

The logo for Vex, featuring the word "Vex" in a stylized, black, serif font centered on a bright yellow square background.

The sexual assault allegations against an officer involved in Breonna Taylor’s killing say a lot about police abuse of power

Fabiola Cineas

June 12, 2020

As the Louisville Metro Police Department (LMPD) reviews **the fatal police shooting of Breonna Taylor**, the department has new allegations to investigate: Claims of sexual assault have recently been made against Brett Hankison, one of the officers involved in Taylor’s death — further calling into question his record as an officer and the latitude afforded to law enforcement.

Since early June, at least two women have said Hankison sexually assaulted them, in nearly identical stories. One of the women, Margot Borders, **wrote in a Facebook post** that Hankison offered her a ride home in 2018 after she had been drinking at a bar: “He drove me home in uniform, in his unmarked car, invited himself into my apartment and sexually assaulted me while I was unconscious.”

The other woman, Emily Terry, **wrote that Hankison** pulled up next to her in his vehicle as she walked home intoxicated. He offered her a ride home, she accepted, and in the car he “began making sexual advances towards me; rubbing my thigh, kissing my forehead, and calling me ‘baby.’ Mortified, I did not move,” she wrote.

A spokesperson for LMPD **told the Louisville Courier-Journal** that the department is aware of the social media posts and is looking into the accusations. Hankison remains on administrative reassignment after he and two other officers entered Taylor’s apartment looking for someone else and fatally shot Taylor in the middle of the night.

That a police officer has a record of sexual assault allegations — LMPD’s Public Integrity Unit previously investigated him in 2008 and 2015 — is not so unusual. It’s a major problem in the broader institution of policing now under scrutiny for its **violent history** and **reliance on excessive force**.

A Cato Institute **review of police misconduct statistics** found that sexual misconduct claims accounted for the second-highest category of complaints against law enforcement officers, after use of excessive force.

“In the protests, we often see signs reading, ‘Who will police the police?’” political scientist and UCLA health services researcher Miranda Yaver told Vox. “Given the lack of accountability [in police departments], it is sadly unsurprising that an officer accused of sexual misconduct would be able to stay on the police force, ultimately playing a role in Taylor’s tragic killing.”

Police sexual misconduct is a systemic problem

Various studies show that police sexual violence is widespread and that the incidents often begin with traffic stops. One **2014 report** explains “driving while female,” a phenomenon that describes officers who use “the pretext of alleged traffic violations to sexually harass or abuse female drivers.”

The same report looked at nearly 550 cases across the country of officers arrested during a three-year period and found that there were cases of forcible or statutory rape, forcible sodomy, aggravated and simple assaults, and sexual assault with an object. The typical profile of the offending officers: male, patrol or street level, between the ages of 36 and 43, in the service for less than five years, and employed in southern metros in states like Florida, Louisiana, and Hankison’s home of Kentucky. Officers tended to be on-duty when they committed sexual violence, but the off-duty officers were found to have wielded their law enforcement positions to coerce victims. The victims were typically girls under the age of 18.

The study did not account for the race of the officers or victims, but Yaver told Vox that because **black people are more likely to be stopped by police** in the context of traffic stops, this community is more likely to be vulnerable to this form of police abuse of power.

According to Yaver, a lack of regulation to prohibit police sexual violence perpetuates the problem. “In 32 states, police officers can claim that sexual contact with those they are arresting is consensual, despite the clear power dynamic precluding true sexual consent,” she told Vox. “Absent a law that explicitly prohibits sexual contact between police officers and those in their custody, there are opportunities for people to be violated due to these abuses of power.”

Consent **is not defined under Kentucky law.**

Yaver pointed out that it wasn’t until 2017 that Texas formally prohibited roadside cavity searches. Before then, someone could be “forced to undress and submit to an invasive search in public,” she said. The bottom line, Yaver said, is consent: “It is impossible to truly consent to sexual contact when there is such a power imbalance at play. Even if someone says ‘okay,’ it may well be out of fear of consequence by law enforcement. If there is a concern about being put in jail for refusing advances, it is not consensual, and the laws need to reflect that.”

The lack of accountability has enabled recidivist officers, who sometimes averaged four victims in three years, with many still able to hold onto their badges as they shuffled across jurisdictions, **according to one study.** The former NYPD detectives who admitted to raping

then-18-year-old Anna Chambers while she was in their custody in 2017 were **sentenced to five years** of probation, no prison time.

Even with what the current scholarship on police sexual misconduct reveals, we still lack a comprehensive picture. Police sexual violence is underreported, as victims fear shame and repercussions. Victims “believe that they will receive a greater penalty if they do not comply in giving sexual favors or if they complain about an invasive search, even if without probable cause,” Yaver said. “With any police brutality, there’s a disinclination to report violence to the very institution from which one experienced abuse in the first place.” The majority of sexual assaults are **not reported to the police**.

Hankison has a record of sexual assault and other misconduct allegations

Borders, one of Hankison’s accusers, wrote, “I never reported him out of fear of retaliation. I had no proof of what happened and he had the upper hand because he was a police officer. Who do you call when the person who assaulted you is a police officer? Who were they going to believe?”

to.comView Site

Past cases of sexual assault against Hankison were thrown out. In a 2008 case, he was accused of “receiving oral sex in exchange for not arresting a woman with an outstanding warrant,” and in a 2015 case, a parolee informed her parole officer that Hankison came onto her and would forgive a ticket if she had sex with him, according to the Courier-Journal.

Hankison is also being sued by Kendrick Wilson, who has accused him of “harassing suspects with unnecessary arrests and planting drugs on them,” according to **USA Today**. Wilson alleges that Hankison targeted him and arrested him three times in a two-year period.

June 13 marks exactly three months since Taylor was killed in her apartment after Hankison and two other colleagues executed a no-knock search warrant, and resulted in them shooting Taylor at least eight times. This week, LMPD finally released an incident report about the fatal shooting that night — but **the document was largely blank**. On Thursday, in a unanimous vote, the Louisville Metro Council **banned no-knock warrants** with new legislation called Breonna’s Law. “While this is not a finish line in the effort toward justice for Breonna, it’s a community-wide victory in the push for fairness and due process,” one council member said.