-old student at the time, is then forcibly put on the ground, stripped naked below the waist, made to spread her legs while a female officer examined her vaginal cavity for 11 excruciating minutes using a flashlight. Corley was then arrested and charged with possession of 0.02 ounces of marijuana and resisting arrest; the charges were later dropped by the Harris County district attorney’s office.

Corley said she was ordered to open her legs but said she did not wish to do so. “So she says: ‘Well if you don’t open them, I’m going to break them,’” Corley said of her dehumanizing encounter with the deputy. “All I could do was just lay there. I felt helpless.” She told KTRK she felt violated. “I feel like they sexually assaulted me. I really do. I feel disgusted, downgraded, humiliated.”

Cammack was compelled to make the video public after Pierre and Strong were cleared of official oppression by a grand jury.

“When you stick your fingers in somebody without their effective consent, that’s rape in any state that I know of,” Cammack said to KRTK-TV. While Texas lawmakers passed a bill shortly after Corley’s arrest, supposedly prohibiting roadside cavity searches without a search warrant, to date, Pierre and Strong are still with the sheriff’s department and most recently reported to be on administrative leave.

The sexual violence inflicted on Corley is not uncommon in Texas, or in any part of the country for that matter. It’s among many assaults and violations that comprise the full gamut of sexual abuse committed by police officers across the country with, in many cases, with relative impunity.

According to the Cato Institute, more than 9 percent of reports of police misconduct in 2010 involved sexual abuse, making it the second-most reported form of misconduct, after the use of excessive force. Comparing that data to FBI crime statistics indicates that “sexual assault rates are significantly higher for police when compared to the general population.”

The evidence is compelling; still, sexual abuse committed by cops is routinely neglected in the broader dialogue regarding police brutality. In 2013, the Department of Public Safety was forced to pay \$185,000 to two women who alleged troopers had conducted cavity searches by the roadside, illuminated by patrol car headlights, in full view of passing traffic. And a lawsuit was recently filed a few weeks ago against the city of San Antonio by the attorney of Natalie Simms, another black woman, alleging a female San Antonio PD officer violated her constitutional rights, when she forcibly searched her vaginal cavity and even pulled out her tampon, along the shoulder of a public street in 2016

Cases like that of Denver cop Hector Paez, who was sentenced to eight years in prison in 2012 for driving a woman he’d arrested to a secluded spot and forcing her to perform oral sex. And Sergio Alvarez, an officer from West Sacramento, California, charged with kidnapping and raping six women while on duty in 2014; flew under the national radar. The high profile case of Daniel Holtzclaw; the former Oklahoma City Police Department patrol officer who was convicted in December 2015 of multiple counts of rape, sexual battery, forcible oral sodomy, was able to grab some national attention (thanks in large part to the concerted effort of black women on social media), but there are still countless others.

The case of 19 year old “Anna Chambers,” who alleges that she was kidnapped and raped by two NYPD plain clothes officers grabbed headlines, and is calling attention to law enforcement’s rampant sexual violence and the laws that enable them to have ‘consensual sex’ with suspects in their custody. In January of this year, during a monthly Chicago Police Board meeting, 50 year old Trina “Kim” Townsend, reportedly encouraged by the multitude of women coming forward about their own abuse in light of the #MeToo movement, publicly accused a now-retired Chicago cop by name of repeatedly raping her over several years after she had turned to him for help because she was already being molested by a family member.

The transgender community is especially vulnerable to being sexually assaulted by police, as are sex workers and people without shelter stability.

In a perturbing report released in August of 2016, the U.S. Justice Department (DOJ) found that the Baltimore Police Department has routinely violated civil rights in numerous ways. Among many problems cited in the 163-page report, the DOJ found that Baltimore police regularly, used excessive force, ignored or demeaned sexual assault victims, harassed transgender women, and tolerated sexual abuse by officers, especially of sex workers. The report found indications that police disregarded reports of sexual assault by sex workers to be “a particularly troubling trend given the vulnerability of those individuals to rape.” It also cited complaints that officers targeted sex workers “to coerce sexual favors from them in exchange for avoiding arrest,” and that BPD failed to investigate these complaints. Nearly two-thirds (64%) of 2011 NTDS respondents who had done sex work reported mistreatment by police, including 9% who reported sexual abuse.

According to *U-T San Diego*, many of the alleged victims of San Diego police officers were sex workers, homeless, intoxicated, mentally ill or had criminal records. Moreover, fifteen percent of transgender individuals report being sexually assaulted while in police custody or jail, which more than doubles (32 percent) for African-American transgender people. Five to nine percent of transgender survivors were sexually assaulted by police officers.

Jen Marsh of the Abuse and Incest National Network asserts; “What we’ve seen in sexual assaults committed by law enforcement is that they’re targeting victims seen as vulnerable or ‘less credible,’ whether they’re engaged in sex work or are committing a crime. A police officer uses that as a way to control the victim.” In a tepid effort to politely spur conduct reform in light of these egregious findings, the U.S. Department of Justice’s Office on Violence Against Women funded the International Association of Chiefs of Police (IACP) to develop a guide for police chiefs, issued in 2011. The guide encourages them to adopt specific policies in their departments to prevent police sexual misconduct. The DOJ funded the report after noting “recurring accusations of sexual offenses implicating law enforcement officers.” However, since there is no data being kept tracking the number of victims of sexual abuse, the IACP concedes that it has no way of knowing if any police departments have followed their recommendations.

While women, particularly women of color, have been sexually terrorized by police, men are not exempt.

As many studies illustrate that Black and Latino men make up the vast majority of citizens who are routinely stopped and investigated; the conversation about the sexual harassment and degradation they experience at the hands of police is seldom entertained. In May of last year, Pennsylvania Black Lives Matter activist Asa Khalif and other protestors, delivered underwear to Philadelphia police headquarters, reacting to an expose published in the Philadelphia Daily News uncovering the Philadelphia PD’s ongoing and illegal practice of searching black men’s underwear and fondling their genitals during routine stops for traffic violations, as well as investigatory stops.

“They were rough. They ... threw me on the ground. It was like damn near being raped. They did what they wanted with me,” Nafiys Walters recalled to the Philadelphia Daily News. Walters was pulled over by two white police officers for running a red light while riding a bicycle as he was going to pick up a suit to wear to his graduation from Cheney University the next day.

“They’re out here, basically, going around sexually harassing people. They’re doing what they want,” stated Monte Singleton, who filed a complaint regarding the underwear searches.

Journalist Richard Goldstein, writing about the sexual assault of Abner Louima, observed:

Several false assumptions shape our obliviousness to the erotic element in police brutality: that men are rarely the victims of sexual assault, that straight men have no homosexual feelings, and that sexuality is limited to what we do in bed. The first perception allows police to force young black men to drop their pants – a common practice during street frisk – without risking charges of sexual harassment (imagine what would happen if black women were subject to this treatment); the second notion prevents us from imagining that cops who specialize in such tactics might find them exciting; and the third blinds us to the connection between sadism and racism.

With few resources and sparse data on the growing number of victims, researchers have to depend solely on arrest reports and press accounts—which of course are greatly affected by the reluctance of victims who are understandably fearful of police retaliation, making it difficult to fully grasp the scope of this issue.

But We Do Know This Is a Pervasive Problem

“Police sexual misconduct is common, and anyone who maintains it isn’t doesn’t get it,” **says** retired Seattle police chief Norm Stamper, author of the book *Breaking Rank*. As part of a 2008 study, former police officer Tim Maher, a criminologist at the University of Missouri-St. Louis, asked 20 police chiefs whether police sexual misconduct was a problem; 18 responded in the affirmative. The 13 chiefs willing to offer estimates thought an average of 19 percent of cops were involved—if correct, that translates to more than 150,000 police officers nationwide. An informal effort by the Cato Institute in 2010 to track the number of police sexual-misconduct cases just in news stories counted 618 complaints nationwide that year, 354 of which involved forcible non-consensual sexual activity like sexual assault or sexual battery.

In a yearlong 2015 investigation into the sexual misconduct of U.S law enforcement, The Associated Press uncovered about 1,000 officers who lost their badges in a six-year period for rape, sodomy and other sexual assault; sex crimes that included possession of child pornography; or sexual misconduct such as propositioning citizens or having consensual but prohibited on-duty intercourse. A number they say is undoubtedly low since it only represents revoked licences and several states do not take such actions against officers, or even have statewide systems that decertify officers for sexual assault.

Advocates for victims of sexual abuse committed by law enforcement, support sweeping reform; insisting better federal laws and oversight of local police departments can prevent further sexual assaults by law enforcement. Many are pushing for the expansion of the federal 2003 Prison Rape Elimination Act—which established “zero tolerance” for sexual abuse and sexual misconduct by prison and jail staff— to apply to anyone in police custody, not just those in lockups.

Roger Goldman, a law professor at the Saint Louis School University School of Law who’s an expert on police-licensing laws and has worked for over 30 years to convince states to contribute

to the National Decertification Index. A database that holds the names of officers who have lost their certification for any type of misbehavior, including sexual misconduct, which allows police departments that are hiring to screen out “bad-apple” candidates. Currently 43 states contribute. However, it’s a reform tool that is ineffective without compulsory nationwide participation, and its premise relies heavily on the optimistic notions that sexual misconduct is both a concern and summarily condemned in police culture, which has not proved to be the case. In December 2007, 38 organizations submitted a report to the U.N. Committee on the Elimination of Racial Discrimination documenting ongoing incidents of police sexual assault and harassment. They made the case that the federal government’s failure to address the issue violates its obligations under the International Convention on the Elimination of Racial Discrimination concluding: “rape and sexual abuse by police [in the United States] are primarily reported by women of color.”The groups submitted similar reports to two other U.N. committees.

Grassroots activist groups continue to organize, and advocate on behalf of victims and reform, while the federal government offers at best passing concern and light chiding. Local police departments occasionally entertain dialogue about misconduct with activists, and in Oregon, the group Portland Copwatch monitors and documents incidents of local cops involved in sexual harassment and assault.

Data collection, stronger federal oversight, and zero tolerance policy on sexual misconduct are reasonable proposed solutions that can arguably prove effective in harm reduction; however, what’s embedded in the core fabric of the blanket of sexual assault and trauma that is being spread across the country by the hands of police is a culture steeped in white supremacy that also thrives on abuse of power, violence, sadism, and a visceral contempt for the most marginalized and neglected of our communities. Members of communities that the very nature of policing demand they interact with the most.

We cannot laud the bravery of survivors like Anna, Charneshia, and Kim who figuratively and sometimes literally, lay themselves bare on the table of public opinion without taking to task the rotten institution that is our law enforcement and the system of laws that abet in their abuse. Abuse that stands to become even more common place with the Trump administration’s proposed punitive solution to the nation’s current opioid crisis and marijuana use. Police officers targeting vulnerable people in occupied communities is, unfortunately, a very consistent characteristic of the war on drugs.

“It’s a concern as the federal government, particularly [the attorney general] Jeff Sessions, talk about ramping that up, that we’ll be seeing more and more of the kind of searches that Charnesia describes.” said Andrea J Ritchie, author of *Invisible No More: Police Violence Against Black Women and Women of Color*.

The noxious and commonplace reality of sexual assault committed by law enforcement made the imagery of pussy hat clad white feminists gleefully embracing cops (and in some cases collaborating them for increased surveillance) during last year’s Women’s March all the more odious. And makes the exclusion of law enforcement’s sexual violence in discussions about police brutality and the #MeToo movement all the more negligent. As there are few instances of

abuse of power more common than the sexual abuse committed by scores of officers who are well aware of the authority they wield with their badges.

One resident of the neighborhood Daniel Holtzclaw patrolled said to a reporter about police, “They’ve pretty much got power in the palm of their hand. And it’s your word against theirs.”