POLICE BRUTALITY

and why it is an LGBTQ issue

Story by: MJ Eckhouse and Saxen MJ
Photo Illustrations by: Alyssa Keown and Vinnie Tharnish

In 1959, it was, in many ways, illegal to be trans or gay. Even in cities which now are well-known for their progressivism, law enforcement officers regularly raided gay bars. Police beat and harassed queer bar patrons and patrolled gay neighborhoods, waiting to storm into the homes of gay couples to arrest them for engaging in consensual sex. Dancing with a same-sex partner was illegal until the 1970s. Sodomy laws were not ruled unconstitutional until 2003. Entrapment was common; police would pretend to cruise for gay partners, then arrest them when they got together. Laws against "crossdressing" targeted trans people. Finally, one night in May 1959, queers fought back against this discrimination and brutality at an all-night coffee shop called Cooper's Donuts, situated between two gay bars in Los Angeles.

After purporting to check IDs, police arrested five people and tried to shove them all in the back of a police car. Tired of such treatment for just existing, the LGBTQ customers resisted, using what was around them: coffee, cups, donuts, spoons, etc. Overwhelmed, the police retreated. Seven and ten years later, respectively, similar groups of street youth, sex workers, and queer and trans people of color defended their spaces against police violence, during the Compton Cafeteria Riots and the Stonewall Riots. The latter is often considered the beginning of the modern LGBTQ rights movement.

BLACK LIVES MATTER

So, the advances made by LGBTQ activists began with communities defending themselves against hostile police practices. That fact is rarely acknowledged in mainstream LGBTQ discourse today.

Police violence used to be a central issue within LGBTQ activism. In recent years, though, the issue was largely divorced from mainstream movements, which focused on other goals, such as marriage equality. But criminal justice and police practices remain crucial concerns to the LGBTQ community's most vulnerable.

History of Gay Rights and Police Brutality

The Stonewall Riots of 1969 are often regarded as the start of the modern gay rights movement. Around the same time, the civil rights movement made tangible progress toward racial equality, including federal legislation prohibiting racial discrimination. Although today's political perspectives frame racial issues and LGBTQ issues as separate, these movements were intertwined. Gay rights activists adopted tactics from civil rights leaders and many people were involved in both racial and LGBTQ justice. Dan McCune, a survivor of the HIV/AIDS epidemic and former member of the AIDS Coalition to Unleash Power (ACT UP), explains:

"A lot of the people who ended up leading the gay rights movement got a lot of their training from the civil rights movement, like I did. There were a lot of people who were in the civil rights movement. If they weren't in it, they got their idea from it. But I think Stonewall was just, 'we've had enough.' The poor bar had been raided I don't know how many times. But how to set up protests and things came from the civil rights movement."

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McCune, like other gay rights activists, participated in Dr. Martin Luther King Jr.'s nonviolent civil rights training sessions. These consisted of activists learning how to respond nonviolently to violence and antagonism when participating in a protest, march, demonstration or sit-in.

The Current Reality

A 2013 Williams Institute survey found that 48 percent of LGBTQ victims of violence reportedly experienced police misconduct.

The 2015 US Transgender survey found that 58 percent of respondents who interacted with police who knew they were transgender experienced mistreatment, including verbal harassment, persistent misgendering, physical/sexual assault and being forced to perform sexual acts to avoid arrest.

Nearly half of transgender survey respondents said they feel uncomfortable seeking police assistance.

Some people probably wouldn't be surprised by this. Others may feel shocked or dismissive. It's a frightening prospect to accept if you trust the police to keep people safe.

Interconnectivity and Intersectionality

Today, the Black Lives Matter movement leads the national conversation about police brutality. This is no coincidence; a study by a University of California professor found that unarmed black Americans are 3.49 times more likely to be killed by police compared to unarmed white Americans. The deaths of Trayvon Martin, Michael Brown and Tamir Rice, as well as hundreds of others ignited protests and calls for accountability. Research collaborative, Mapping Police Violence, analyses data which show that 69 percent of black people killed by police last year were allegedly unarmed and not suspected of a violent crime.

Black Lives Matter and the LGBTQ rights movement may seem unrelated. However, sociopolitical issues are all interconnected. Discrimination and family rejection lead to poverty and impoverished people may live in heavily-policed areas or work in illegal economies to survive.

And of course, LGBTQ people aren't all white. But even those who are should care about police accountability. When some people lack civil rights, others' rights are threatened.

In the words of Dr. Martin Luther King Jr., "injustice anywhere is a threat to justice everywhere."

Although it may seem like police brutality has nothing to do with LGBTQ people, especially if they are white, the truth is not so simple. As illustrated by its rainbow symbol, "LGBTQ" is a conglomeration, not a monolith. The LGBTQ community is (excuse the wordplay) heterogenous. Some gay people are cis, some trans people are straight, some bisexual people don't have genders and people of all races can be LGBTQ. Given the community's inherent diversity, different populations within it face different experiences of oppression. In terms of violence and discrimination, including involvement with law enforcement, trans women of color have it harder than most.

Kimberle Crenshaw, a civil rights advocate from Canton, coined the term "intersectionality" to describe how intersecting power systems affect minorities, particularly black women. She noticed how black women were excluded from antidiscrimination efforts which were framed as either "a race issue," excluding gender, or "a gender issue," excluding race. These omissions and the compound discrimination black women face prompted Crenshaw to speak about intersectionality and how the most marginalized populations are often overlooked.

The same holds true for LGBTQ communities. Marriage rights dominated the conversation for years, leaving poverty, discrimination and violence against trans/queer women of color "for later." If LGBTQ communities seek to protect and increase their own civil liberties, it is in everyone's interest to work for the rights and safety of those who most often lack it.

One notable intersection lies between LGBTQ existence and homelessness. Per the True Colors Fund, "40 percent of youth experiencing homelessness identify as LGBT." Family rejection and discrimination are both reasons behind this grim statistic. Ohio is one of 28 states that lack a statewide law protecting LGBTQ people from housing and employment discrimination.

Consequently, LGBTQ people are often homeless, which leads to more interactions with police.

LGBTQ Homelessness and Police Engagement

The impact of police brutality on the LGBTQ community is widespread, as is homelessness among this community. Those who suffer from homelessness have a unique perspective and experience with law enforcement. Police brutality impacts the LGBTQ community in some respects that mirror the experiences of other minorities who disproportionately interact with police. Belonging to multiple minority groups leads to increased risk for police brutality, homelessness and poverty.

A homeless, genderqueer person shared their experience with police brutality, which happened in California around 2006. They spoke on condition of anonymity, preferring to go by the pseudonym Turtle. Throughout the conversation, Turtle paused as their voice quivered with emotion.

Where are you from?

"I'm from everywhere. I ran away when I was 16. You wake up in one city and go to sleep in a different one. After a while the cities all blend together. I was gone for eight years. When people asked, I would just say, 'I'm from wherever you want me to be from.'"

Did being LGBTQ contribute to your running away, for instance your family's reception of your identity?

"I had a supportive family, one that accepted me for who I was and who I loved, but I had a rough childhood. I was a latch-key child in an immigrant family. My dad was absent because of drugs and passed away when I was a young teen. I was a rebellious teenager trying to cope with and understand feelings of abandonment."

Did you encounter homophobia and/or transphobia among other homeless people?

"Yes, my masculine presentation was an issue for some people because of machismo and importance of territory amongst homeless community members. It's a male-dominated population. I was often perceived as a threat to heteronormativity of homeless culture."

Did you observe that LGBTQ homeless youth were disproportionately harassed, compared to other homeless youth?

"Law enforcement sees all homeless people as the same – a kind of dirtiness that needs to be 'cleaned up.' I don't think they're quite so specific when it comes to homeless people, but they pay attention to the homeless more than anyone else because they're easy targets. Members of the public walk right over you like you're invisible. They'll walk their children across the street as though to keep them from your existence."

What is your personal experience with law enforcement?

"I had some encounters over the years. When you live outside everything you do is in public. Imagine everything you do in your home being visible to the world, including to law enforcement. When people have already determined that you're lesser, you start agreeing and your concern for what other people will see you do diminishes. So, people get drunk, high or into fights, in public. Much like incarcerated people, when you're challenged by someone else you must answer the challenge. One time, about 10 years ago, I got in a fight with someone and got arrested. I sat in jail for almost a week. After being released I left. While I was on the road, hitchhiking, I got stopped by the cops. They said I didn't have a legal right to be there. They carded me, and I didn't know there was a warrant for me, for failure to appear in court."

Most street kids travel alone or with a lover, Turtle explains. But they preferred the company of their dog, Jeter.

"I had my pup with me at the time and she knew to be protective of me around cops. The cops felt threatened by the presence of a large muscular dog. They wanted to confiscate my dog, I got defensive, they got hostile, and it escalated. They threatened to take my dog from me and I refused to let go of her leash. What ensued was the worst interaction I've ever had with law enforcement. I was hit, the handcuffs were too tight, and I was slammed into a police cruiser. I was kicked in the back of my legs, I was brought to my knees, and my head was slammed against the door. They threw me stomach-down into the police car with my hands cuffed behind me. They dragged my dog away. It would be eight days before my release. They never told me what happened to my dog or where I could find her. I was very lucky to recover her from another street kid who took her from the police for me after my arrest. When I arrived at the station my face, knees and arms were bruised, and the handcuffs had cut my wrists."

Do you think things have changed for homeless LGBTQ youth since?

"The next time you are out and you see someone flying a sign – pan handling – or asleep on a bench, or begging for food, look around. Watch people look through them. Notice how they don't see or hear the pleas for leftovers or change. The next time you see the police interacting with a homeless person, watch their body language. Watch the way they can stand over them. Then ask yourself if things have changed. I think you'll know for yourself."

Do you think your experience is common for LGBTQ homeless youth?

"Yes. You're perceived as a lesser, an 'other,' a punk, as someone deserving the unfortunate circumstances you find yourself in.

> *"I was often perceived as a threat to heteronormativity of homeless culture."*

Law enforcement tend to adhere to a rather conservative viewpoint. And, generally, there's a lack of sensitivity training – especially regarding minority groups. Living on the street is dangerous – you're hypervigilant. Law enforcement fails to take that into consideration. They have all the power and they're treating disempowered people as threats."

How does it feel for you, knowing that people will be reading about your experiences?

"It is strange. It is personal. I'm sure some people will be dismissive, but I think it's important because my story isn't unique. People need to know that. Maybe someone who reads my story will see someone with a mohawk and a Grateful Dead shirt flying a sign, and they won't step over them. Maybe a cop will read it and remember it on their next call with a homeless kid."

> *"Some realities are hard to face and it's a frightening prospect to accept, if you believe the police solely or primarily keep people safe."*

Why This Still Happens

The 2013 Williams Institute report states that greater amounts of LGBTQ police officers would help reduce police bias and violence against LGBTQ communities. Some police departments have taken steps to improve relations with LGBTQ communities. Akron Police Department has an LGBT Liaison position, currently filled by Lt. Cynthia Christman, who did not immediately respond to request for comment. However, internal bias and discrimination often dissuades LGBTQ officers from coming out, staying on the force or becoming police officers in the first place.

The Williams Institute report lists over 50 legal disputes involving discriminatory treatment of LGBTQ law enforcement personnel by other police personnel. These cases include allegations of constant verbal harassment, use of homophobic slurs, ignoring requests for backup, comparing gay officers to pedophiles and other insinuations associating homosexuality with criminality, intentional use of incorrect pronouns for transgender officers, sexual harassment, sexual assault, removal from patrol work and paid administrative leave and retaliation for standing up against this discriminatory treatment.

When police officers turn a blind eye towards their fellow officers' misconduct, who is left to enforce the law and hold them accountable?

In 2000, Robert Boevingloh, a gay 61-year-old Vietnam veteran, was arrested in St. Louis, MO. An Amnesty International article described the arrest as entrapment. Boevingloh was charged with "lewd and lascivious" conduct. He was found guilty and sentenced to two years of probation.
"Before all this, I had only good feelings about cops. My own brother was a police officer killed in the line of duty. But now? If this is the justice system in America, it's broken." Boevingloh said. ●