

INTRODUCTION

Pulled over in a traffic stop and beaten by the side of the road.
Placed in a banned choke hold by a New York City police officer.
Violently taken into police custody, never to come out alive.
Shot first, questions asked later.

The stories and images that immediately leap to mind in connection with these scenes are those of Black men—Rodney King, Eric Garner, Freddie Gray, Philando Castile.

But these are also the stories of Black women.*

Women like Sandra Antor, pulled over and brutalized on Interstate 95 in 1996 by a South Carolina State Trooper in an incident captured on video five years after images of Rodney King's beating sparked a national uprising.

Women like Rosann Miller, placed in a choke hold in 2014 by a New York City police officer when she was seven months pregnant, just weeks after police choked Eric Garner to death on camera using one.

Women like Alesia Thomas, repeatedly kicked and beaten by a Los Angeles police officer in 2012 while handcuffed in the back of a police cruiser. Like Freddie Gray's, the injuries she sustained in police custody proved fatal.

Women like Mya Hall, a Black trans woman shot dead by police **a**fter making a wrong turn onto National Security Agency property outside of Baltimore, just weeks before Freddie Gray's case rocked the city and the nation.¹

* As used throughout this book, the terms "woman" and "women" are emphatically inclusive of transgender women.

Yet Black women's experiences of profiling and often deadly force remain largely invisible in ongoing conversations about the epidemic of racial profiling, police violence, and mass incarceration in the United States.

Since the Ferguson Uprising of 2014, the Black Lives Matter movement and the call to lift up Black women's stories of police violence under the rubric of Say Her Name have forced increased attention to these experiences. In the words of Black Lives Matter cofounder Alicia Garza, "Black Lives Matter affirms the lives of Black queer and trans folks, disabled folks, Black-undocumented folks, folks with records, women and all Black lives along the gender spectrum. It centers those that have been marginalized within Black liberation movements."²

In this context, Black women, long the backbone of efforts to resist state violence, are insisting that we will no longer only play the role of aggrieved mother, girlfriend, partner, sister, daughter, or invisible organizer, and demanding recognition that we, too, are targets of police violence.

Nevertheless, Black women's experiences of racial profiling, the use of deadly and excessive force, sexual violence at the hands of police, and mass incarceration remain largely uncharted territory. In some ways, the experiences of Indigenous, Latinx,* Asian, Arab, Middle Eastern, Muslim, and South Asian (AMEMSA) women are even further off the map. *Invisible No More* brings them all to the center, placing individual women's stories into broader contexts, and identifying commonalities and distinctions between experiences of Black women and other women of color, and with those of Black men and men of color. It also explores the ways in which women's experiences of policing take forms short of fatal force, and how they are uniquely informed by race, nation, gender, gender identity and expression,[†] sexual orientation, poverty, disability,

* The term "Latinx" (pronounced La-teen-ex) is a gender-neutral alternative to "Latino/a" that moves beyond gender binaries to make room for the infinite possibilities of gender in a gendered language.

† The term "gender identity" is used to refer to a person's understanding of that person's own gender. The term "gender expression" is used to refer to the ways in which people represent or present gender identity to others, through clothing, hairstyles, or other characteristics.

and mental health.³ Drawing on individual stories and existing research, *Invisible No More* identifies broader patterns and paradigms of policing that drive police violence against Black women and women of color, unmasks the continuing operation of controlling narratives of Black women and women of color rooted in colonialism and slavery in police interactions,⁴ and asks what these experiences teach us about manifestations of structural racism. Finally, it pushes us to consider what it would mean for women to no longer be invisible in the discourses of racial profiling, police brutality, mass incarceration, violence, and safety.

Invisible No More is also the story of the evolution of my own understanding of policing and criminalization of Black women, Indigenous women, and women of color over the past twenty years, as well as the evolution of a movement.

Scene I. I am fourteen or fifteen, walking down a deserted street of a strange city alone, when a group of young men start catcalling. "Hey baby hey baby hey baby," they yell out, increasingly insistent, describing what they would like to do with, and to, me as I speed up without responding. I breathe a sigh of relief when a pair of police officers come into view ahead at the corner. I hurry in their direction, as the young men's commentary becomes more graphic and more angry, as it so often does if your initial response is not to their liking. Somewhat out of breath, I tell the officers, "I need help—those guys are harassing me." The officers laugh, leer, and start their own stream of ribald commentary as they slowly surround me. Panicking, I slip out from between ~~them~~ and walk away briskly, frantic now that it is clear that those who are supposed to protect me are in on the game . . .

Scene II. I am fifteen or sixteen, wandering the streets of another strange city late at night. I have just escaped the clutches of a young man who thought that the dinner he bought me entitled him to more than I was prepared to give that night. I discover that the train station I had planned to sleep in is closed. I walk to another station and see lights on in a small office—the railway police station. I walk in, tell the officers I am on the first train out in the morning, and ask if I can sit in the office

until then. They pause, then slowly point me to a room, cautioning that I cannot sleep there. I gratefully agree, enter the room, close the door, pull out a book and begin reading, prepared to while the night away in a novel, as I often did at that time of my life. Within an hour, one of the officers opens the door, closes it behind him, strikes up a casual conversation, works his way closer to me, and, eventually, sexually assaults me.

I got the message. The police are not here to protect me. They are just as likely as anyone else to commit violence against me.

I am a light-skinned Black woman, with curly hair and green eyes, and features more reminiscent of my Scottish ancestors than my African Jamaican ones, making it possible for me to pass as white. I am often recognizable to members of my community as Black, and it is clear to most that I am at least an indeterminate woman of color. For police officers, that was apparently enough to also read me as “sexually available” and “unworthy of protection.” This reality is exponentially starker for my darker-skinned sisters.

There were other moments, even when I was older and more privileged. As an undergraduate at a protest encampment calling for divestment of university holdings from apartheid South Africa, we heard that campus police had pictures of women protesters on their lockers who were regularly the subject of sexual commentary. After law school, I was assigned to a ride-along with a police officer in Los Angeles during research for a human rights report on police misconduct. He drove me to a deserted spot in Griffith Park—where he brings his girlfriend, he said—and his questions began to take a distinctly personal turn as he moved closer. Here we go again, I thought, feeling powerless to stop what I felt increasingly certain was about to happen, panic rising as I saw no escape or rescue in sight. Just as he put his hands on me, he got a call for a robbery in progress, and we careened through the streets of LA to respond, his adrenaline pumping, my relief palpable.

These are stories I have never told, even as I spent the past two decades researching, documenting, agitating, advocating, litigating, and organizing around police violence against Black women, women of color, and lesbian, gay, bisexual, transgender, and queer people of color.

I recognize that I have been able to do this work from a place of privilege—of skin color/passing privilege, cisgender privilege, educational privilege, Global North privilege, and fluctuating economic privilege.⁵ Simultaneously, I have been called to this work as a Black woman, a survivor of police and interpersonal violence, a lesbian, an immigrant (albeit from Canada), and a woman living with invisible disabilities. My intention in writing this book is to amplify the experiences, voices, work, and perspectives of Indigenous women, Black women, and women of color, not to take the place of or to supplant the voices of my darker-skinned sisters, my trans and gender-nonconforming siblings, the Indigenous peoples whose land I am complicit in settling, or immigrants who have been subject to much harsher enforcement of the nation's borders. I write as an act of love, of mourning, of honoring, of commemoration, of liberation, as a contribution to our shared struggles, wrestling with the meanings of Blackness, privilege, solidarity, and co-struggling; of “survivor” and “ally.”

Ironically, it was not my personal experiences that sparked my passion to shine light on women's experiences of policing. Like many Black women and women of color, I had been engaged in struggles against racial profiling and police brutality for years, yet I had never seen my own experiences, or experiences of sexual violence by police, for that matter, as part of the conversation.

My initial awareness of police violence against women of color came when I was twenty-one, in the summer of 1990 during the Oka Crisis, a siege laid by the Canadian army just outside Montreal against the Kanien'kehá:ka (referred to by settlers as “Mohawk”) community of Kanehsatá:ke, who were fighting to protect their ancestral lands and burial grounds from development into a golf course. As events unfolded, I learned with horror about verbal, psychological, physical, and sexual abuse by police and army officers against women leading blockades and fighting for their land throughout the siege. I later learned, from Andrea Smith's *Conquest: Sexual Violence and American Indian Genocide*, that women of Chicago's Women of All Red Nations were arrested as they attempted to videotape the crisis, held for eleven hours

in a location covered with pornography, and denied access to the bathroom unless male officers could watch them.⁶ My immediate response at the time was to join efforts to get food and supplies behind army lines to the community, and to join the camp acting as a human shield outside the perimeter and bearing witness to those trapped inside by tanks, soldiers armed to the teeth, and choppers flying incessantly overhead. These events rammed home for me, a settler who grew up just across the river from Kanehsatá:ke, on what is clearly also Kanien'kehá:ka land, the continuing violence of colonialism—and the central role of police and military violence against Native women and their communities in maintenance of the settler state.

This reality was again laid bare as I was completing this book, as police repeatedly attacked Native women on the front lines of the struggle to stop the construction of the Dakota Access Pipeline on unceded land of the Standing Rock Lakota, a pipeline that would destroy ancestral burial grounds and potentially contaminate the water supply of the Standing Rock Sioux Nation and millions beyond. Native women water protectors—including a seventeen-year-old pregnant woman and a seventy-eight-year-old elder—were repeatedly subjected to pepper spray, batons, water cannons, concussion grenades, Long Range Acoustic Devices (LRADs), dogs, fists, and Tasers by police, private security personnel, and the National Guard with tanks and riot gear. They were singled out for arrest on the front lines, and subjected to humiliating strip searches during which they were forced to bend over and expose themselves, cough, and jump up and down, held in dog kennels, and denied water, food, and medication while in police custody.⁷ On November 20, 2016, a Morton County sheriff's officer intentionally shot Vanessa Dundon, a Diné warrior woman, in the eye with a tear-gas canister, causing her to suffer a number of injuries, including a detached retina (see photo insert). Vanessa, also known as Sioux Z, is unlikely to regain full sight in that eye.* She later said of the incident, "They knew.

* Throughout the book I use women's first names in order to restore some of the humanity stolen from them in accounts of violence perpetrated against them, intending the utmost care and respect.

They knew they were directing that towards my head. There were seven other women [including a thirteen-year-old girl] that got shots to the head that night. They were just picking on the women." Later that night, authorities turned water hoses on others in the area, as temperatures hovered in the midtwenties.⁸ The water protectors at Standing Rock are not alone—state violence against Indigenous land defenders is an everyday occurrence across the United States.

One year after the Oka Crisis of 1990, I watched in horror as the video of Los Angeles police department officers beating Rodney King filled my television screen, and the following year when the officers responsible were acquitted, I took to the streets with the thousands whose outrage I shared. But it was not until 1993, when I first learned of the late-night street-corner strip search of a Jamaican woman named Audrey Smith, that I embarked on a mission to document women's experiences of policing and bring them to the center of movements for police accountability. I read, horrified, about how two Toronto Police Service officers approached Audrey, who was visiting relatives in Toronto—where I was living at the time—as she stood on a busy corner late one night. They demanded to know her name and where she was hiding the drugs. Shocked, she told them she had no drugs and asked why they thought she did. They told her she "looked like a drug dealer" and proceeded to strip-search her right there on the street, in full view of protesting passersby. The officers found no drugs. The Special Investigations Unit found no wrongdoing.

Later, I learned the name of Sophia Cook, a twenty-three-year-old Black Jamaican single mother who one day in October of 1989 had caught a ride after missing her bus in a car that was subsequently alleged to be stolen. A Toronto police officer shot her in the back while she was sitting, seat belt on, unarmed, in the passenger seat. She was paralyzed by her injury. The officer responsible was charged with careless use of a firearm but was acquitted.

Both of these women, Jamaican like my mother, could have been my sister, aunt, or cousin.

Yet, while many of the Black women and women of color I knew recognized all of these incidents as police violence, the rest of the world

spoke only of Rodney King. Police and military violence against Indigenous women and Black women, as well as sexual violence by police, remained invisible.

In 1997, I was serving on the board of directors of Nellie's, a shelter for homeless women and survivors of violence in Toronto, when I was asked to join an advisory board of antiviolence advocates who would guide the City of Toronto's auditor in a review of the police department's responses to sexual assault. The audit had been ordered as part of the settlement of a suit brought by a woman known as Jane Doe, who essentially had been used as bait by police to catch a serial rapist.⁹ As we reached out to sexual assault survivors to better understand their experiences of police responses to sexual assault, another story began to surface: one of police as perpetrators of sexual assault—whether through strip searches, such as the one Audrey Smith was subjected to; extortion of sexual services from women engaged in the sex trades; or rape or sexual assault using the power of the badge.

In the end, it was stories of the women who came forward—and the reality that very few people were paying attention to them, much less expanding their analysis of policing issues to make room for their realities—that drove what has become a lifelong journey. Since then I have been moved to search out and unearth the largely invisible experiences of profiling, police brutality, and criminalization of Black women and women of color and, later, LGBTQ people of color, and to insert them into debates about racial profiling, police brutality, criminalization, and mass incarceration, as well as discussions about violence against women and LGBTQ people.

The journey to this moment and to this book has been a long one, collectively and personally. Over the past two decades, I have done this work in many capacities, primarily as a researcher, writer, litigator, and policy advocate, supporting organizing efforts behind the scenes with factsheets, legal information, legislative analysis, legal observation at protests, criminal defense for protesters, and continuing support for community Cop Watch teams. Until 2009, the vast majority of my work on policing of women of color was unpaid, a labor of love and struggle. For much of that time, INCITE! both housed and deeply informed my

evolving analysis. My tenure on INCITE!'s national collective culminated in the release of the INCITE! *Law Enforcement Violence Against Women of Color and Transgender People of Color: Organizer's Resource and Tool Kit* at the Critical Resistance Tenth Anniversary Conference in 2008. In the years following 9/11, when domestic discourse on policing was deeply suppressed, I engaged in international advocacy before the United Nations, coauthoring *In the Shadows of the War on Terror: Persistent Police Brutality and Abuse in the United States*, a report endorsed by more than one hundred national, state, and grassroots organizations working toward police accountability, for racial justice, and against gender-based violence. My research and writing has also focused on the experiences of queer and trans people of color, both as an expert consultant and coauthor of Amnesty International's 2005 report *Stonewalled: Police Abuse and Misconduct Against LGBT People in the United States*, and as coauthor of *Queer (In)Justice: The Criminalization of LGBT People in the United States*. In 2015, I coauthored, with Kimberlé Crenshaw, the African American Policy Forum report *Say Her Name: Resisting Police Brutality Against Black Women*. Ultimately, *Invisible No More* is the culmination of this life's work, drawing deeply on the work of many Black women, Indigenous women, and women of color who came before me, and of the survivors, organizers, and visionaries I have had the privilege of learning from and struggling alongside.

In July 2015, the dash-cam video of the stop and verbal and physical abuse of Sandra Bland, coupled with lingering questions about her death in police custody, catapulted one Black woman's experience of profiling and police brutality into national headlines and public consciousness, at the height of a summer of protest against police violence across the country. Doubtless there are many reasons Sandra's story gained national traction when so many other women's had not. Prior to her death, she recorded a series of Facebook videos, "Sandy Speaks," in which she talked about white privilege, racial profiling, police brutality—in particular the killing of Walter Scott—and our responsibility to resist. Sandra was a member of a Black sorority, leading her story to

be lifted up by a powerful network of organizations that have historically played a pivotal role in civil right struggles. In many ways, Sandra Bland came to stand for every Black woman who has ever changed lanes without using a turn signal, expressed frustration at getting a traffic ticket, or experienced depression—so much so that the hashtag #IfIdieinpolicecustody, under which Black women of all backgrounds expressed their fears of, and resistance to, sharing Bland's fate, trended on social media. For all these reasons and more, Sandra Bland's name and story became an integral part of the broader movement challenging racial profiling and police violence sparked by the August 2014 killing of Michael Brown by Ferguson police officer Darren Wilson. But she is not alone.

Sandra's traffic stop was not an isolated incident, an unusual case of driving while Black that happened to snag a Black woman instead of the usual, male target. Racial profiling studies analyzing the experiences of women of color separately from those of men of color conclude that there is an *identical pattern of racial disparities in police stops for both men and women*.¹⁰ In New York City, one of the jurisdictions with the most extensive data collection, racial disparities in stops and arrests among women are the same as they are among men.¹¹ The year before Brown was killed, Black women in Ferguson were subjected to traffic stops more frequently than any other category of motorist.¹² They also reported similar experiences of arrest and police violence as Black men.¹³

Black women are not immune to the perceptions of Black people that drive these policing practices. In June 2015, just a month before Sandra Bland was stopped in Plainview, Texas, elementary schoolteacher Breiaon King was pulled over four hundred miles south in Austin. Dash-cam video shows officers repeatedly throwing Breiaon to the ground and then onto the hood of their patrol car (see photo insert). Although she was stopped for speeding, the officers justified their behavior by saying they believed she might have a weapon (she was unarmed) and claiming that she had an "uncooperative attitude." Illustrating what really drove the abuse, one of the officers later told Breiaon as she sat in the back of the police car on the way to the precinct that people are afraid of Black people because of their "violent tendencies." As evidenced by

Breiaon's experience, such perceptions drive officers' interactions with Black women as much as they do those with Black men.¹⁴ Indeed, Black women, and their responses to white male authority, have been policed in brutal and deadly ways ever since the formation of slave patrols in the mid-eighteenth century, which were among the first police departments in the United States.

The war on drugs is the context in which Black women's experiences of policing have been most widely discussed: for instance, racial profiling and unlawful strip and cavity searches of Black women at airports were the subject of a well-known 2000 study by the General Accounting Office.¹⁵ Yet this was just the tip of the iceberg—pervasive profiling of women of color as drug users, couriers, and purveyors persists and extends into highways, streets, and communities across the country.¹⁶ It's also well known that enforcement of drug laws has driven an 800 percent increase in the population of predominantly Black, Indigenous, and Latinx women in US prisons since the 1980s.¹⁷ Yet existing research, discourse, and debate about women's experiences of the criminal legal system have primarily focused on the impacts of mandatory minimum sentences imposed in the war on drugs, the criminalization of drug use among pregnant women, and women's gendered experiences of prison, from sexual assault to shackled childbirth. Strikingly, the police interactions that kick off the chain reactions that land women in court to face a stiff drug sentence, or in prison to be raped, or to give birth in chains have garnered very little attention, erased within broader discourses surrounding the drug war, racial profiling, police violence, and mass incarceration.

Invisible No More seeks to undo this erasure; to deepen, broaden, and provide context to the discussion of Black women's experiences of policing and criminalization; to expand the frame to bring the experiences of Indigenous, Latinx, Asian, and AMEMSA women into view; and to illuminate the historic and present-day role of policing of gender and sexuality in the criminalization of communities of color. It begins with and centers the experiences of Black women, because that is the community I am a part of, and to contribute to the current conversation and movements challenging anti-Black racism, state violence, and Black liberation.

It also highlights the experiences of my Indigenous sisters and Two Spirit siblings as an act of solidarity and accountability for my complicity in the continuing colonization of this land.¹⁸ Although this book touches on experiences of non-Black and non-Indigenous women of color, it offers a limited examination of the unique historical and present-day contexts informing the experiences of distinct groups of women of color. While emphatically inclusive of transgender women in the discussion of women's experiences of policing, it does not fully address the experiences of transgender men and gender-nonconforming people of color, many of whom are read as feminine by law enforcement officers. Trans men's experiences of policing are largely absent from both mainstream discourses of police violence focused on men, and from efforts to lift up the experiences of women—trans and non-trans—in broader debates around policing. This book attempts to strike a balance between addressing these realities and respecting the gender self-determination of trans men by not attempting to shoehorn their experiences into a discussion explicitly focused on women, taking full responsibility for the resultant contribution to the invisibility of trans men's experiences of policing and reification of the gender binary. These and other areas require more attention, research, and organizing. This is by no means intended to be a definitive, exhaustive, or comprehensive treatment of the issue of police violence against women and gender nonconforming people, but simply one of many to be written.

The term "woman of color" is inclusive of Black women and Indigenous women, yet I also speak of Black women, Indigenous women, and other racialized women separately in an effort to avoid erasing or sublimating anti-Black racism, the unique relationship of Indigenous women and Two Spirit people to this land and its colonizing forces, or the unique historical relations of each group of immigrants to the US nation-state.¹⁹ When using "women of color," I do so in the hopes of gesturing toward common ground and sites of shared struggle, while simultaneously honoring difference.

For instance, the same month Sandra Bland died in police custody, Sandra Lee Circle Bear, a twenty-four-year-old Indigenous mother of two, also died in police custody hundreds of miles north of Plainview,

Texas, in South Dakota. Although the trajectories that brought the two women into contact with police were strikingly different, as were the stated reasons for their deaths, both women were casualties of a criminal legal system that responds to minor traffic infractions by locking people behind bars, and then exhibits, at best, callous indifference to their well-being. In the end, both deaths were the product of coming into contact with police in the first place, and of the subsequent denial of the women's humanity and medical needs while in police custody. In Sandra Bland's case, officials denied her medication and lied about performing required regular welfare checks at fifteen-minute intervals. In Sandra Lee Circle Bear's case, her complaints of excruciating pain were met with demands that she "quit complaining." In both cases, the women were dehumanized by their jailers, their pain ignored, their lives treated as if they were of no value.

For Bland and Circle Bear, death came inside a cell. However, *Invisible No More* focuses primarily on the police encounters that brought them and other women to those cells, stopping short for the most part of tackling the violence visited on Black and Indigenous women and women of color in jails, courts, and prisons, as well as when they are on probation and parole, which has been the subject of greater inquiry and discussion. Constraints of time and space also preclude an in-depth examination of other forms of state violence, including economic, reproductive, and environmental violence, although, where possible, their intersections with police violence are explored. Nevertheless, *Invisible No More* takes a broad approach to policing, exploring the widespread, systemic, and structural nature of police violence against Black women, Indigenous women, and women of color by local, state, and federal law enforcement agents, including immigration enforcement and Customs and Border Patrol, school resource officers, and private security officers nationwide, throughout the country's history.

In chapter 1, we begin at the beginning—with the notion that physical, sexual, cultural, and spiritual violence against Indigenous women and gender-nonconforming people at the hands of military authorities and law enforcement agents, and the control of their movements on and off reservations, is a central mechanism of the continuing colonization of this

land. The slave trade, “plantation justice,” and the evolution of slave patrols produced brutal violence against women of African descent, as well as continuing police violence and violation of Black women through the Reconstruction, Jim Crow, and civil rights eras to the present. Through successive waves of migration, the borders of the settler state have been enforced on the bodies of Asian, Latinx, AMEMSA, and African immigrant women through exclusion and physical and sexual violence. Laws and policing practices evolved to explicitly police the lines of gender and gender identity and to control women’s behavior, sexuality, and agency; such practices include the enforcement of sumptuary laws, designed to control gender expression, and “common nightwalker” laws, used to control women’s movements and sexual transactions. Simultaneously, deeply entrenched “controlling narratives”—archetypal stories shaping how the actions and existence of Indigenous women, Black women, and women of color are perceived—evolved in service to colonization, slavery, and the establishment and enforcement of the nation’s borders, and continue to operate in everyday police interactions.

Shifting to the present, chapter 2 examines current policing paradigms such as the war on drugs, broken windows policing—the aggressive enforcement of low-level offenses—immigration enforcement, and the “war on terror” through the lens of women’s experiences, both bolstering and expanding the case against them. Chapter 3 uncovers the role of police in driving the pushout of young Black women, Indigenous women, and women of color from public schools and public spaces, deepening our understanding of the school-to-prison pipeline and the surveillance, abuse, and criminalization of young people. Chapter 4 focuses on police interactions with people with mental and physical disabilities, which frequently prove deadly, and explores the ways in which, as theorized by law professor Camille Nelson, disability is racialized and race is disableized in these encounters.

Expanding our analysis of policing along the axes of gender and sexuality brings into view gender-specific forms of police abuse such as sexual harassment, assault, and rape by law enforcement agents, which are explored in chapter 5. It also elucidates the continuing role police play in enforcing the gender binary in day-to-day police interactions

taking place within the broader context of policing race and poverty, as discussed in chapter 6. Additionally, it illuminates gender-specific contexts of policing, such as policing of prostitution, covered in chapter 7. In this context, images of the monstrous and licentious “Jezebel,” the drunk and promiscuous Native woman, the “hot-blooded” Latinx, and the highly sexualized and degraded Asian woman—elaborated in service of the establishment and maintenance of the settler state, chattel slavery, and national borders—continue to produce surveillance and punishment by police as enforcers of white supremacy disguised as morality. Often invisible forms of police violence against, and criminalization of, pregnant and parenting women are described in chapter 8, highlighting a central contradiction—police officers commit violence against mothers of color with impunity, while simultaneously criminalizing them for the slightest actual or perceived harm to their fetus or child.²⁰ The harmful consequences for women of color of reliance on police to respond to domestic violence and sexual assault are discussed in chapter 9. These gender-specific forms and sites of police violence are neither anomalies nor aberrations; they are central weapons in the arsenal of police brutality, integral to systems of policing and instrumental to establishing and maintaining structures of power along axes of race, gender, sexuality, class, and nation.

Expanding our understanding of the forms and contexts of police violence experienced by women and gender-nonconforming people of color enables us to better understand the full shape and reach of state violence in ways essential to countering it. Additionally, confronting systemic violence against women of color at the hands of a system that so frequently justifies its existence by taking on the mantle of “protecting” women also brings racial profiling and police violence against women of color squarely and directly within the frame of movements against gender- and sexuality-based violence. In so doing, it calls into question our approaches to violence and safety, and demands that we radically reimagine them.

There is a great deal of violence of all kinds described in the pages that follow. I have struggled, both in writing this book and whenever I speak about these issues, with striking a balance between countering

the invisibility of police interactions with women of color and the violence they reflect, but not reproducing it. I attempt to include enough information to incontrovertibly undo the elision of these experiences, emphatically assert their systemic nature, illustrate the many forms they take, and push through erasure and silencing to affirmatively insert women's stories into a conversation they keep sliding out of because its narrative paths have been so well worn around them. In a tradition of radical honesty, I seek to honor our truths by showing the full range, breadth, and depth of our experiences, without euphemizing or sugarcoating them. At the same time, I strive to avoid reproducing and normalizing violations through what essentially amounts to a parade of Black, Indigenous, and "othered" death and a pornography of abuse. I have not always gotten it right, and I continue to grapple with how to speak these truths in the least harmful and most generative and honoring ways. Where possible, given how little information is available about these cases and the women at their center, I have made every effort to breathe life into women's stories beyond the moment of their violation, using their own words or those of their loved ones.

Each chapter, and the book itself, concludes by exploring what's next, beyond simply including the names and stories of women in the roll call of victims of police violence. *Invisible No More* not only gathers what we know about police violence against women of color; it also tells the story of a movement that has been building for decades, largely in the shadows of mainstream movements for racial justice and police accountability, and only recently gaining visibility. This evolution is chronicled in the conclusion. Angela Y. Davis, whose visionary theorizing and praxis drive and inform so much of this work, squarely places these movements in their historical context in her foreword. Mariame Kaba, director of Project Nia and a longstanding and visionary activist against state violence against women of color, and Charlene Carruthers, the national director of Black Youth Project 100, an organization that has played a leadership role in grassroots organizing around Black women's experiences of policing, shine a light on the way forward in their foreword and afterword, respectively.

It is not only the experiences of women of color with racial profiling and police violence that must be invisible no more but also our long-standing resistance. This book is ultimately a celebration of the roles that Indigenous women, Black women, and women of color have played in movements to resist racial profiling and police violence against communities of color, and in challenging antiviolence movements' investment in criminal legal systems to demand safety on our terms. At the same time, *Invisible No More* interrogates dynamics that have contributed to the erasure of our experiences of police violence in spite of our leadership in both movements. It confronts the reality that existing resistance and accountability measures are not designed to detect or address gender-specific forms of law enforcement violence, and explores how placing Black women and women of color at the center of the conversation shifts demands, analysis, and approaches.

Thanks in large part to the invisible labor, radical imaginations, and creative doggedness of Black women, Indigenous women, and women-of-color-led movements, as we approached the end of 2016 we found ourselves at a crossroads in our nation's approach to policing, safety, and the criminal legal system. In 2017, the terrain shifted dramatically. Nevertheless, as we continue to challenge and resist police violence and mass incarceration under an explicitly more violent regime, and to grapple with visions of safety in the context of this latest iteration of the long history of white supremacy in the United States, the stories of Black women, Indigenous women, and women of color deserve to be at the center of the conversation. As we contemplate the future, there are a number of questions we must ask ourselves, particularly as we enter a period of heightened policing, immigration enforcement, surveillance and militarization, in which manifestations of anti-Black racism, the targeting and exclusion of Muslim and Latinx immigrants, and violations of the sovereignty and spirituality of Indigenous peoples are dramatically increasing. How does centering women's experiences of racial profiling and police violence shape, shift, and expand our understanding of the operation of white supremacy? How does it inform our understanding of gender-based violence and its relationship to

state violence? How does it fuel our struggles for reproductive justice? What does it mean for the organizing strategies we employ and the systemic changes we pursue? What are the meanings of and requirements for “sanctuary” and safety for Black women, Indigenous women, and women of color? Perhaps the greatest challenge of all lies in asking how our reliance on police, prosecution, and prison to prevent and respond to violence has contributed to the experiences of police violence described in these pages, and what it would mean to build structures and strategies beyond police that will produce genuine safety for women of color, especially in hostile terrain.

The road ahead is uncertain. But this book represents my commitment to my sisters and gender-nonconforming siblings that our lives, our violations at the hands of police, and our experiences of punishment rather than protection will be invisible no more.

ENDURING LEGACIES*

The history I learned in school rarely mentioned Indigenous women’s experiences of colonial violence, Black women’s encounters with slave patrols and Jim Crow policing, or immigrant women’s experiences with policing at and beyond the border. These stories must be searched out between the lines of a historical record in which men are the main protagonists on all sides of the equation. Indigenous and Black feminist historians have made significant inroads in undermining this framework, highlighting the instrumental role of state-sponsored violence, particularly sexual violence, against women and gender-nonconforming people through colonial genocide, chattel slavery, and the continuing enforcement of racially drawn boundaries of gender, sexuality, motherhood, and nation. I am not a historian, and what follows is by no means an exhaustive examination of this literature. Rather, it represents an initial effort to understand how policing has manifested with respect to women of color throughout US history, and how persistent historical patterns and perceptions permeate present-day police interactions with Indigenous women, Black women, and women of color.

COLONIAL VIOLENCE

The earliest manifestations of policing in the United States took the form of military violence, as European colonizers seized and stole land

* This chapter is based in part on my 2002 unpublished law review article, “Invisible Crimes, Inadequate Remedies”; chapter 1, “Setting the Historical Stage: Colonial Legacies,” in Joey L. Mogul, Andrea J. Ritchie, and Kay Whitlock, eds., *Queer (In)Justice: The Criminalization of LGBT People in the United States* (Boston: Beacon Press, 2011); and a forthcoming essay, “Criminalization and Legalization,” coauthored with Kay Whitlock, in *The Routledge History of Queer America*.