

American Police Crimes Against African Women and Women of Color

*Presented for the Review of the
United States on the Adherence to the
International Convention on the Elimination
of All Forms of Racial Discrimination*

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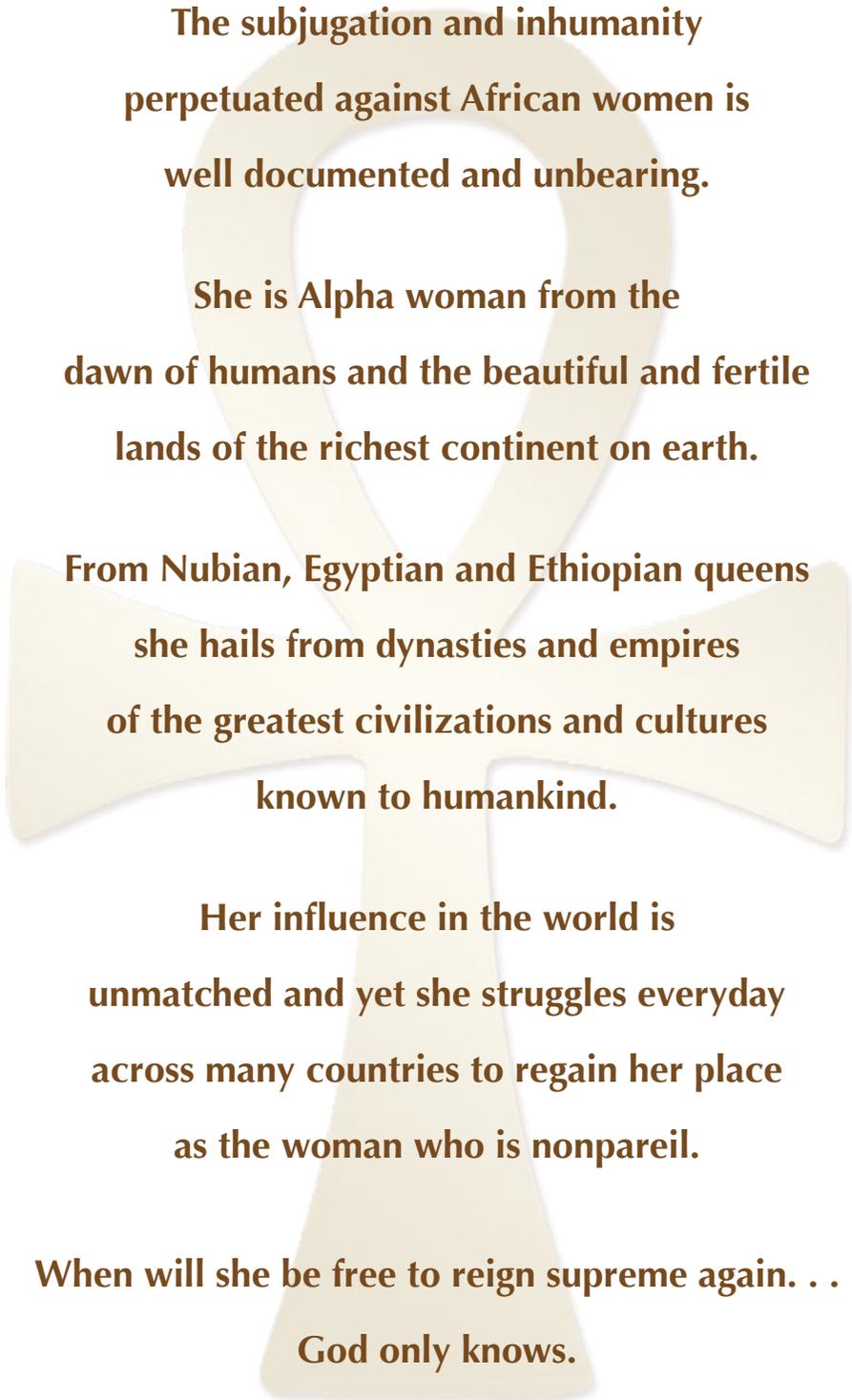
**American Police Crimes Against African Women
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**The subjugation and inhumanity
perpetuated against African women is
well documented and unbearing.**

**She is Alpha woman from the
dawn of humans and the beautiful and fertile
lands of the richest continent on earth.**

**From Nubian, Egyptian and Ethiopian queens
she hails from dynasties and empires
of the greatest civilizations and cultures
known to humankind.**

**Her influence in the world is
unmatched and yet she struggles everyday
across many countries to regain her place
as the woman who is nonpareil.**

**When will she be free to reign supreme again. . .
God only knows.**

- Crista E. Noel

ANKH: The Egyptian “Key of Life; ancient hieroglyphic symbol indicating the key to the Nile.”

Chosen here by WAPB, it is a symbol for all women of African ancestry— illustrating how deeply we value the lives of African women— past, present and future. We demand that each descendent of the Motherland's first members be treated with the respect and dignity of our human birth-right.

About the Authors:

CRISTA E. NOEL

Founder, President/CEO, Women's All Points Bulletin (WAPB)



Crista Noel is a proud citizen of Chicago, Illinois, the greatest American city founded by an African businessman. Her family migrated from Tennessee during the first wave into Chicago and she can trace her American family roots back over 200 years. She graduated from Northwestern University with a degree in Education and Social Policy, and worked as a manager for Fortune 10 and 500 companies until she was attacked by a police officer in Westchester, Illinois on January 1, 2009. This attack occurred approximately 12 hours after Oscar Grant was mortally wounded by an officer in a BART train station in Oakland, California. After being maliciously prosecuted by the officer, and still traumatized by the attack, she studied the criminal justice system and researched police violence against women. Together with Beverly Wilson Ellison, Sr., she founded Women's All Points Bulletin (WAPB), a non-profit organization created by women, for women who have been victimized by violence during policing encounters.

Ms. Noel is a member and Certified Practitioner of Oversight by the National Association of Civilian Oversight of Law Enforcement (NACOLE), a member of the Midwest Coalition for Human Rights (MCHR), and the United States Human Rights Network (USHRN). She is a graduate of the Illinois Attorney General's Victims Assistance Academy (IVAA), and an alumnus of the Evanston Police Civilian Police Academy. She is certified by the Illinois Coalition Against Sexual Assault (ICASA), and a recipient of the Chicago Taskforce on Violence against Girls and Young Women and Project NIA's 2014 Women Heroines Award. She is also a 2014 Urban Justice Center, Human Rights Institute Fellow.

Her goal is to eradicate violence against women specifically in relation to assaults by law enforcement personnel, and to usher in a new millennium constitutional policing model based on Human Rights and community involved policing.

OLIVIA PERLOW, Ph.D.

Assistant Professor, Northeastern University and WAPB Advisory Board Member



Dr. Olivia Perlow is a graduate of Howard University where she earned a Doctorate degree in Sociology (2008), an M.A. in 2004, and her Bachelors of Arts degree in 2000. She is an Assistant Professor of Sociology, and a core faculty member of the African and African American Studies Program at Northeastern Illinois University. She has taught courses such as Race and Ethnicity, Introduction to Sociology, Social Structure in Black Communities, and Policing in Black Communities. Dr. Perlow's research interests include the impact of globalization on the feminization of poverty on a global scale, policing and social control in Black communities, the socio-historical analysis of white privilege in America, and American identity among African-Americans. Her scholarship and experience also extends to surveying and evaluating research projects, with both qualitative and quantitative foci. She has received teaching fellowships from both Northwestern University and Texas State University, and is the recipient of the Hines Small Research Grant in Mental Health from the Mental Health Association of the District of Columbia.

Dr. Perlow is an Advisory board member of the Women's All Point Bulletin, in addition, she is a McNair Scholar Advisor, Northeastern Illinois University (NEIU), Department Union Representative (NEIU), African and African American Studies Program Secretary (NEIU), and holds professional memberships in the American Sociological Association, Association of Black Sociologists, Southern Sociological Society, and the American Association of University Women.

EXECUTIVE SUMMARY

Police violence in the African community in America is systemic and it is also a part of everyday life. Since the first distinctively American system of policing was developed in the racist southern states (the slave patrols), Anglo males have been given the authority to stop, search, detain, beat, rape, and kill Africans for any “suspicious” activity including being insolent, out past curfew, loitering, and not having proper written permission (identification). Per Patrol Regulations for the Town of Tarborough, North Carolina,

“If any slave shall violate the forgoing Rules, the Patrol shall have power and it shall be their duty...to whip the said slave, either at the time of the offence being committed or any time within three months thereafter, the number of stripes not to exceed fifteen, unless said slave shall be guilty of insolent behavior, or make his escape from the Patrol, in either of which cases the number of stripes shall not exceed thirty-nine.” (Hadden 2003, p.60).

This state sanctioned violence quickly became a socially accepted standard for interactions between the police and many communities of color. This terrorism increased after the Civil War, and it was common practice for the Sheriff and police officers to assist lynch mobs in brutalizing and murdering citizens of color. (Bolton and Feagin, 2004). In the 1951 Shadow Report presented to the UN entitled “*We Charge Genocide*,” more than half of the over 500 cases of evidence of violence (i.e. rape, beatings, and murders) of African Americans were directly connected to the Sheriff, local police, and other law enforcement officials. Thus, American policing has historically been the perpetrators of violence, oppression and injustice in the African community. This is why the President’s Commission on Law Enforcement and Administration of Justice (1967) justifiably described police as a detested “army of occupation.”

This report has been prepared to resurrect those who can no longer speak. The African women and children whose color, socio-economic status, and gender intersected on those fateful days that stripped them of their lives, are presented with the full intention of permanently halting these historically inhumane, unconstitutional, and racially discriminatory practices perpetuated by this special group: the American police.

Every day in America’s cities, counties and states, women of African ancestry, and other women of color in the United States, are victimized and betrayed by the very people who are sworn to respect our constitutional, and innate human freedoms, while upholding the law.

The voices of America’s African women have been dismissed from the discourse on police violence, harassment, abuse of power and the terribly inhumane policies pertaining to the treatment of women who find themselves defenseless, humiliated, detained and in the maze of the US criminal justice system. We believe our report documents cases of injustice, and is an important addition to the policy recommendations made by numerous other social justice and human rights-based organizations. We intend to ensure that the absent voices and lives of African women and women of color who have been uniquely affected by injustice at the criminal hands of the police, are clearly heard so that the abuses are known as documented facts, and thereby stopped... once and for all.

- Crista E. Noel and Dr. Olivia Perlow



INTRODUCTION: SINGING TO THE CHOIR

In 1951, the greatest and boldest African minds in America created a document that was presented to the newly established and emerging entity, the United Nations. In that document they produced “evidence”— cases of police violent crime against African people in America and they called it genocide. There is no doubt that genocide was committed in America against its African people, and it trickles throughout its policies to this day. Now, some 63 years after our esteemed elders presented documentation for “*We Charge Genocide*,” we are still bringing cases of police crime in America to this body seeking a just response to the violations of human rights. It is with heavy hearts that we repeat what is already known.

African women in America have been in the labor force cleaning homes, taking care of their children as well as their “masters,” working the fields of rice, tobacco, cotton, strawberry, sugar cane, and more for hundreds of years of their history. Per the US Department of Labor (DOL), African Americans are the only racial or ethnic group for whom women represent a larger share of the employed than African American men— more than half (53.8 percent) of employed African Americans in 2011 were women, compared to 46.0 percent among Anglos. (DOL report, *The African-American Labor Force in the Recovery*). Yet they are stereotyped as lazy, welfare mothers, and have historically “been dehumanized, commoditized, and brutalized by the state in terms of resources of their communities, their productive labor— both paid and unpaid, their reproductive labor— biologically and socially (household and community), and their very bodies” (*Project South*, p. 103). Furthermore, the historical othering of women of color through imagery of their bodies as hypersexual, “wild,” “savage,” and “dirty,” served to rationalize the brutality of the social control mechanisms used against them. Thus, the bodies of women of color have constantly been subjected to assault and sexual transgressions, reasoning that only clean or pure bodies can be violated. In fact, one of the original functions of the socially constructed Jezebel, or hypersexual temptress image, was to justify the institutionalized rape of African women under slavery. This dehumanization process has morally excluded women of color from humane treatment, and this process has been identified as a major social psychological precursor for violence.

Historically, the policing system in America has been used as a tool to uphold racism and patriarchy and as such, has sanctioned and condoned violence against women of color. An examination of the historical devaluation and dehumanization of women of color is useful for understanding how they were, and still are, considered acceptable targets for police violence. Because historically women of color have not been seen as women, let alone as human beings, their persons are defiled without serious consequence. For example, the killing of enslaved Africans was not considered murder, the rape of enslaved African women was viewed as trespassing, and if they defended themselves, they could lawfully be executed.

As Randall Kennedy, author and American Law professor at Harvard University states, “*Deliberately withholding protection against criminality (or conduct that should be deemed criminal) is one of the most destructive forms of oppression that has been visited upon African-Americans.*” Institutionalized rape of women of color as an instrument of terror and social control has historically been used in conjunction with other forms of violence such as lynching and police violence (DeLongoria, 2006). Slave patrollers would regularly enter slave quarters and rape the women and girls, while law enforcement as a whole, played a significant role in the lynchings of African women throughout the South, where, at a minimum, they were complicit partners (i.e. leaving the jail to allow the mobs to take the women). In the 1951 “*We Charge Genocide*” report to the UN referenced above— 16% of all the police violence cases were against African women. In addition, police dogs, fire hoses, batons, and bullets were not spared on women of color during the civil rights war. Nor are they spared today.

Police violence plays a major role in the continued oppression of women of color. Women of African descent, who disproportionately reside in hyper-segregated areas with the highest concentrations of poverty, are the most vulnerable to punitive and invasive policing practices, including violence. Many of these women “live with the knowledge that they must fear random, unprovoked attacks on their persons or property, which have no motive but to damage, humiliate, or destroy the person” (Young; *Five Faces of Oppression*). This violence is indicative of the age-old and persistent pattern of brutal racial oppression in which the police are given a license to rape, assault, and even murder with impunity. It is routine practice and implied policy, to exercise this “right” of brutal oppression; evidenced by the all-too-often assault and murder of unarmed people of color, who, because of skin color, are judged to be “suspicious.”

According to a 2012 report by the Malcolm X Grassroots Movement, between January 1st and June 30, 2012, five African women were killed by the police. Of these women, two were accused of stealing cars, another two were “innocent bystanders,” and the last “was beaten and smothered by police because they treated her emotional agitation as if it were a crime that had to be violently suppressed.” In essence, police violence against more than half of the women who are killed is completely unjustified, with the remaining deaths pointing to America’s obsession with the protection of insured property over human life.

When race, class, and gender converge, poor women of color are disproportionately targeted for police violence and harassment, especially with regard to stigmatized populations such as sex workers and transgender women of color. The rape myth of the “unchaste” nature of women of color is an image that has been internalized by many criminal justice officials, from the police to judges where they are still seen as “unrapeable.” Thus, it is important to emphasize how the bodies of women of color, especially those of African women, are seen as hyper-disposable while Anglo femininity is reified. For example, the phenomenon of the “Missing White Girl Syndrome” is well-documented where media and law enforcement are hyper-vigilant when it comes to the victimization of Anglo girls and women while the victimization of “others” is down played or ignored completely (Riche 38). Current levels of intersectional violence against African women by police officers is so thick within their communities, most women will think twice, (as they should), before calling the police for protection when faced with other assaults or transgressions upon their person. For sex workers, it is well-known that she will most assuredly endure more physical and mental harm, as well as possible incarceration, rape and battery, when engaging police. Equally, because African American women who are gender non-conforming, queer, lesbian or transgender experience homelessness at a disproportionate rate than their Anglo counterparts, they are more apt to interact with law enforcement officials and police officers for petty crimes of survival, such as lingering on corners for too long, entering abandoned homes, or sleeping under highway underpasses for shelter. This increases the instances in which they experience assault, physical probing, harassment and unjust incarceration at the hands of police officers.

The War on Drugs ushered in a new era of punitive public policies that involve the stigmatization, heightened police surveillance, and the regulation of poor women of color as a criminal class, which has ultimately resulted in the mass incarceration of women, most of whom are women of color convicted for survival crimes. According to the Sentencing Project, the number of women in prison increased by 646% between 1980 and 2010.

Militaristic police practices, harkening to the days of the height of the KKK, lead police to believe that they are fighting a war, and that war is most often against people of color, whether it be a war on drugs, crime, or terrorism. The belief system of the police subculture instills fear and an “us vs. them” mentality which teaches police to view the public, especially marginalized members, as threats. Despite the fact that crime rates are at a 30-year low, the soaring policing budget continues to exceed \$100 billion annually, and has increased by 445% since 1982 (Justice Policy Institute, *Rethinking the Blues*). This has enabled the

astronomical growth of large-scale militarized police forces that operate in a punitive manner. Billions of dollars worth of funding from federal agencies such as the Departments of Defense and Homeland Security for drug task forces, S.W.A.T. teams, and other militaristic policing operations deployed in poor communities of color, have resulted in police violence at alarming levels. As author and attorney, Michelle Alexander states, *“Drug raids conducted by SWAT teams are not polite encounters.”* On the contrary, they are old school practices of the KKK. Police blast into people homes in the middle of the night, throwing fire bombs (flash grenades) through their windows, grabbing and snatching people out of their beds, pointing submachine guns at women and children, and hustling them out to police vehicles and off into the night where calls to the station are answered with, “we cannot tell you where they are in the system at this time,” and “they are not allow to talk to you.”

In one case in Chicago, an African mother of a young 18 year old had to wait two days before she was told where her dead child’s body was, and how he was killed by the police— neighbors, not the police who killed him, told her he had been shot. Families are often overlooked as the secondary victims of police crimes. African mothers have historically been— and to this day— continue to be, especially vulnerable to immense grief of a loss of a child.

In addition, the infamous “blue wall of silence” encourages the protection of fellow officers’ misconduct. Some researchers have even posited that the police subculture encourages the disregard and violation of civilian rights and the abuse of authority (Kappler, Sluder, and Alpert 1998). The Karolina Obrycka case found that the Chicago Police Department practices the code of silence within its ranks.

There is no doubt that police violence and crime against women is a silenced and invisible social malady occurring every day in America, and that women of color are disproportionately impacted. Per Samuel Walkers’ May 2002 Special Report, *“Driving While Female: A National Problem In Police Misconduct:”*

“First, there is a pattern of police officers using their traffic enforcement powers to abuse women. [9] The problem of “driving while female” (DWF) parallels the national problem of racial profiling or “driving while Black” (DWB)... An important difference between the DWB and DWF problems, however, is that officers engaged in racial profiling are usually acting in accord with department crime-fighting policies, while officers targeting female drivers represent the classic “rogue” officers who are violating the law and department policy. Second, a major part of the DWF problem is the failure of police departments to investigate allegations that come to their attention. In a number of cases, supervisors disregarded citizen complaints filed by female victims... Third, as in the case of DWB, DWF abuses continue because police departments tolerate them by failing to maintain an open and accessible citizen complaint system.”¹

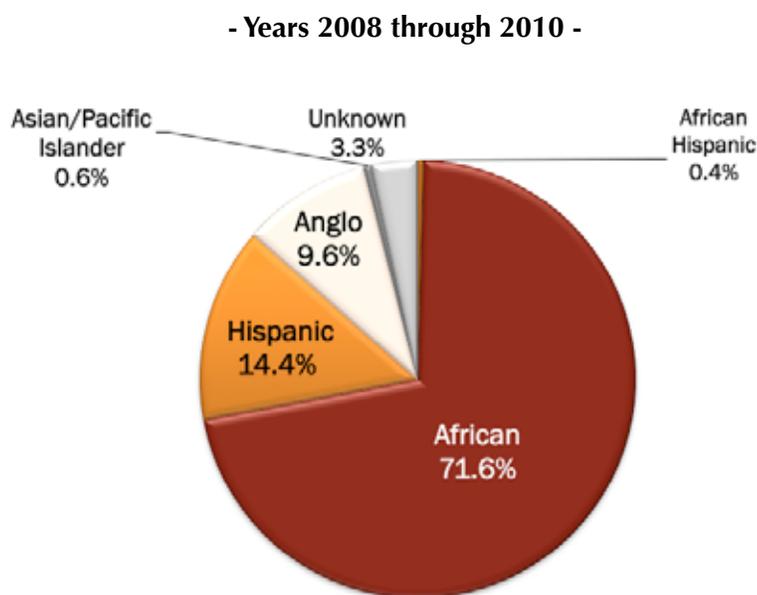
Most clear is that the overreaching and brutal arm of police violence spills into all communities of color, and is being applied liberally to marginalized women. The demonization of women of color strips them of their innocence, casts them as “undeserving” of public sympathy and support, and labels them as the aggressors in policing encounters. Every assault on women of color showcases the expendable nature which police openly view their bodies. It is of no consequence whether they are protected or exterminated because their bodies, lives, and existence are ultimately, viewed as the problem. In as much, the officers themselves exert a God-like force within these communities since they believe they have the ability, with verbal command alone, to save life or terminate it. *“Nation-wide police targeting of people of color for violence and harassment has served as a mechanism to reinforce the notion that marginalized groups are beyond the realms of equal citizenship and the dignity of human rights in this country,”* (Perlow and Harris).

¹ See <http://samuelwalker.net/wp-content/uploads/2010/06/dwf2002.pdf>

DEBUNKING THE MYTH OF POLICE VIOLENCE AGAINST WOMEN THROUGH DATA

The Chicago Police Department has averaged approximately 9,700 complaints per year against its 13,000 officers. According to the University of Chicago's, Campus Catalyst Student's Review of a Freedom of Information Act (FOIA), of IPRA's data on female complainants, over 71% of these victims are African women, and over 87% of all complaints by women are from women of color.

FIGURE 1: RACIAL BREAKDOWN OF FEMALE VICTIMS / CHICAGO POLICE DEPARTMENT



Data Source: Chicago, IPRA

New York's Civilian Complaint Review Board's (*CCRB Annual Statistical Appendices*) (one of the most comprehensive statistical reports released by an US oversight agency), states that from 2009 to 2013, there was an average of 17,662 complaints against NYPD 40,000 officers (Table 1A).

- Women are 29% of all police complaints, (Table 10).
- Anglo officers are approximately 50.2% of the officers complained against, with Latino officers ranking second with approximately 28% of the complaints, and African officers being third with approximately 17.2% of all complaints (Table 9).
- Male officers are over 89% of officers complained against (Table 11).

People of color are 85% of all NYPD complainants, with African people at over 56% of complaints, although they are only 23.4% of New York City's total population. This data provides statistical proof that *police violence is dominated by the Anglo male*, but the violent culture of the police is endemic as it spreads to all officers, including women.

Although we have only captured one table of the CCRB's documented findings (see next page for Table 10), we ask that you study the following tables in the downloadable PDF prepared by the Civilian Complaint Review Board, referenced here at:

http://www.nyc.gov/html/ccrb/downloads/pdf/CCRBAnnual_Appendix_2013.pdf

Table 8: Race of Alleged Victims Compared to New York City Demographics 2009-2013

Table 9: Race of Subject Officers Compared to New York City Police Department Demographics 2009-2013

Table 11: Gender of Subject Officers Compared to New York City Police Department Demographics 2009-2013

(CCRB Table 10): TOTAL ALLEGATIONS AND TOTAL COMPLAINTS RECEIVED 2009-2013													
GENDER	2009		2010		2011		2012		2013		5-Year Total		New York City Population
	Number	% of Subtotal	Number	% of Subtotal	Number	% of Subtotal	Number	% of Subtotal	Number	% of Subtotal	Number	% of Subtotal	
Male	7,753	70.6%	6,616	71.3%	6,039	71.5%	5,602	70.5%	5,042	71.3%	31,052	71.0%	47.7%
FEMALE	3,226	29.4%	2,661	28.7%	2,408	28.5%	2,344	29.5%	2,025	28.7%	12,664	29.0%	52.3%
Subtotal	10,979	100%	9,277	100%	8,447	100%	7,946	100%	7,067	100%	43,716	100%	100%
Unknown	850		591		405		557		421		2,824		
TOTAL	11,829		9,868		8,852		8,503		7,488		46,540		

Data Source: NYC Civilian Complaint Review Board's ANNUAL APPENDIX, COMPLAINT DATA 2013 http://www.nyc.gov/html/ccrb/downloads/pdf/CCRBAnnual_Appendix_2013.pdf

A 2002, Los Angeles police department miscellaneous *Consent Decree Report*, found that African and Hispanic women combined were 3 times more likely to be stopped by the LAPD than Anglo women, (718, 804, 479 respectively). Please see: http://assets.lapdonline.org/assets/pdf/consent_decree_fdr_02_07_11.pdf

Per the US Bureau of Justice Statistics, *Arrest Related Deaths (ARD) Report*, police violence in America has contributed to more deaths in 7-years of arrests (4,813) than in the entire 86 years of reported lynching (4,742, Tuskegee Institute; <http://law2.umkc.edu/faculty/projects/ftrials/shipp/lynchingyear.html>). Upon the ARD's 3-year update, due this year, that number will reach far beyond the reported lynchings committed against people of color and the poor since the late 1800's. Also per this same *ARD Report*, women victims of police homicide are 107 of 218 cases of deaths of women, or 49.1% (Table 5); and homicidal deaths by police are responsible for 60% of all ARDs (Figure 1). Please see <http://www.bjs.gov/content/pub/pdf/ard0309st.pdf>

Keeping the number of extrajudicial deaths by police in mind, per the Death Penalty Information Center, the total number of executions in the United States since 1976 is a total of 1379 individuals. Far outpacing due process executions, homicidal death by police in America, per the ARD's report, is 2,931 civilian victims between 2003 and 2009; more than 2 times the executions. With total arrest related deaths involving police being 4,813, or 3.5 times the number of executions since 1976, (including all executions in 2014), what need do we have for the due process death penalty? (Please see <http://www.deathpenaltyinfo.org/executions-year>)

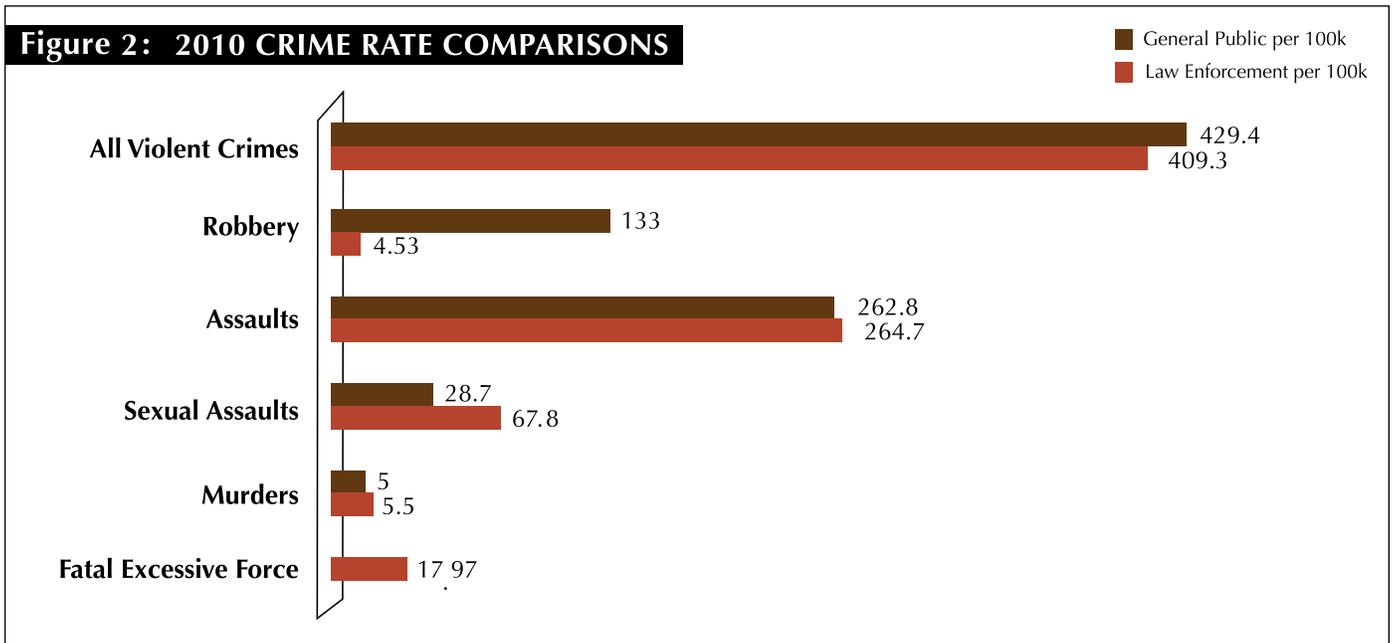
In Illinois, regardless of the fact that Governor George Ryan established a moratorium on executions in 2000, opening the door for a repeal of the death penalty in 2011, in 2011 Chicago Police killed 23 people, more than half the amount of people executed in the entire United States (43), even though, per the *Law Enforcement Killed in Action (LEOKA) Report*, only one (1) officer was killed in action, feloniously, in the entire state in that same year. This data proves that American police are extrajudicial executioners.

(Please see: http://www.iprachicago.org/officer%20involved%20shootings_2011.pdf

also, see:

http://www.fbi.gov/about-us/cjis/ucr/leoka/2012/tables/table_1_leos_fk_region_geographic_division_and_state_2003-2012.xls

The myth that law enforcement’s male dominated body is less likely to commit violent acts against women than the general public, is debunked by The CATO Institute’s *2010 National Police Misconduct Reporting Project (NPMRP)*, the most up to date daily reporting on police crimes and misconduct, “sexual assault rates are significantly higher for police when compared to the general population.” General Assaults, murders, and fatal “excessive force” is also higher among the police than the general population. The Institute’s comparison of all violent crimes states “overall violent crimes rates are not too divergent between the two populations groups with a difference of only 20.1 per 100K between the two.”
 (Please see: <http://www.policemisconduct.net/statistics/2010-annual-report/>)



It is important to recognize that there is no category of “fatal excessive force” in the general public, therefore, renaming and presenting police killings as a special category, skews the data, and further points to the American police being a special group, able to manipulate data, and perpetuate myth, by creating special terms and categories to hide their violence acts.

In the “*We Charge Genocide*” Report (UN: 1951), of the 45 violent police involved encounters with women, three cases involved rape of African women, and two of those involved multiple officers. Per the CATO Institute (2010), “*Of the 354 officers involved with serious sexual misconduct reports, 56 law enforcement officers were involved in allegations where multiple victims were involved.*”

CATO also reports that sexual assault is the second highest crime committed by police. Over all, CATO discovered that police violence and crime cost American taxpayers over \$346,512,800 in 2010. New York has spent \$1 billion (<http://nydn.us/1js3nrV>) and Chicago spent over \$60 million in 2013, with one settlement costing its taxpayers \$22.5 million alone. (Please see: <http://chi.mg/1thbOPE>).

The astronomical cost of lives and money for police crime in America is astounding, and yet it continues to persist with the present violent model with no regard to Human or Constitutional rights and freedoms, or treaties. And with little to no attention paid to the extremely violent tactics used against women, specifically those of color.

POLICE VIOLENT CRIMES AGAINST WOMEN AND GIRLS: The Cases

TIAWANDA MOORE



Video available of interview with Ms. Moore regarding the charges and court case filed against her by the Chicago Police Dep't.

<https://www.youtube.com/watch?v=XqZ3W-a7RHo>

In July of 2010, Chicago police officers were dispatched to 19-year old **Tiawanda Moore's**² house on a domestic disturbance call. Tiawanda and her boyfriend (about whom she was filing the complaint) were separated. Tiawanda innocently trusted the officer, who chose to take her to a secluded room, but as a young woman still in her teens, her intuition was wrong. After the officer groped her, he handed her his telephone number.

As is common after these types of events, Tiawanda reconciled with her boyfriend. She tells him of the assault and he supports her decision to file a complaint against the officer. (This is critical in cases of victimization, especially sexual and involving the police, because without support, Tiawanda may have very easily remained silent.)

The first attempt at making the complaint with the Chicago Police Department (CPD) is quickly rebuffed, but she is a smart girl. She decides to tape record CPD Internal Affairs officers trying to obstruct justice by proposing a plan to “keep him [the offending officer] away from [her],” with little to no regard to the fact that this officer committed a crime based on Illinois sexual abuse statutes. The offer crafted by Internal Affairs to protect Tiawanda against an individual (guilty) officer, was not protecting other women against the offender who could easily— with CPD's protection— be a repeat, sexual predator.

Immediately, Tiawanda was arrested by the officers when they realize she has recorded them. Although Illinois has Felony Review, and the Assistant State's Attorney had full access to Illinois' Eavesdropping statute and the incriminating tape, the criminal justice system charged Tiawanda with felony Eavesdropping, although she had clear evidence of misconduct at the least, and a criminal offense at the most. Tiawanda was ultimately acquitted of the charge. After her trial, jury members are quoted as saying “the trial was a waste of time.” No discipline or criminal charges were made against any of the officers, and it is rumored that at least one was promoted.

Tiawanda suffered criminalization because of her African heritage, and because she was young and trusting. Also, being that she is a woman of color, many news reports jumped to sexualize Tiawanda once it was made public that to support herself, she had briefly worked as a dancer in a men's club— as if to excuse or give reason for the offender's inappropriate behavior. This media bashing led opinions (and thus, public condemnation) to conclude that what happened to Tiawanda was “deserving;” a term often used in the social victimization of women— especially in relationship to the police.

Chicago's ACLU used Tiawanda's case and another (Chris Drew's case), to force Cook County State's Attorney, Anita Alvarez, to stop prosecuting the law. Finally this March, the Illinois Supreme Court repealed the law that the 7th District Court of the US determined was “likely unconstitutional.”

² See http://www.huffingtonpost.com/2011/08/25/tiawanda-moore-acquitted-_n_936313.html

Nikita Biddle still suffers from the vicious cycle of oppression after her felony conviction for having her audio recorder on during her arrest by Aurora police of Kane County, Illinois, and she too, accuses them of harassment. She has not found any relief, although she is still in court arguing the constitutionality of her conviction.

In response to the US, the VAWA does not protect women like Tiawanda and Nikita against criminal acts perpetuated by the police, nor does it provide them with the proper counsel. To the contrary, VAWA strictly prohibits funds being used for women charged with criminal acts, even if they are victimized and maliciously prosecuted.

NIKITA BIDDLE



MAY MOLINA



Photo: www.indybay.org/imcenter/MayMolina150.jpg

May Molina,³ a Latino mother fighting for her son's release from prison under a wrongful conviction, is arrested after a drug bust on her house. Chronically ill with diabetes and heart problems, May was brought into a Chicago police station lock-up and denied access to her medications and medical care. She died within 36 hours.

At the civil trial for damages by her survivors, it is revealed that Chicago police officers fudged reports for checking on the well-being of prisoners in their cells, failed to follow basic rules of lock up, which included providing medicine, and after several request basically refused to give May any medical treatment. The lack of regard to her requests (as well as requests made by others to get her medical attention, including her lawyer, family and jail mates), is almost certain to have contributed to her death, if not having caused it. Although blood tests found therapeutic amounts of drugs, it was never determined if May had heroin in her bloodstream. But it was determined that the Chicago Police Department has a practice and policy that could contribute to its many incidents of extraordinary occurrences in lock ups.

As mentioned earlier, similar CPD jail practices resulted in the largest civil suit Chicago has ever paid— \$22.5 million dollars. There, CPD officers released a young, psychologically disabled, Anglo woman into the streets of one of Chicago's less than savory neighborhoods where she was raped and possibly thrown seven stories from a building.

Anna Brown⁵ was a young, homeless, African mother of two, who was in a hospital complaining of pain in her legs and an inability to walk. She had been to three hospitals for care, and the last one also refusing treatment, called the police who quickly took Anna out of the wheelchair she was sitting in, and put her on the floor—even though she told them she could not walk. Lifting her from the floor and back into the chair, they transported her by squad car sitting upright, and talking, to jail. As they moved her from the squad to the cell, she was moaning and writhing in pain, but instead of returning her to the upright position on the bed, they laid her next to it, and left her quivering on the floor. Upon returning to her cell 15 minutes later, Anna was dead. Blood clots had traveled from her leg to her lungs. When asked what happened, police responded she was a “drug seeker.”

ANNA BROWN



All of these cases are direct violations of the 8th Amendment of the US stating that no cruel and unusual punishment will be inflicted on prisoners. But first, it is important to

³ “Trial begins over lockup death,” *Chicago Tribune*, <http://trib.in/VTLiNz>

⁴ “City Council OKs \$32.75 Million In Settlements In Police Misconduct Suits,” *CBS Chicago News*, <http://cbsloc.al/1j9GQnY>

⁵ See <http://www.dailykos.com/story/2012/04/02/1079918/-Anna-Brown-Surveilled-to-Death#>

to note that none of these women committed any crimes, yet were still criminalized under antiquated laws being enforced at the whim of the police, and the States Attorney. The US does not aggressively enforce laws against police (crimes) and discriminatory policing, especially towards women, and it does not make sure institutions comply with basic human rights or constitutional rights per their claim in paragraph 91, especially in regards to the needs and protections of women.

REKIA BOYD



Rekia Boyd⁶ had decided to go back to school. She told her brother she was going to pursue nursing. She had extra identification in her purse to register for school. On an unusually warm and beautiful day in Chicago in March 2012, Rekia, her best friend and some guys of interest, decided to hang out. One of the guys suggested they travel from the South side to a gentrifying West side neighborhood that had a beautiful park. In this changing neighborhood, Rekia would briefly set eyes with the officer who would eventually kill her. After the girls returned from using the bathroom, they looked around for the guys, and found them walking to the store. They tagged along. Meanwhile 911 calls were coming into the dispatch about noise and arguing in the park and on the street.

A Chicago detective hears them, and leaves his close-by home— armed and clearly ready for reasons unknown. As the group of four continue to walk towards the alley, the detective approaches (in plain clothes and in his personal car). After what both sides agree is not the most cordial of greetings, the detective realizes that no one is “recognizing his authority,” nor do they have to. What he fails to remember is that he is in his personal car, his own clothes, and coming out of an alley approaching two women in the early morning of the night. He becomes threatened because free, they continue to walk, which prompts him to start shooting his weapon at all four of the friends, including Rekia. Everyone scatters, running in fear and astonishment. Rekia is shot in the back of her head. She dies the next day after her family had been told there was really nothing to be done to save her.

When Chicago police officers arrived at the family’s door, they tell them Rekia has been involved in a shooting, but do not tell them its by an officer until they arrive at the hospital. The family watches as Superintendent Gary McCarthy tells TV News— within a few hours of the incident— that the shooting was “justified... from what he could tell.” Again, the States Attorney charges an innocent. One of the friends is charged with aggravated assault on the officer— which is later dismissed because there was no gun found— just a cell phone, but the friend’s thumb was almost blown off.⁷

Over a year passes before this drive-by shooting by a CPD officer is criminally charged, as involuntary manslaughter, not 2nd degree murder for shooting into a crowd, (if you could not argue intent by his previous behavior). The family is delayed by the investigation in claiming any benefits from the Attorney General’s Victim Assistance Fund, even when the CPD announces that Rekia was an innocent bystander.

No apologies where forthcoming from the Mayor or City Council, but they apologized for the aforementioned young Anglo woman’s misfortune, and Mayor Rahm Emmanuel apologized, in writing, for the hate crime perpetuated against an Asian woman after a thrashing, both physically and verbally, by Chicago police. And although we appreciate these gestures, Rekia’s family has never received an apology, nor any of her “extra identification” or personal items sought from CPD since her hospitalization, although Illinois law states all her belongings are to be returned to her family. A representative from the Attorney General’s office suggested the city simply make copies of the original documents and return them to the family, but that request fell on deaf ears when speaking to the Chicago Corporation Counsel.

⁶ “Community Holds Rally for Rekia Boyd; 22 yr-old Woman Killed by Off-Duty Police Officer, *Black Youth Project*. See <http://bit.ly/1qd63N5>

We argue that the United States does not protect African women’s bodies as they walk down the street. They do not vigorously prosecute police officers, nor do they protect the free speech and assembly, or basic freedoms of Africans and women in America.

Malissa Williams⁸ is starting to struggle psychologically, but surviving day to day. She and a friend are riding around the neighborhood, drinking Coca-Cola, laughing and driving in an old, shiny blue Chevy. Upon passing a police station, the car backfires (like old cars will), but the police hear gunfire and believe they are being shot at. A pursuit of over 60 police cars takes off after Malissa and her friend. Probably thinking it was fun, and a little stupid of the police, they keep driving, chased by at least a block of police cars following each other down the street. Police radio chatter repeats they have a gun, but one voice consistently says, “it’s just a red pop can.” In an effort to stop the “armed” fugitives, the police set up a roadblock, but the car is clipped, spins out of control and bumps a police car. Then 137 bullets are sprayed at the car, it occupants, other police, and into the neighborhood.

In a final act of brutal inhumanity a police officer jumps on the hood of Malissa’s car and pumps over 50 bullets into their faces and torsos. Their bodies lay dead in the Chevy for hours as the investigation moves from night to day, even while investigators are being videotaped, their bodies are still slumped over in the car.

Malissa’s family had an open the casket, reminiscent of Emmet Till, “We want to show the people of Cleveland the tragedy the police officers are doing in the Black community.”



MALISSA WILLIAMS



Photo and media caption from www.cleveland.com.

“The bullet-riddled windshield of Timothy Russell’s Chevy Malibu shows the extent of the gunfire by Cleveland police officers.” (Marvin Fong/The Plain Dealer)

Also see:

http://www.cleveland.com/metro/index.ssf/2013/12/x-rays_diagram_detail_wounds_t.html

According to a 2010 Federal Bureau of Investigation Report, “police pursuit records provide frightening statistics... someone dies every day as a result of a police pursuit; the majority of those pursuits begin with, a stop for a traffic violation; and innocent third parties ‘who just happen to be in the way’ constitute 42 percent of those killed or injured in police pursuits.”⁹

⁷ See http://www.huffingtonpost.com/2013/11/25/rekia-boyd-officer-charge_n_4339254.html

⁸ 19 Action News for Cleveland, Ohio, see <http://bit.ly/1pVxJdA>
also see: http://www.cleveland.com/metro/index.ssf/2013/12/x-rays_diagram_detail_wounds_t.html

AIYANA JONES



Doing what 7-year olds do, **Aiyana Jones**¹⁰ was a beautiful, bright little girl with eyes like Bambi and braids with barrettes. On the fateful night of her death, she was sleeping in her grandmother's front room on the East Side of Detroit, Michigan. Suddenly, in the middle of the night, a flash grenade is thrown into the window allegedly setting the baby on fire.

Detroit police barged threw the family's door, on a warrant for an arrest of relative in another apartment of the house. The flash bomb had done its job, as in the days of the KKK, it created fear and mayhem. Aiyana's grandmother responds in defense of her house and grandchild. Aiyana, the baby sleeping on the couch, is shot in the head with an MP-5 9mm submachine gun and died immediately from her wounds. All the while, the situation was being captured by

camera crews filming A&E's reality television show, "The First 48." Although there were children's toys in the front yard— as the officers prepared for this surprise midnight raid— they decided to continue. Once shot, an officer picked up Aiyana and ran from the house with her in his arms. It was later learned that the police raided the wrong house.

The US allows babies to be shot in their sleep by police officers with no repercussion, accident or not.

Monica Hernandez,¹¹ a thirty-two year old mother, is now permanently blind. The weapon that blinded her was a "JPX device" — a weapon that "uses a gunpowder charge to fire a stream of pepper spray at roughly 400 miles an hour" as per a report published in the *Republic Magazine*. The magazine further states that, "tragically, the blinding of Monica Hernandez arose out of a domestic disturbance that led to a 911 call by a neighbor. Two officers responded, one of whom reportedly witnessed the assault while speaking with Hernandez's family." According to *City News Service*, "the prosecutor in the case described the stream as 'literally blowing her eyes to pieces and entering her head.'"

"It should be remembered that any time someone calls for police 'assistance,' [s]he's inviting the intervention of people who consider themselves licensed to inflict potentially lethal violence as punishment for non-compliance. It should be assumed that if the police get involved, somebody is going to injured or killed – generally without just cause."

— *Republic Magazine*

MONICA HERNANDEZ



Photo: <http://tinyurl.com/p3dt7s9>

Video is available of Beaumont, California local news reporting on the tragic loss of her vision the day Monica Hernandez encountered the police in 2012.



CBS Los Angeles News Story:
<http://cbsloc.al/1oCyOn2>

⁹ FBI Law Enforcement Bulletin, *Evidence Based Decisions on Police Pursuits – The Officers Perspective*. David P. Shultz, Ed Hudak, and Geoffrey P. Alpert, Ph.D. See: <http://1.usa.gov/1mtbjg7>

¹⁰ See <http://freedominourtime.blogspot.com/2010/05/kill-them-all-for-god-will-know-his-own.html>

¹¹ See <http://www.republicmagazine.com/videos/woman-blinded-as-punishment-for-contempt-of-cop.html>

CHANDRA W. GILL and LATASHA L. CAIN

In an Illinois appellate case, *People v. Chandra W. Gill and Latasha L. Cain*, two young women in high school were watching a basketball game, when exhilarated, they ran onto the court after a game-tying shot was made in the last six seconds. As Cain walked back to her seat, an officer grabbed her by her shoulder and asked her not to run back onto the court, which she rebuffed by saying, “he did not have a right to be close to her and asked him to get away from her.” The Urbana police officer followed her to her seat and told her she must respond to him or he would arrest her in “5 seconds.” When she continued to ignore him, she was arrested and her friend, Chandra Gill, who tried to “save” her from this unjustified arrest suffered a seizure from a brain tumor, and was charged with aggravated battery and obstructing “justice.”

Cain was charged with aggravated battery and resisting arrest, and convicted of resisting arrest. Gill was convicted of aggravated battery because, as she fell to the floor (from a seizure undoubtedly caused by the stress of the situation and a brain tumor), she tore the officer’s shirt and scratched him.

Although neither of these young women committed any criminal act before the arrest, and had their constitutional rights violated, they were quickly criminalized by an officer who escalated the situation, and a statute (the resisting arrest statute) that allows for those charged to be convicted, although they are unlawfully arrested. This is a direct violation of the US Constitution’s protection under the 4th Amendment; to be free from arrest with no probable cause, and thereby free from criminal misconduct or conviction.¹²

Stripped of their freedom of movement, expression, and bodily integrity after being accosted by a male and a government “official,” the totality of the circumstances were completely ignored when addressing the events of this case. These young women were terrified by what happened. The decision by the Illinois Appellate court was in direct violation of the decision by *Illinois v. Gates* requiring a review of the totality of the circumstances, and *Terry v Ohio* requiring reasonable suspicion and probable cause before being arrested, which states “*the person has committed, is committing, or is about to commit a crime, and [the officer] has a reasonable belief that the person ‘may be armed and presently dangerous.’*” The Supreme Court of the US determined that an arrest would be defined as a “touch or submission of authority” to an officer. When this Urbana police officer “touched” Ms. Cain in order to get her attention, he arrested her with no reasonable suspicion of a crime. Her innate response that he “did not have a right” to touch her, was based on her belief that she had certain freedoms in America, especially in deciding who could touch her body. The Illinois Appellate Court sided with the police instead of the Constitution and the Supreme Court. This ability by the police to subjugate African women, insisting that they “respond in 5 seconds” is a bastardization of law. It is a holdover from the Slave Patrols and it is supported by the criminal justice system today, just as it was supported by racist laws in the 1800s.

SHELWANDA RILEY



Fifteen year old **Shelwanda Riley**¹³ was out after curfew in St. Lucie County, Florida. Although curfew is a law on the books to protect young people, it is a holdover from the Slave Patrol laws (mentioned in depth earlier in this report), when African, indigenous and poor Anglo people were not free to walk anywhere in America without being able to attach themselves to a well-to-do Anglo.

Shelwanda was accosted by a police officer and then punched, and pepper sprayed by the officer attempting to arrest her as she screamed out for her mother, crying hysterically, begging him to let her go and apologizing for whatever it was that was making him do this to her.

¹² See <http://www.state.il.us/court/opinions/appellatecourt/2005/4thdistrict/march/html/4031009.htm>

¹³ See <http://www.youtube.com/watch?v=oP5hzbw41EE>

Per Sally Hadden's quote from her book, *Slave Patrols: Law and Violence in Virginia and the Carolinas*;

"Rule 2nd: No slave after the hour of nine, P.M. (a reasonable time being allowed for him or her to go home or to the place designated in his or her written permission after the ringing of the bell,) shall be on the streets, or absent from the premises of his or her owner...Rule 3rd: If any slave shall violate the foregoing Rules, the Patrol shall have power and it shall be their duty ..., to whip the said slave..."

In a 1937, WPA interview with W.L Bost, a freed African man, he is quoted as saying,

"[Paddyrollers] jes' like policemen only worsen. 'Cause they never let the niggers go anywhere without a pass from his masters. If you wasn't in your proper place when the paddyrollers come they lash you til' you was black and blue. The women got 15 lashes and the men 30. That was for jes' bein' out without a pass. If the nigger done anything worse he was taken to jail and put in the whippin' post."

TIFFANY RENT



Chicago Police tasered 8-months pregnant, **Tiffany Rent**¹⁴ because she pulled into a handicap parking space at Walgreens to discipline her children. A Chicago Police officer wrote her a \$350 ticket, which she subsequently tore up and threw to the ground. The police are quoted as saying “call Jesse Jackson” if they had a problem with her assault, and the assault of her boyfriend who tried to come to her rescue. Furthermore, there is an allegation that the officer involved resorted to “reporting” when he originally stated in his report—under oath—that she threw the ticket into his face. Walgreen's video of the incident is said to prove his statement to be untrue.

The DOJ and the Federal Law Enforcement Training centers are failing to train law enforcement in defusing racially and ethnically tense situations. To the contrary, officers are more likely to escalate peaceful situations into use of force, including less than lethal and deadly to horrific consequences both physically, mentally, financially and socially.

¹⁴ “Tiffany Rent, Pregnant Chicago Woman Tasered By Police, Files Lawsuit,” *Huffington Post*. See: http://www.huffingtonpost.com/2012/06/14/tiffany-rent-pregnant-chi_n_1596713.html

CHARGES AND VIOLATIONS OF TREATY OBLIGATIONS AGAINST THE UNITED STATES

This report acknowledges the limitations this UN body is restricted by due to the reservations of the United States citing its governance under the Constitution of the United States. Yet the US allows for violations under the CERD treaty as well as its own Constitution, and consistently violates this decree when addressing the rights of the African people of America.

We charge that in the above mentioned cases African women do not have;

- (a) The right to equal treatment before the tribunals and all other organs administering justice;
- (b) The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by an individual group or institution;
- (c) The right to freedom of movement and residence within the border of the State;
- (d) The right to freedom of opinion and expression;
- (e) The right to freedom of peaceful assembly and association;
- (f) The right of access to any place or service intended for use by the general public; such as transport hotels, restaurants, cafes, theatres and parks.

We charge that African women do not have equal protection under the 1st, 4th and 8th Amendments of the United States Constitution and that the US allows for States to have laws that violate its Amendments allowing the American police impunity in and from the criminal justice system.

Per the CATO Institute's comparison of the US Bureau of Justice Statistics with their own,

"...the US is very problematic with conviction rates, incarceration rates, and the amount of time law enforcement officers spend behind bars for criminal misconduct are far lower than what happens when ordinary citizens face criminal charges. ...The general public who were tried on criminal charges ranged around 68% from 2002 to 2006. Furthermore the US BJS reports indicated that the incarceration rate remained fairly stable at an average of 70% and the average length of post-conviction incarceration for the general public was 49 months. For comparison the National Police Misconduct Statistics and Reporting Project (NPMSRP) which tracked over 8,300 credible reports involving allegations of police misconduct from April 2009 to December 2010 which involved nearly 11,000 law enforcement officers within those 21 months [found] only 3,238 resulted in criminal charges, ... of those only 1063 were ultimately convicted of those or reduced charges associated with the original allegations. Of those convicted officers 36% were ultimately sentenced to spend any time incarcerated and the average incarceration for those sentenced to prison or jail was approximately 34.6 months."

We charge that the US is in violation of Article 4 of the International Convention of the Elimination of Racial Discrimination as stated.

We charge that the American police have a culture steeped in racist practices and policies, and that they are considered a "superior group of persons."

Article 4

States Parties condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination and, to this end, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of this Convention, inter alia:

(a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

(b) Shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law;

(c) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination.

REQUESTS OF THE CERD COMMITTEE

We ask this body to find that the US violates this treaty and others by treating police officers as a special group group. As per the previous examples of impunity from justice, the US government prioritizes the reporting of their deaths, over the deaths of their citizens in police custody by creating and releasing the Law Enforcement Officers Killed in Action (LEOKA) Report once a year, and creating and releasing the ARD report once every 3 years. There are no mandatory requirements to submit data for the report, and a 3-year waiting period gives the American public little to no time to respond in any substantial way to the information.

We also ask this body to challenge the US Congress in their lackadaisical attitude towards re-signing the Deaths in Custody Act, and making it mandatory for all law enforcement departments to submit yearly reports of their Deaths in police custody.

We ask this body to review the attached documents and request that the Chicago Police Department be officially investigated by the Department of Justice for racially discriminating practices, policies and procedures, all forms of violence against women, and extrajudicial killings of African people, and their code of silence/ attempts to cover fellow officers criminal acts.

We ask this body to review the resisting arrest statute that allows a direct violation of the US Constitution by allowing convictions of people who were unlawfully arrested, and therefore allowing American police to act with impunity supported by the criminal justice system by having a catch-all statute to rely on.

We ask this body to make special reference to the 1951 document “We Charge Genocide” and its references to police violence against African peoples and women.

We ask this body to support external independent investigators to investigate sexual assault, abuse and harassment by department personnel, thereby removing the responsibility from the American Police Department's Internal Affairs Divisions.

POLICY AND LEGISLATIVE RECOMMENDATIONS

- **A National Police Rape Elimination Commission to recognize and study and eliminate the second highest crime committed by officers against women and to create policies, practices and procedures to quickly terminate offenders, find therapy for, and prosecute them.**
- **Department of Justice to employ more FBI Color of Law special agents to investigate the “on the ground” criminal offenses committed by police officers.**
- **Admonish States Attorneys that create records of complete insensitivity to the public and have a statistically significant wrongful convictions record.**
- **Increase funding to NGO and law enforcement think-tanks specifically directed to eliminate violence against women during policing encounters.**

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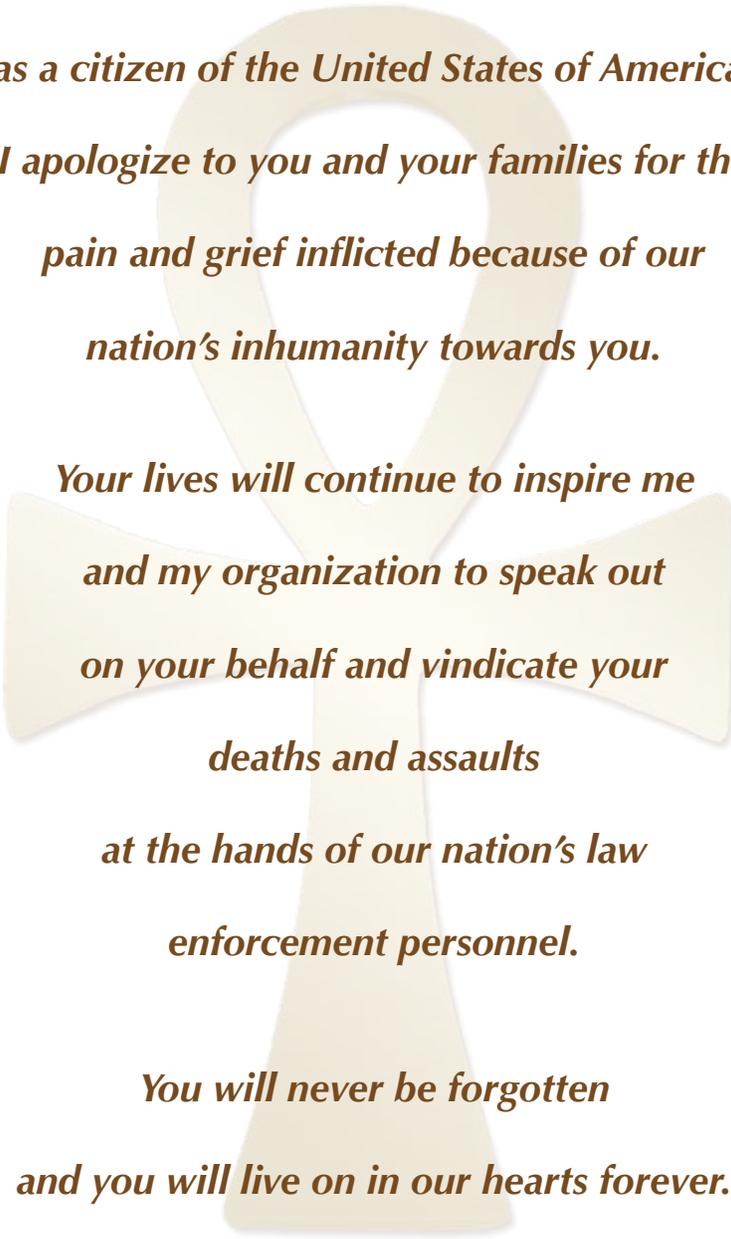
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IN MEMORIAM



*To my dear sisters,
as a citizen of the United States of America,
I apologize to you and your families for the
pain and grief inflicted because of our
nation's inhumanity towards you.
Your lives will continue to inspire me
and my organization to speak out
on your behalf and vindicate your
deaths and assaults
at the hands of our nation's law
enforcement personnel.
You will never be forgotten
and you will live on in our hearts forever.*

*- Crista E. Noel
Founder & President
Women's All Points Bulletin, Inc.*

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