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DEFUNDING THE POLICE

Anonymous *Essay*

In late May of 2020, as protests against police brutality spread across the United States, calls to “Defund the Police” became a central rallying cry of the movement. A common rebuttal to this demand revolves around the purported need for police to protect and secure justice for survivors of sexual and domestic violence. While familiar with the limited efficacy of the police and carceral system in preventing or handling crimes of sexual assault, I nevertheless found myself wondering how society could address sexual violence without the police.

Upon further reflection, I realized I was asking a question that I had already answered for myself. I experienced sexual violence ten years ago, and never once thought to call the police. My delayed realization was not because I had forgotten about the assault—it was a lifechanging event for me, not only for the trauma it imparted, but also because it shaped my worldview and my understanding of power, gender, race, and class. Rather, my reflections since then have led me to conclude that sexual assault does not warrant a carceral solution. There are many ways to prevent what happened to me and protect against it happening again. Crucially, none of them require police involvement.

Police abolition is not a new idea. Along with prison abolition, police abolition provides a framework for activism that dates back to the 1970s.¹ Since then, Black women such as Dr. Angela Davis and Dr. Ruth Wilson Gilmore have called to abolish carceral systems and invest in alternative structures that address harms often socially constructed as “crime.”² Professor Beth Richie has further addressed how sexual or domestic violence that Black women experience often does not fit into the typical case of abuse imagined by the carceral system, and how police brutality compounds violence that Black women face.³ Through organizations

1. Ruairí Arrieta-Kenna, “The Deep Roots—And New Offshoots—of ‘Abolish the Police,’” *POLITICO*, <https://www.politico.com/news/magazine/2020/06/12/abolish-defund-police-explainer-316185>.

2. See Angela Y. Davis and Dylan Rodriguez, *The Challenge of Prison Abolition: A Conversation*, 27 *SOC. JUSTICE* 212, 215 (2000).

3. See generally BETH E. RICHIE, *ARRESTED JUSTICE: BLACK WOMEN*,

like *Survived and Punished*, survivors of sexual violence have communicated their experiences with the carceral system. Their stories show that the carceral system, including the police officers who strive to uphold it, perpetuates sexual violence against the most marginalized communities—low-income people, people of color, immigrants, transgender people, survivors of domestic violence, and people who are incarcerated.⁴

Addressing sexual violence can be uncomfortable, which is one reason some people are fearful of defunding the police—they want an authority who is well-equipped to handle the complexities of sexual violence to be at the front lines. Heteropatriarchal norms have rendered individuals ill-equipped to handle instances of sexual violence, so we bestow this responsibility upon the police. However, the police aren't supporting survivors of sexual violence or providing any meaningful, sustainable justice. Instead, police funnel people into jails and prisons, which perpetuate the cycle of violence. In what follows, I use my own story to illustrate alternatives to policing and envision solutions to sexual violence that denounce prisons and carceral justice.

After I was sexually assaulted, I felt completely alone. I considered, and briefly dismissed, the idea of reporting to the police because the last thing I needed was a criminal investigation that was unlikely to go anywhere. What I needed in order to heal was a community of peers who understood how to support me, and the tools to discuss nonconsensual sexual contact with adults. I was sixteen years old, yet I had no concept of what active consent looked like, thanks to my abstinence-only sex education class. While I rolled my eyes in class, the shame that abstinence-only education instilled trickled down to my personal interactions and the way I discussed sex with my peers. We didn't know how to talk about sex in a way that centered pleasure and safety and denounced shame. As a result, I conflated an awkward sexual encounter with what I

VIOLENCE, AND AMERICA'S PRISON NATION, 23–64 (2012) (arguing that violence against Black women often includes forms of violence not traditionally considered in generic “domestic violence” calculations: public aggression towards queer Black women, excessive force by police, and other examples; this chapter chronicles the story of Ms. B, who suffered horrific police brutality because of her connection to organizations that resisted abolition of public housing, and compared the way the police treated her to a gang rape she experienced).

4. SURVIVED & PUNISHED: END THE CRIMINALIZATION OF SURVIVAL, <https://survivedandpunished.org> (last visited September 1, 2020) [<https://perma.cc/FD4S-YS3L>]. *Survived and Punished* is a prison abolition organization. The organization's work focuses on the criminalization of sexual violence survivors and the relationship between systems of punishment and gender-based violence.

now know to be assault. Six months after my assault, when I finally felt comfortable enough to share what happened with a few friends, they did not know what to say or how to help.

In a world without police, we would share the responsibility of supporting survivors of sexual violence. One way to ensure we are prepared to do this is to provide comprehensive sex education that centers consent and incorporates a trauma-informed approach to supporting survivors. When young people learn about consent early, they have a heightened ability to empathize with those who have experienced a violation. In order to prevent and address sexual violence, we have to remove the shame and stigma associated with it, and promote ideals of consent, empathy, and accountability.

Another visceral memory I have from this time is needing a space to unpack what had happened to me, with adults who looked like me. I didn't have a big South Asian community while growing up, and a lot of the trauma I experienced was the result of sexually conservative social norms of my upbringing. The fact that my parents are Indian immigrants was implicitly part of my decision not to involve the police—they looked like outsiders in our predominantly white neighborhood, and I understood the police to serve people who looked like my perpetrator, who was white. With time, I've learned that my family's discomfort discussing sex and sexuality cannot solely be attributed to sexual conservatism in Indian culture. Adherence to the model minority myth and a desire to assimilate through quiet subservience and calculated rule-following governed the decisions my parents made about discussing sex. Sex wasn't just taboo because of an American patriarchal society; challenging discursive norms about sex also worked against their aspirations for social mobility.

I know now that what I needed was a space where I could feel solidarity with other South Asian people who shared a similar cultural understanding of sexual violence, and who were empowered with the knowledge and tools to support survivors. It is certainly hard work to change centuries of patriarchal norms, but it is work that is both doable and critical for a more just future. Now I dream of a radical community center for South Asian kids, with classes on racial justice, sex education, political protest and resistance, art and literature, and language. I want to work alongside South Asian people my age to create spaces for those in their teens, so they don't have to suffer like we did. I propose forging networks of familial and community institutions who recognize that supporting survivors of

sexual violence is key to all people's liberation, and utilize community resources to build support, accountability, and justice.

It may sound daunting for individuals and communities to assume the responsibilities we currently assign to the police. However, this is only because we assign police *too* much responsibility. As a result, our collective imagination for a post-police world has atrophied. In envisioning how to defund the police and adequately handle instances of sexual violence, we have to first consider if the police and criminal justice system are adequately preventing or responding to instances of sexual violence. Because the answer is a resounding "no," we must pivot to consider alternatives, many of which reinvest responsibility into individuals and communities.

Time and again, survivors of sexual violence have articulated how unhelpful the police have been in investigating and "solving" instances of sexual assault, especially for people who experience violence at the highest rates: low-income, Black and indigenous communities who are overpoliced and disproportionately involved in the criminal legal system.⁵ The racist and sexist foundations of the modern day police system have led to distrust of the police, and the formation of alternative support networks that have intentionally divested from carceral systems and pursue other methods for healing and justice.⁶ Further, the "solution" to crime that the police help facilitate is solely incarceration, yet another space where people who experience above average levels of sexual violence are often subjected to repeated violence, harassment, and trauma.⁷

Perhaps sexual and domestic violence are isolated as crimes that form a distinct class separate from other crimes because it can be easier for people to imagine noncarceral solutions to crimes such as robbery or drug possession. Envisioning noncarceral solutions for sexual and domestic violence can be more challenging. These

5. MAEVE BARRY, FEMINISM REQUIRES ABOLITION: POLICE AREN'T AN ALTERNATE RESPONSE TO SEXUAL VIOLENCE, *MS. MAGAZINE* (last visited September 1, 2020), <https://msmagazine.com/2020/06/22/white-women-the-police-wont-save-you-either>. For information related to groups further marginalized by the institution of policing, see #8TOABOLITION, (last visited September 1, 2020), <https://www.8toabolition.com>.

6. For background on the history of policing, see *The History Of Police In Creating Social Order In The U.S.*, *NAT'L PUB. RADIO* (June 5, 2020), <https://www.npr.org/2020/06/05/871083599/the-history-of-police-in-creating-social-order-in-the-u-s>. For more information about transformative, non-carceral justice, see RAY FISHER-QUANN, *A Fresh Framework: The Feminism of the Abolition Movement*, *BITCH MEDIA* (last visited September 1, 2020), <https://www.bitch-media.org/article/what-will-survivors-of-sexual-violence-do-if-we-defund-the-police>.

7. Barry, *supra* note 5.

harms are widely considered to be personal and strictly between two people: those who commit violence, and those who experience. This framework does not account for the community's role or provide tools for every person to be able to prevent violence and support survivors outside of the criminal justice system.

Within the criminal legal system, sexual violence takes many forms outside of the traditional perpetrator vs. survivor binary—and is perpetrated by policing and prisons. One example of this is the U-Visa system, which allows survivors of sexual or domestic violence temporary immigration relief *if* they file a police report and continue to “cooperate with law enforcement.”⁸ This hinges a survivor's immigration status on their comfort with the police and carceral systems, and centers the justice system rather than the person experiencing violence. Another example is the way that child welfare agencies criminalize parents for “exposing” children to domestic violence—punishing parents if they do come forward about experiencing domestic violence, while cultivating a culture of fear around reporting because of these potential consequences.⁹

As a survivor, I challenge us to demand better resources, like sex education, culturally-competent mental health counseling, and community support systems in order to break cycles of violence and power to support those who experience trauma. I ask that we demand solutions to sexual violence where perpetrators of violence are held accountable for their actions, but without being placed into environments that perpetuate further violence. And finally, I hope that we as individuals take efforts to support our peers, learn how to be better advocates, and help create a world in which relying on the police for justice isn't an option.

8. The victim “cannot unreasonably refuse to cooperate with law enforcement.” U.S. DEP'T OF HOMELAND SEC., U VISA LAW ENFORCEMENT CERTIFICATION RESOURCE GUIDE, 11, https://www.dhs.gov/xlibrary/assets/dhs_u_visa_certification_guide.pdf (last visited September 1, 2020).

9. Elizabeth Brico, *State Laws Can Punish Parents Living in Abusive Households*, TALKPOVERTY (Oct. 25, 2019), <https://talkpoverty.org/2019/10/25/failure-protect-child-welfare>.

