

UCLA

UCLA Previously Published Works

Title

Multilevel experiences of carceral violence in Los Angeles, California: first-hand accounts from a racially diverse sample of transgender women.

Permalink

<https://escholarship.org/uc/item/1s4683zm>

Journal

Culture, Health & Sexuality: An International Journal for Research, Intervention and Care, 26(2)

Authors

Winiker, Abigail
Eschliman, Evan
Kisanga, Edwina
[et al.](#)

Publication Date

2024-02-01

DOI

10.1080/13691058.2023.2194353

Peer reviewed



Published in final edited form as:

Cult Health Sex. 2024 February ; 26(2): 159–173. doi:10.1080/13691058.2023.2194353.

Multilevel experiences of carceral violence in Los Angeles, California: first-hand accounts from a racially diverse sample of transgender women

Abigail K. Winiker^{a,*}, Evan L. Eschliman^a, Edwina P. Kisanga^a, Ohemaa B. Poku^b, Jury Candelario^c, Lois M. Takahashi^d, Karin Tobin^a

^aDepartment of Health, Behavior and Society, Johns Hopkins Bloomberg School of Public Health, Baltimore, MD, USA

^bHIV Center for Clinical and Behavioral Studies, Division of Gender, Sexuality, and Health, Columbia University and New York Psychiatric Institute, New York, NY, USA

^cAPAIT/Special Service for Groups, Los Angeles, CA, USA

^dSol Price School of Public Policy, University of Southern California, Sacramento, CA, USA

Abstract

Transgender women face a disproportionate burden of carceral violence, or violence related to policing and the criminal legal system, with transgender women of colour experiencing even greater disparities. Several frameworks conceptualise the mechanisms through which violence impacts transgender women, yet none directly explore the role of carceral violence, particularly as it is experienced by transgender women themselves. Sixteen in-depth interviews were conducted with a racially/ethnically diverse sample of transgender women in Los Angeles between May and July 2020. Participants were between 23 – 67 years old. Participants identified as Black (n=4), Latina (n=4), white (n=2), Asian (n=2), and Native American (n=2). Interviews assessed experiences with multi-level violence, including from police and law enforcement. Deductive and inductive coding methods were used to identify and explore common themes concerning carceral violence. Experiences of law enforcement-perpetrated interpersonal violence were common and included physical, sexual and verbal abuse. Participants also highlighted structural violence, including misgendering, the non-acceptance of transgender identities, and police intentionally failing to uphold laws that could protect transgender women.

These results demonstrate the pervasive, multilevel nature of carceral violence perpetrated against transgender women and suggest avenues for future framework development, trans-specific expansions of carceral theory, and system-wide institutional change.

Keywords

gender-based violence; transgender women; structural factors; stigma; gender norms

*Corresponding Author: Abigail K. Winiker, awinike1@jhu.edu.

Conflict of interest

The authors report no conflicts of interest.

Introduction

In recent years, increasing national attention in the USA has focused on the role and actions of police and carceral institutions, due in part to several high-profile cases of police brutality, particularly against Black people. “Carceral violence” will herein be used to describe the multilevel violence arising from within the criminal legal system, including police and carceral institutions (Cohen and Luttig 2020). While much public and research attention has focused on carceral violence at the individual and interpersonal levels (e.g. harassment and assault by police officers), carceral violence is also structural. Systems of policing and incarceration depend on and reproduce toxic social forces (e.g. racism, xenophobia, transphobia) to exert power, control and violence over marginalised communities and individuals (Wacquant 2000; Hinton and Cook 2021). Research on carceral violence by race/ethnicity has documented disproportionate impacts on Black, Indigenous, Latinx and certain sub-groups of Asian persons (Mauer and King 2007; Schoenfeld 2018). Furthermore, socioeconomic status, housing insecurity, documentation status, age, sexuality, and gender identity have all been associated with experiencing carceral violence (Schick et al. 2019).

Among those impacted by carceral violence, transgender women, or women whose gender identities do not align with their sex assigned at birth, face a disproportionate burden of carceral violence (DeVylder et al. 2017). Studies have unequivocally demonstrated that globally, transgender women face high rates of police contact, police violence, and incarceration (DeVylder et al. 2017; Reisner et al. 2016, Reisner, Bailey and Sevelius 2014; Wilson et al. 2009). Furthermore, greater inequities among specific groups of transgender women have been reported: Black and Indigenous transgender women in the USA experience higher rates of carceral violence than their white and cisgender female counterparts (Russell et al. 2021; Reisner, Bailey and Sevelius 2014), and Black transgender women face a greater risk of police violence victimisation than other sexual/gender minority groups or cisgender women of colour (James, Brown and Wilson 2015; Rosentel et al. 2021).

These disproportionate rates of carceral violence have many underpinning mechanisms. Pathways connecting transgender women to the criminal-legal system include socioeconomic disparities, housing instability, sex work involvement, and direct police-perpetrated discrimination (Yarbrough 2023; Lyons et al. 2017). In addition, economic disparities force transgender women to participate in the illicit economy at disproportionately high rates, with a large number engaging in transactional sex as a means of survival (Operario, Soma and Underhill 2008; Raiford et al. 2016). Further, punitive system-level responses to poverty often disproportionately target minority communities, including people of colour and sexual/gender minorities (Mogul, Ritchie and Whitlock 2011; Yarbrough 2023). These factors all contribute to the high rates of police contact, stops, and arrests experienced by transgender women (Stotzer 2014). Among a sample of transgender women below the age of 24 in Chicago, 67% reported ever having been arrested, with 37% having been incarcerated in their lifetime (Hereth et al. 2021). In addition, 22% of transgender respondents in the National Transgender Discrimination Survey (2011) reported a first-hand account of police harassment (Grant, Motter and Tanis 2011).

These high rates of carceral violence are also associated with substantial negative health consequences. Many studies have highlighted associations between carceral violence and HIV-related risk behaviours and outcomes among transgender women internationally (e.g. Logie et al. 2017; Willie et al. 2017; Yi et al. 2019). Additional known impacts of carceral violence for transgender women include worse mental health (DeVylder et al. 2017; DeVylder et al. 2018), housing insecurity (Anderson-Carpenter, Fletcher and Reback 2017), non-HIV infections such as hepatitis C (Groves et al. 2020), and lower overall health care engagement (White Hughto et al. 2019). Carceral violence among transgender women is also experienced through direct interpersonal violence perpetration. A 2017 report found that transgender and gender diverse individuals within the USA were seven times more likely to experience physical violence from police officers compared with cisgender counterparts (National Coalition of Anti-Violence Programs 2017), and other studies have linked carceral violence with intimate partner violence victimisation (King, Restar and Operario 2021) and experiences of transphobic hate crimes (Gyamerah et al. 2021).

Several multilevel conceptual frameworks depicting the mechanisms through which violence, stigma and discrimination adversely impact the health and well-being of transgender populations have been developed over the past decade. Prominent examples include the intersectionality research for transgender health justice framework (Wesp et al. 2019), a modified socio-ecological model of stigma for transgender health (White Hughto, Reisner and Pachankis 2015), and the gender affirmation framework for conceptualising risk behaviour among transwomen of colour (Sevelius 2013). However, these conceptual models of transgender health consistently omit reference to carceral violence, despite substantial evidence demonstrating its pervasive adverse impacts on transgender women's physical and mental health. Additionally, gaps remain in understanding transgender women's own multi-faceted experiences with carceral violence, including its interpersonal manifestations and interplay with other systems of oppression (e.g. sexism, racism). Research of this nature could inform how and where future frameworks designed to conceptualise mechanisms related to transgender women's health account for carceral violence. Accordingly, the goal of this paper was to use first-person narratives to examine the multilevel experiences of carceral violence among a diverse sample of transgender women in Los Angeles, California.

Materials and Methods

Data for this study was collected as part of an ongoing community-research partnership between a team at the Johns Hopkins Bloomberg School of Public Health and Access to Prevention Advocacy Intervention and Treatment (APAIT), a grassroots organisation established in 1987 with the mission to provide diverse social services to vulnerable communities in the Los Angeles area. The study team's senior author (KT) has worked with members of APAIT for several years, providing programme design and evaluation support. The study team included the senior author and two research assistants (AW), who worked in collaboration with APAIT's Director and members of the organisation's staff to design the study's research questions and interview guide. Many of APAIT's staff are people of colour and/or sexual/gender minorities themselves, providing an important perspective throughout the study's design and implementation.

Study data included 16 in-depth, semi-structured interviews conducted between May and July 2020 with a racially/ethnically diverse sample of women who self-identified as transgender in Los Angeles. Of the 16 participants, four identified as Black, four as Latina, four as white, two as Asian, and two as Native American. Participants were between the ages of 23–67 years. Purposive sampling techniques were used to recruit current/former residents of Casa de Zulma, an Enhanced Bridge Housing and Support Program in the City of Los Angeles developed and delivered by APAIT. Casa de Zulma is Los Angeles' first homeless shelter serving only transgender women, and participants were specifically recruited from this site given the project's goal of understanding the lived experiences of transgender women.

Interviews were conducted by APAIT case managers, many of whom were also persons of colour and/or sexual/gender minorities. Their pre-established relationships with Casa de Zulma residents encouraged participants to feel comfortable sharing their experiences. Interviews took place in private spaces in Casa de Zulma or the APAIT main office. Interviews lasted between 30–80 minutes and were conducted in either English or Spanish, depending on participants' language preference. The in-depth interview guide was designed to assess participants' daily routines, exposures to violence, sources of resilience/strength, social network characteristics, access to support services/resources, and experiences of the COVID-19 pandemic. The study's underlying theoretical question was to explore the role of place and socio-spatial environment as a determinant of violence among transgender women (Winiker et al. 2022). Verbal informed consent was given by all participants before the completion of an interview, and participants were compensated with a US\$100 gift card. All study procedures and protocols were approved by the Johns Hopkins Bloomberg School of Public Health Institutional Review Board.

Interviews were audio recorded and transcribed, with Spanish interviews first translated by a bilingual APAIT staff member. The research assistants utilised inductive and deductive analytical techniques to identify themes and independently code the transcripts. An *a priori* codebook was created based upon relevant literature and interview guide content, and these deductive codes were applied individually by each research assistant to the first transcript. Open, inductive coding was also engaged to identify additional themes within the data. Upon completion of the first transcript, the research team met to review codebook application, discussing areas of disagreement until inconsistencies were resolved. The research assistants each independently coded the remaining transcripts. The senior author then reviewed the final coded transcripts, reconciling any discrepancies. For the analysis, any codes related to “police,” “police violence,” “laws,” “prison,” “jail” and “incarceration,” were included. The paper's first author is a white, cisgender female affiliated with an elite research institution. She is aware of the political, economic, and social structures that have historically oppressed transgender women and simultaneously provided her a position of privilege, therefore potentially influencing her interpretation of the data. The rest of the authorship team, who contributed to conceptual framing, writing, and presentation of the results, are all persons of colour and/or sexual/gender minorities. The team engaged in frequent reflexivity check-ins to identify and minimise possible biases associated with the positionality of all members of the study.

Results

Among the participants in this sample, carceral violence was pervasive, often manifesting itself through direct episodes of interpersonal violence (e.g. physical and emotional abuse). In addition, substantial harassment, discrimination and a conscious failure to protect transgender women perpetrated by police and law enforcement both within and outside of carceral institutions demonstrated the complex interaction between interpersonal and structural violence: these actions served to reflect and reproduce broader system-level oppression, reinforce rigid societal norms around the construct of the gender binary, and further exclude sexual and gender minorities.

Interpersonal violence

Many participants described episodes of physical and emotional violence perpetrated by police and law enforcement, including assaults, harassment, and discrimination. In addition, women's accounts highlighted the ways in which police inaction was its own form of interpersonal violence, through conscious decisions not to uphold laws that could protect transgender women from harm.

Physical violence and threats of harm—Some participants reported personal or second-hand experiences of interpersonal violence from law enforcement officials. One recounted facing multiple forms of threatened and enacted violence from a corrections officer when incarcerated:

I have been in custody in prisons and jails, and I have experienced sexual harassment, verbal abuse, and even threatened with violence by a person of authority who was either a deputy sheriff or corrections officer. Once, I was in a wheelchair in the hospital in county jail because I fractured my ankle, so I couldn't walk. And one day I'm going to the shower, and as I was pushing my wheelchair, the officer tells me, "If you hit me with the wheelchair," I think he told me he'd break my other leg or something. Or said he'd knock me off the wheelchair. I mean, he threatened me with an act of violence. And then at the same time I was in custody in jail, I was going to the pill line, and... I'm facing the wall, and [an officer] told me to spread my arms and spread my legs, and he felt that I hadn't spread my legs enough, so he kicked my legs, my feet. And he kicked the fractured ankle, and it hurt... he was a deputy sheriff for the LA County Jail. I'll never forget that name, because he did it numerous times. A lot of other people have harassed me once or twice, but he did it numerous times while at county jail. – 26 years-old, Native American

Emotional violence: Gendered police harassment and discrimination—In addition to threats and enacted physical violence, many participants reported multiple experiences of transphobic emotional violence perpetrated by police officers and law enforcement officials. Often, this manifested through police intentionally misgendering women or otherwise demonstrating disrespect for their gender identity. One participant who had officially changed her sex on her state identification to female shared:

The LAPD has been trained about what trans people are, but they always misgendered me. I mean, one time they put me down as a trans man, which doesn't make any sense because I have a California ID that clearly says that I'm female on there and it clearly has my name in there, and everything's been legally changed. And my picture is on there, and I don't look like a guy in my picture, so I'm not really quite sure why they would mislabel me that. It's almost like they're slandering or doing it on purpose. – 26 years old, Native American

Other participants recounted similar experiences, often feeling dismissed or disrespected in interactions with police officers. One woman described an encounter which highlighted the complex ways in which norms around gender intersect with societal ideas of transness being tied to whiteness, stating:

And it was literally all because I wouldn't give him my ID, because I was trying to tell them my preferred name. But no, this cop was determined to get my dead name at the time, and you know, use it against me for whatever purpose. And eventually I gave it over and sure enough he was just like, "Oh look, you're a man trying to be a woman. That's not fucking right. See, you white folks always think you can get away with doing whatever the fuck you please, saying you're this and that" and threw my ID at the ground. – 23 years old, white

Misgendering also took place within prisons and jails. In particular, gender incongruent housing assignments exposed women to violence within carceral systems. One participant stated:

Well, because the cops and the laws – when we go to jail, we don't go to jail with women. We go to jail with men, and whatever it says on our ID, in our ideal mind, it's not in their ideal mind. They still see us as men – and then when we get there, it's horrible. It's even more horrible, because when we're behind these walls, the outside and the public can't see how they're really mentally fucking with our minds. – 63 years old, Latina

Another participant reported on heard stories from other transgender women about the potential for violence that occurred as a result of being confined with cisgender men.

I mean, I even still hear stories about people – sisters that I'm friends with that were incarcerated, come out of incarceration, they still put them in with the men. They still want to treat them like the men. They may be partway through transition. They'll stick them in the shower with the guys. It's like, you know damn well you're setting them up for something that's going to happen. There's a lot of disrespect by law enforcement from a legal aspect – 26 years old, Native American

Structural violence: Inaction and the failure to protect

Several participants described a conflict between the ostensible role of police and the actions taken by the police in their lives. Often, when participants turned to law enforcement officials for protection, they found that many intentionally failed to uphold the laws or policies which would keep transgender women safe. Further, many instead found themselves targeted by additional violence, including enacted verbal, physical and emotional harms.

These interpersonal (in)actions were perceived to feed into structural-level transphobia by reinforcing the belief that transgender women do not deserve protection and ultimately enabling other forms of violence to continue unchecked.

One participant described an instance where she had attempted to report an assault by a former intimate partner but was met with cruelty and violence from police.

One time I got beaten real down really bad. I just said, "I'm calling the police. I'm going to file charges. He's going to go. I don't care what he does when he gets out. I'm not dealing." And they showed up, they looked at my face, said, "What in the hell happened to you?" I told them. "What do you want us to do?" And I said, "Pick him up, I'll file charges." They said, "No." I said, "Why?" And they said, "If he kills you, that's one less faggot we worry about." – 43-years old, Asian

Other participants described similar situations where the police not only allowed but voiced active support for the violence that transgender women face while absolving the aggressors of accountability. When one woman reported an experience of physical and sexual harassment, she was dismissed by police and received no support or legal protection.

I've been physically assaulted by one cisman this year as well, which the police didn't do anything about – a security guard who was previously sexually harassing me. He followed me to my car. Asked me to roll down my window and started hitting on me. He realised I was a transwoman, lacked adequate understanding for that means, said something to the effect of, "Oh, I thought you were a female." I corrected him that I am a female, and it became more hostile as a result of that and he pushed me and took my phone and all sorts of stuff. So I called the police, and they told me that it wasn't sexual harassment, that he is allowed to follow people because he's a security guard there and being hit on isn't sexual harassment. In fact, a lot of people would love the attention, a lot of people would love to be hit on. That's what they literally said to me, these two male cops, which I found disgusting that that's the response. They told me it wasn't assault because he's allowed to push on anyone he wants, I guess, as a security guard. But they didn't do anything for me, released me and that was about it. – 37 years old, Latina

Another participant reported a transgender friend's similar experience and described how police inaction reinforces the social norms that devalue transgender women.

I have a friend that said that she was assaulted by her Uber driver, and she called the police and they didn't do anything. And they just told her to go home. And their attitude is going to make that offender think that it's okay and he can do this whenever he wants to. So you know, I just think everything is by example. So, if they made an example out of people when they did stuff, it would be less likely to happen. – 24 years old, Black

One other participant expressed a sense that police and law enforcement were actively unconcerned about the pervasive violence faced by transgender women. By deprioritising the protection of transgender women, police contributed to the perpetuation of violence against transgender women while upholding the systems of oppression that allow such

violence to occur. In response to a question about whether there are police practices that make violence towards transgender women more likely, she shared:

Yeah, I feel like not taking a lot of our cases involving transgender people in particular. I feel like there is hesitation towards just admitting – police still need to do investigations and all that stuff, but it’s like the reluctance to speak about the fact that there is a gigantic and extremely inhumane issue going on with transgender deaths. I mean, it’s obviously bad here in the US. I mean was it last year it was the highest in a long time with transgender deaths, or something like that? And it when I would try to see the police, are they following up on this investigation, etc, and you kind of just-- I feel they are pushing people in our community to the back end and focusing on other people. Like oh, we’ll eventually get to you. That kind of a mentality, like you can wait kind of a thing, or we don’t take you as seriously. It’s extremely frustrating. It’s a deep shame. – 34 years old, Black

Perceptions of determinants of carceral violence manifested by police—Having faced extensive experiences of carceral violence in various forms, many women in this sample offered theories around why this violence was so commonplace. Overall, participants explained that violence towards transgender women could stem from a complex interaction between political ideology, attraction towards transgender women, and stigmatising attitudes. One participant posited that cisgender men perceive the existence of transgender women as a threat to their masculinity, sharing:

Respondent The way [male police officers] approach trans women and the way they handle trans women, it kind of sets the tone for how men deal with trans women and the aggression. And it’s kind of crazy.

Interviewer So, when you talk about how police handle or deal with trans women, what do you mean by that?

Respondent I would say that they’re just very aggressive with trans women. And they feel that their masculinity is threatened by seeing a beautiful trans woman. And especially when they get that ID and they then start – they’re already sizing the girl up, whether they’re male or female, they thought they were trans, whatnot. Then they see that, that just gives them that – I feel like –it’s such a basic thing. It’s a basic thing that gets blown out of proportion. Especially with men with very toxic masculinity and not knowing how to deal with it. They just get angry and blow up. And they’ll start taking it as a threat. Then they start being physical. And they’re obviously strong, so they’re able to do this. And they’re a person of authority, of course they’re going to do it. – 48 years old, white

When asked whether there were policies or police practices that made violence towards transgender women more likely, another woman shared a similar sentiment, replying:

Yeah, I think so. I’ve heard first-hand experiences of trans women being put in male prison. And I don’t think that’s cool. There are a lot of fucking conservatives around here. They like to chase trans women. They try to talk, but at the same time, when it comes to our rights as human beings, they’re quiet. They’re like, “Oh,

these fucking faggots.” But sexually, they’re attracted to us. I think that’s one of the practices that needs to be addressed. – 36 years old, Latina

In response to the same question, a third participant described her perception that the police manifested conservative ideologies and transphobic attitudes which led to a failure to protect and support transgender women.

I think that especially within the police, it feels like police epitomise a lot of the stringent kind of ugly conservatist feel of society, because they have a badge and they feel like they’re doing – oh, well, we protect and serve. Well, when have you done that ever? I’ve never heard of that. And everybody is always, “Oh, yeah, you don’t like the police until they come help you.” Not even then I didn’t like that, and I don’t like them because a lot of times, especially with trans women, from my experience, it’s like I still become the bad guy or something, or bad girl... For trans, I believe it gets really messed up. So police need to be more – honour or serve and protect those that cannot protect themselves or serve others like they can, and I think that’s been lost with law enforcement. – 41 years old, Latina

Discussion

These data from 16 in-depth interviews conducted with a diverse group of transgender women in Los Angeles draw urgent attention to carceral violence as a significant source of violence for transgender women—particularly Black, Indigenous, Latina and other transgender women of colour—and as a determinant of this population’s health and well-being. The experiences of participants demonstrated that carceral violence against transgender women is pervasive and is perceived as source of violence that spans the interpersonal and structural levels.

When asked about violence in their lives generally, women in this sample reported carceral violence in a way that did not necessarily distinguish between direct versus indirect or interpersonal versus structural forms. Participants reported varied experiences of extensive interpersonal carceral violence in the forms of physical, sexual, verbal and emotional abuse perpetrated by police and carceral institution staff members. Further perpetuating harms against transgender women were frequent acts of stigma, discrimination and misgendering by police and law enforcement officials that both represent and reinforce broader, structural and system-level social exclusion of transgender individuals. To date, rigid social norms dictating that gender is a binary remain pervasive (Heise et al. 2019). This narrow societal construction of gender leads to widespread nonacceptance of those perceived to misalign with the gender norms congruent with their sex assigned at birth (White Hughto, Reisner and Pachankis 2015). Those holding power, such as police and law enforcement officials, have a unique opportunity to reject and redefine such norms. Yet as these findings show, many carceral officials instead reinforce this false binary through stigmatising treatment and systemic non-acceptance of diverse gender identities, contributing to the perpetuation of violence towards sexual and gender minority groups (Bradford et al. 2013; White Hughto et al. 2018). Further, participants articulated close linkages between these experiences of direct interpersonal violence, indirect interpersonal violence, and structural violence; as representatives of a larger carceral system, police officers enabled other forms of

interpersonal and structural violence towards transgender women to occur through overt discrimination and the conscious choice not to uphold laws and policies that would protect them.

In addition to urging the inclusion of carceral violence in future multilevel understandings of transgender health and well-being, these results also have implications for other experience-derived theories of the carceral state. Participants' experiences are in line with the concepts of distorted responsiveness (Prowse, Weaver and Meares 2020) and legal estrangement (Bell 2017), and possibly point towards the need for trans-specific extensions of these theories. Distorted responsiveness reflects the perceived contradiction in historically and ongoingly overpoliced communities wherein police are overly attentive and even violent in the face of petty offences but entirely absent when truly called upon to serve and protect (Prowse, Weaver and Meares 2020). This theory expands upon longstanding disparities in police treatment towards Black people, who historically have both suffered unequal protection under the law but simultaneously face a disproportionate burden of its enforcement. The women sampled demonstrate a similar contradiction: police both criminalise and demonise transgender women while simultaneously overtly failing to protect them in the face of external threats. The distorted responsiveness reported by the transgender women in this sample, however, suggests the need for a closer examination of the role of gender identity in future applications of this theory. A similar gender identity-specific overlay is added when considering how these quotes reflect legal estrangement, the process by which individuals and communities experience detachment and alienation from the law and its enforcers (e.g. police officers). It may be that transgender women, some of whom in this sample had long histories of experiences of carceral violence and maybe never thought of police or the law as beneficial to them, experience legal estrangement in different ways than cisgender people.

Regardless, the distorted responsiveness and legal estrangement reflected in women's responses have clear consequences: transgender women not only face high rates of direct interpersonal violence at the hands of police, but also simultaneously exhibit a fear of reporting other violent acts to law enforcement out of fear of dismissal or further harm. While police officers are situated to use their power to address and reduce this violence, these findings instead highlight that they directly and indirectly contribute to its perpetration. This is reflected in quantitative research as well; substantial evidence shows that transgender women experience multiple forms of violence at disproportionately high rates compared to both cisgender women and other sexual and gender minority groups (Langenderfer-Magruder, Whitfield et al. 2016). Specifically, multiple studies show that transgender women indicate being hesitant to report sexual violence, intimate partner violence, gender-based violence (Kurdyla, Messinger and Ramirez 2021; Langenderfer-Magruder, Walls et al. 2016; Langenderfer-Magruder, Whitfield et al. 2016), hate crimes (Gyamerah et al. 2021), and stalking (Langenderfer-Magruder et al. 2020) to police, meaning any protection the police could potentially offer is less likely to be received by this population.

Women's experiences in this study also have important policy evaluation implications. This study was conducted in California, a state considered to be at the forefront of progressive legal action in support of LGBTQ+ people. For example, a Bill requiring LGBTQ+-specific training of California police officers was passed in 2019 for curriculum development and

implementation to be started in January 2020 (Gazzar 2019). Also relevant to this study is a recent Bill establishing the Transgender and Wellness Equity Fund in September of 2020, requiring California's Department of Corrections and Rehabilitation (CDCR) to house transgender, gender-nonconforming and intersex individuals in a manner aligned with their gender identity (State of California 2020). The bill requires CDCR to ask about gender identity and preferred pronouns during the intake process and calls for trainings for staffers state-wide on working with gender nonconforming inmates, including search procedures, the provision of gender-affirming clothing, and pronoun usage (State of California 2020). As our study was conducted concurrent to these changes in 2020, it is not possible to draw conclusions about the policy's efficacy or felt impact from these participants' accounts. However, there is a clear call from these results for future quantitative and qualitative research that evaluates how these and other policy changes impact on perceptions and experiences of carceral violence among both nonincarcerated and incarcerated transgender women. Moreover, the pervasive and indiscriminate nature of carceral violence experienced by these women suggests the need for much more substantive and cross-sector changes than these and other reformist policies allow.

Given the systemic nature of carceral violence, it is unlikely that reformist policies will be able to effectively stop carceral violence toward transgender women. Carceral institutions were built on racist, cisheteropatriarchal social norms which continue to enable violence against transgender and gender non-conforming persons to occur—particularly those who are also Black, Indigenous or Latinx (Hinton and Cook 2021). Abolition of police and prisons is the only way to stop carceral violence. In the meantime, trans-led organisations have provided recommendations for other means by which to reduce carceral violence. In 2016, the National Center for Transgender Equality (NCTE) put forth a Federal Agenda for Transgender People, which included a chapter on police violence (National Center for Transgender Equality 2016). Additionally, an updated version of the End Racial Profiling Act, which prohibits profiling on race, religion, gender, sexual orientation and gender identity, was reintroduced in the Senate in 2021 but has not progressed to a vote (Cardin 2022). Regardless, change should not only occur through federal legislation or in response to specific demands from transgender people. Law enforcement agencies should immediately seek to redistribute power and work with community partners to develop policies and practices that ensure fair and just treatment of transgender/gender non-conforming individuals (Human Rights Campaign and Trans People of Color Coalition 2015). Structural problems require systemic solutions that at the very least do not allocate more power or resources to historically and actively harmful carceral systems.

Limitations

The results of this study must be considered in the context of its limitations. First, the participants in this study were all resident in downtown Los Angeles at the time of their interviews. Their experiences of carceral violence may not be reflective of transgender women in other geographic areas, particularly those in rural areas. Additionally, the study's interview guide was not designed to specifically prompt about women's experiences with carceral violence but rather various sources of violence more broadly. While many women spoke about periods of incarceration or episodes of police violence, interview questions

did not explicitly ask about these topics. This provides an important opportunity for future research with other groups of sexual/gender minority women to better understand experiences of carceral violence in all its forms. Third, many of the women sampled in this study face intersecting systems of oppression due to their overlapping minoritised statuses, and their experiences of carceral violence must be contextualised by the deeply entrenched systems of racism, white supremacy, capitalism, and cisheteropatriarchy within which police and the carceral system at large operate. While this study explored the harms of carceral violence among a diverse sample of transgender women, interview questions were not designed specifically to understand the ways in which participants saw their own social identities (e.g. race, sex, gender, class) interacting with structural systems to influence the violence they faced. A more explicit focus on intersectionality in future studies of carceral violence will allow practices, programmes and policies to be more responsive to the lived realities of transgender women while also highlighting the various ways in which transgender women show resilience in the face of interlocking systems of oppression. Fourth, study interviews were conducted by APAIT service staff, which offered the benefit of potentially allowing participants to feel comfortable discussing sensitive topics given their pre-existing relationships. However, this introduces a possible social desirability bias, as women may have felt pressured to present themselves in a certain way when speaking to one of their own current case managers. In addition, women may have felt compelled to share or withhold certain elements of their experiences from staff members given their power differential, as case managers have some degree of control over participants' access to resources and services. The study's consent form clearly informed participants that their responses would in no way influence their care at APAIT, but it is important to note this potential information bias. Finally, the women interviewed for this study were all current or past residents of Casa de Zulma, a transgender-specific service agency. It is likely that carceral violence manifests differently among transgender women without access to resources of this kind, such as those who are experiencing homelessness but are unsheltered. Future research should seek to elicit the first-hand experiences of transgender women who are not already connected to trans-affirming social services. Nonetheless, this study is one of the first to present first-hand experiences of multilevel carceral violence from a diverse sample of transgender women and provides a crucial look into the ways in which this violence manifests.

Conclusion

As communities across the USA grapple with the prevalence and impacts of carceral violence, it is critical to be responsive to the experiences and perceptions of those who are most harmed. These data from a diverse sample of transgender women in Los Angeles demonstrate the level-spanning nature of carceral violence. They point toward its importance for inclusion in multilevel frameworks for understanding the health and well-being of this population so as to provide more insight into the pathways by which the US criminal-legal system causes harms. The first-hand accounts offered here provide yet another set of reasons to reimagine and realise what communities could be without policing and mass incarceration: as spaces of greater health, safety, and well-being for all people disproportionately harmed by carceral violence, including transgender women.

Acknowledgements

We wish to acknowledge the participants of this study who generously devoted their time and energy to share their experiences with the research team.

Funding

This research was supported by a grant from the Bloomberg American Health Initiative at the Johns Hopkins Bloomberg School of Public Health. Abigail K. Winiker is supported by the US National Institute of Child Health and Development (T32-HDO64428). Ohemaa B. Poku is supported by the US National Institute of Mental Health (T32MH19139–32).

References

- Anderson-Carpenter KD, Fletcher JB, and Reback CJ. 2017. “Associations Between Methamphetamine Use, Housing Status, and Incarceration Rates Among Men Who Have Sex With Men and Transgender Women.” *Journal of Drug Issues* 47 (3): : 383–395. doi:10.1177/0022042617696917. [PubMed: 28670005]
- Bell MC. 2017. “Police Reform and the Dismantling of Legal Estrangement.” *The Yale Law Journal* 126 (7): 2054–2150.
- Bradford J, Reisner SL, Honnold JA, and Xavier J. 2013. “Experiences of Transgender-Related Discrimination and Implications for Health: Results From the Virginia Transgender Health Initiative Study.” *American Journal of Public Health* 103 (10): 1820–1829. doi:10.2105/AJPH.2012.300796. [PubMed: 23153142]
- Cardin BL. 2022. S.597 – 117th Congress (2021–2022): ERRPA. Accessed April 11. <https://www.congress.gov/bill/117th-congress/senate-bill/597>.
- Cohen CJ, and Luttig MD. 2020. “Reconceptualizing Political Knowledge: Race, Ethnicity, and Carceral Violence.” *Perspectives on Politics* 18 (3): 805–818. doi:10.1017/S1537592718003857.
- DeVylder JE, Oh HY, Nam B, Sharpe TL, Lehmann M, and Link BG. 2017. “Prevalence, Demographic Variation and Psychological Correlates of Exposure to Police Victimization in Four US Cities.” *Epidemiology and Psychiatric Sciences* 26 (5): 466–477. doi:10.1017/S2045796016000810. [PubMed: 27834166]
- DeVylder JE, Jun H, Fedina L, Coleman D, Anglin D, Cogburn C, Link B, and Barth RP. 2018. “Association of Exposure to Police Violence With Prevalence of Mental Health Symptoms Among Urban Residents in the United States.” *JAMA Network Open* 1 (7): e184945. doi:10.1001/jamanetworkopen.2018.4945.
- Gazzar B. 2019. “Under New Law, Training on Transgender Issues, Sexual Orientation Will Be Required of Many Seeking to Become Law Enforcement Officers.” *Press Telegram*, January 10. <https://www.presstelegram.com/under-new-law-training-on-transgender-issues-sexual-orientation-will-be-required-of-many-seeking-to-become-law-enforcement-officers>.
- Grant JM, Motter LA, and Tanis J. 2011. “Injustice at Every Turn: A Report of the National Transgender Discrimination Survey.” Washington, DC: National Center for Transgender Equality. https://www.onlabor.org/wp-content/uploads/2016/04/ntds_full.pdf
- Grov C, Westmoreland DA, Carrico AW, and Nash D. 2020. “Are We on the Precipice of a New Epidemic? Risk for Hepatitis C among HIV-Negative Men-, Trans Women-, and Trans Men- Who Have Sex with Men in the United States.” *AIDS Care* 32 (sup2): 74–82. doi:10.1080/09540121.2020.1739204. [PubMed: 32172589]
- Gyamerah AO, Bagus G, Santiago-Rodriguez E, Sa’id A, Arayasirikul S, Lin J, Turner CM, et al. 2021. “Experiences and Factors Associated with Transphobic Hate Crimes among Transgender Women in the San Francisco Bay Area: Comparisons across Race.” *BMC Public Health* 21 (1): 1053. doi:10.1186/s12889-021-11107-x. [PubMed: 34078334]
- Heise L, Greene ME, Opper N, Stavropoulou M, Harper C, Nascimento M, Zewdie D. 2019. “Gender Inequality and Restrictive Gender Norms: Framing the Challenges to Health.” *The Lancet* 393 (10189): 2440–2454.
- Hereth J, Garthe RC, Garofalo R, Reisner SL, Mimiaga MJ, and Kuhns LM. 2021. “Examining Patterns of Interpersonal Violence, Structural and Social Exclusion, Resilience,

- and Arrest among Young Transgender Women.” *Criminal Justice and Behavior* 48 (1): 54–75. doi:10.1177/0093854820938420.
- Hinton E, and Cook D. 2021. “The Mass Criminalization of Black Americans: A Historical Overview.” *Annual Review of Criminology* 4 (1): 261–286. doi:10.1146/annurev-criminol-060520-033306.
- Human Rights Campaign and Trans People of Color Coalition. 2015. Addressing Anti-Transgender Violence: Exploring Realities, Challenges, and Solutions for Policymakers and Community Advocates. <https://assets2.hrc.org/files/assets/resources/HRC-AntiTransgenderViolence-0519.pdf>.
- James SE, Brown C, and Wilson I. 2015. US Transgender Survey: Report on the Experiences of Black Respondents. National Center for Transgender Equality, Black Trans Advocacy, & National Black Justice Coalition. <https://www.transequality.org/sites/default/files/docs/usts/USTSBlackRespondentsReport-Nov17.pdf>.
- King WM, Restar A, and Operario D. 2021. “Exploring Multiple Forms of Intimate Partner Violence in a Gender and Racially/Ethnically Diverse Sample of Transgender Adults.” *Journal of Interpersonal Violence* 36 (19–20): NP10477–NP10498. doi:10.1177/0886260519876024. [PubMed: 31526070]
- Kurdyla V, Messinger AM, and Ramirez M. 2021. “Transgender Intimate Partner Violence and Help-Seeking Patterns.” *Journal of Interpersonal Violence* 36 (19–20): NP11046–NP11069. doi:10.1177/0886260519880171. [PubMed: 31596167]
- Langenderfer-Magruder L, Walls NE, Kattari SK, Whitfield DL, and Ramos D. 2016. “Sexual Victimization and Subsequent Police Reporting by Gender Identity Among Lesbian, Gay, Bisexual, Transgender, and Queer Adults.” *Violence and Victims* 31 (2): 320–331. doi:10.1891/0886-6708.VV-D-14-00082. [PubMed: 26831853]
- Langenderfer-Magruder L, Walls NE, Whitfield DL, Kattari SK, and Ramos D. 2020. “Stalking Victimization in LGBTQ Adults: A Brief Report.” *Journal of Interpersonal Violence* 35 (5–6): 1442–1453. doi:10.1177/0886260517696871. [PubMed: 29294675]
- Langenderfer-Magruder L, Whitfield DL, Walls NE, Kattari SK, and Ramos D. 2016. “Experiences of Intimate Partner Violence and Subsequent Police Reporting Among Lesbian, Gay, Bisexual, Transgender, and Queer Adults in Colorado: Comparing Rates of Cisgender and Transgender Victimization.” *Journal of Interpersonal Violence* 31 (5): 855–871. doi:10.1177/0886260514556767. [PubMed: 25392392]
- Logie CH, Lacombe-Duncan A, Kenny KS, Levermore K, Jones N, Marshall A, and Newman PA. 2017. “Associations between Police Harassment and HIV Vulnerabilities among Men Who Have Sex with Men and Transgender Women in Jamaica.” *Health and Human Rights* 19 (2): 147–154. [PubMed: 29302172]
- Lyons T, Krüsi A, Pierre L, Kerr T, Small W, and Shannon K. 2017. “Negotiating Violence in the Context of Transphobia and Criminalization: The Experiences of Trans Sex Workers in Vancouver, Canada.” *Qualitative Health Research* 27 (2): 182–190. doi:10.1177/1049732315613311. [PubMed: 26515922]
- Mauer M, and King RS. 2007. “Uneven Justice: State Rates of Incarceration by Race and Ethnicity.” *The Sentencing Project*. <https://www.jstor.org/stable/pdf/resrep27349.pdf>
- Mogul JL, Ritchie AJ, and Whitlock K. 2011. *Queer (in)Justice: The Criminalization of LGBT People in the United States*. Vol. 5. Boston: Beacon Press.
- National Center for Transgender Equality. 2016. Reforming Police and Ending Anti-Transgender Violence. *Blueprint for Equality: A Transgender Federal Agenda*. <https://transequality.org/sites/default/files/docs/resources/NCTE%20Federal%20Blueprint%20Chapter%206%20Police%20and%20Ending%20Violence.pdf>.
- National Coalition of Anti-Violence Programs. 2017. *Hate Violence Against Transgender Communities Factsheet*. https://avp.org/wp-content/uploads/2017/04/ncavp_transhvfactsheet.pdf.
- Operario D, Soma T, and Underhill K. 2008. “Sex Work and HIV Status Among Transgender Women: Systematic Review and Meta-Analysis.” *JAIDS Journal of Acquired Immune Deficiency Syndromes* 48 (1): 97. doi:10.1097/QAI.0b013e31816e3971. [PubMed: 18344875]

- Prowse G, Weaver VM, and Meares TL. 2020. "The State from Below: Distorted Responsiveness in Policed Communities." *Urban Affairs Review* 56 (5): 1423–1471. doi:10.1177/1078087419844831.
- Raiford JL, Hall GJ, Taylor RD, Bimbi DS, and Parsons JT. 2016. "The Role of Structural Barriers in Risky Sexual Behavior, Victimization and Readiness to Change HIV/STI-Related Risk Behavior Among Transgender Women." *AIDS & Behavior* 20 (10): 2212–2221. doi:10.1007/s10461-016-1424-8. [PubMed: 27167631]
- Reisner SL, Bailey Z, and Sevelius J. 2014. "Racial/Ethnic Disparities in History of Incarceration, Experiences of Victimization, and Associated Health Indicators Among Transgender Women in the U.S." *Women & Health* 54 (8): 750–767. doi:10.1080/03630242.2014.932891. [PubMed: 25190135]
- Reisner SL, Poteat T, Keatley J, Cabral M, Mothopeng T, Dunham E, Holland CE, Max R, and Baral SD. 2016. "Global Health Burden and Needs of Transgender Populations: A Review." *The Lancet* 388 (10042): 412–436. doi:10.1016/S0140-6736(16)00684-X.
- Rosental K, López-Martínez I, Crosby RA, Salazar LF, and Hill BJ. 2021. "Black Transgender Women and the School-to-Prison Pipeline: Exploring the Relationship Between Anti-Trans Experiences in School and Adverse Criminal-Legal System Outcomes." *Sexuality Research and Social Policy* 18 (3): 481–494. doi:10.1007/s13178-020-00473-7.
- Russell JS, Hickson DA, Timmins L, and Duncan DT. 2021. "Higher Rates of Low Socioeconomic Status, Marginalization, and Stress in Black Transgender Women Compared to Black Cisgender MSM in The MARI Study." *International Journal of Environmental Research and Public Health* 18 (4): 2183. doi:10.3390/ijerph18042183. [PubMed: 33672272]
- Schick V, Witte L, Misedah L, Benedict W, Falk K, Brown C, and Isbell F. 2019. "Exploring Differences in the Lives and Well-Being of Sexual and Gender Minority Adults Experiencing Homelessness Relative to Their Cisgender Heterosexual Counterparts." *Health Equity* 3 (1): 68–72. doi:10.1089/heq.2018.0068. [PubMed: 31032470]
- Schoenfeld H. 2018. *Building the Prison State: Race and the Politics of Mass Incarceration*. Chicago, Illinois: : University of Chicago Press.
- Sevelius JM. 2013. "Gender Affirmation: A Framework for Conceptualizing Risk Behavior Among Transgender Women of Color." *Sex Roles* 68 (11): 675–689. doi:10.1007/s11199-012-0216-5. [PubMed: 23729971]
- State of California. 2020. "Governor Newsom Signs Legislation Strengthening Protections for LGBTQ+ Californians." California Governor. <https://www.gov.ca.gov/2020/09/26/governor-newsom-signs-legislation-strengthening-protections-for-lgbtq-californians/>.
- Stotzer RL. 2014. "Law Enforcement and Criminal Justice Personnel Interactions with Transgender People in the United States: A Literature Review." *Aggression and Violent Behavior* 19 (3): 263–277. doi:10.1016/j.avb.2014.04.012.
- Wacquant L. 2000. "The New 'Peculiar Institution': On the Prison as Surrogate Ghetto." *Theoretical Criminology* 4 (3): 377–389. doi:10.1177/1362480600004003007.
- Wesp LM, Malcoe LH, Elliott A, and Poteat T. 2019. "Intersectionality Research for Transgender Health Justice: A Theory-Driven Conceptual Framework for Structural Analysis of Transgender Health Inequities." *Transgender Health* 4 (1): 287–296. doi:10.1089/trgh.2019.0039. [PubMed: 31663035]
- White Hughto JM, Clark KA, Altice FL, Reisner SL, Kershaw TS, and Pachankis JE. 2018. "Creating, Reinforcing, and Resisting the Gender Binary: A Qualitative Study of Transgender Women's Healthcare Experiences in Sex-Segregated Jails and Prisons." *International Journal of Prisoner Health* 14 (2): 69–88. doi:10.1108/IJPH-02-2017-0011. [PubMed: 29869582]
- White Hughto JM, Reisner SL, Kershaw TS, Altice FL, Biello KB, Mimiaga MJ, Garofalo R, Kuhns LM, and Pachankis JE. 2019. "A Multisite, Longitudinal Study of Risk Factors for Incarceration and Impact on Mental Health and Substance Use among Young Transgender Women in the USA." *Journal of Public Health* 41 (1): 100–109. doi:10.1093/pubmed/fdy031. [PubMed: 29474682]
- White Hughto JM, Reisner SL, and Pachankis JE. 2015. "Transgender Stigma and Health: A Critical Review of Stigma Determinants, Mechanisms, and Interventions." *Social Science & Medicine* 147 (December): 222–231. doi:10.1016/j.socscimed.2015.11.010. [PubMed: 26599625]

- Willie TC, Chakrapani V, White Hughto JM, and Kershaw TS. 2017. "Victimization and Human Immunodeficiency Virus-Related Risk Among Transgender Women in India: A Latent Profile Analysis." *Violence and Gender* 4 (4): 121–129. doi:10.1089/vio.2017.0030. [PubMed: 29279854]
- Wilson EC, Garofalo R, Harris RD, Herrick A, Martinez M, Martinez J, Belzer M, and The Transgender Advisory Committee and the Adolescent Medicine Trials Network for HIV/AIDS Interventions. 2009. "Transgender Female Youth and Sex Work: HIV Risk and a Comparison of Life Factors Related to Engagement in Sex Work." *AIDS & Behavior* 13 (5): 902–913. doi:10.1007/s10461-008-9508-8. [PubMed: 19199022]
- Winiker AK, White S, Candelario J, Takahashi LM, and Tobin KE. 2023. "'Through the Things That Have Happened to Me, They've Made Me Stronger': Individual and Interpersonal Sources of Violence and Resilience Among a Diverse Sample of Transgender Women in Los Angeles." *Journal of Interpersonal Violence* 38(5–6): 5019–5043e. doi.org/10.1177/08862605221120896. [PubMed: 36062750]
- Yarbrough D. 2023. "The Carceral Production of Transgender Poverty: How Racialized Gender Policing Deprives Transgender Women of Housing and Safety." *Punishment & Society* 25 (1): 141–161. doi:10.1177/14624745211017818.
- Yi S, Sok S, Chhim S, Chhoun P, Chann N, Tuot S, Mun P, and Pantelic M. 2019. "Access to Community-Based HIV Services among Transgender Women in Cambodia: Findings from a National Survey." *International Journal for Equity in Health* 18 (1): 72. doi:10.1186/s12939-019-0974-6. [PubMed: 31101106]