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USA: Police mistreatment and abuse widespread in lesbian, gay, bisexual and transgender communities nationwide

New Amnesty International Study Finds LGBT People of Color and Youth Most Likely to Suffer; Calls on Police to Improve Training and Accountability

"The police are not here to serve; they are here to get served .every night I'm taken into an alley and given the choice between having sex or going to jail."

-- Amnesty International interview with a Native American transgender woman, Los Angeles

(New York) – In the most comprehensive report of its kind to date, Amnesty International (AI) reveals that police mistreatment and abuse of lesbian, gay, bisexual and transgender (LGBT) people are widespread nationwide and go largely unchecked due to underreporting and unclear, under-enforced or non-existent policies and procedures.

"Across the country, lesbian, gay, bisexual and transgender people endure the injustices of discrimination, entrapment and verbal abuse as well as brutal beatings and sexual assault at the hands of those responsible for protecting them – the police," said Dr. William F. Schulz, Executive Director of Amnesty International USA (AIUSA). "Some, including transgender individuals, people of color and the young suffer disproportionately, especially when poverty leaves them vulnerable to homelessness and exploitation and less likely to draw public outcry or official scrutiny. It is a sorry state of affairs when the police misuse their power to inflict suffering rather than prevent it."

In its 150-plus page report, *Stonewalled: police abuse and misconduct against lesbian, gay, bisexual and transgender people in the United States*, AI focuses on four cities – Chicago, Los Angeles, New York and San Antonio – surveys the 50 largest police departments in the country, as well as Washington, D.C., about LGBT policies and practices, and includes information from several hundred interviews and testimonies. AI's findings strongly indicate that there is a heightened pattern of misconduct and abuse of transgender individuals and all LGBT people of color, young people, immigrants, the homeless and sex workers by police. At times, the mere perception that someone is gay or lesbian provokes physical or verbal attacks.

The mistreatment and abuse documented in the report includes targeted and discriminatory enforcement of statutes against LGBT people, including so-called "quality of life" and morals regulations;

profiling, particularly of transgender women as sex workers; verbal abuse; inappropriate pat-down and strip searches; failure to protect LGBT people in holding cells; inappropriate response or failure to respond to hate crimes or domestic abuse calls; sexual harassment and abuse, including rape; and physical abuse that at times amounts to torture and ill-treatment. Several examples include:

Young gay men and advocates in Chicago told AIUSA of a police officer who, according to one man, will “remove his badge, gun and belt and then beat you unless you give him a blowjob, after which he’ll just leave you there.”

Police officers accused a Latina transgender woman in San Antonio of stealing. One officer reportedly said, “People like you make the world a bad place.” Three police officers and two detectives allegedly surrounded her while one officer searched her, exposing her pubic hair, buttocks and one of her breasts. She said, “I didn’t ask to be searched by a female officer. I’ve tried that before – they don’t care, to them we’re all men.” She was not charged with any crime. Officers refused to give her their badge numbers. She said, “I know to be respectful to police officers but I’m tired of the way they are treating us.”

Police officers allegedly beat, hog-tied and dragged Kelly McAllister, a white transgender woman, across hot pavement upon her arrest in Sacramento, CA. She was placed in a Sacramento County Main Jail cell with a male inmate who struck, choked, bit and raped her. That inmate received a mere three-month sentence. No officer has been disciplined for the incidents surrounding Kelly’s incarceration.

Two lesbians of color reported that two men in Brooklyn, NY, followed, harassed and threatened them, saying, “I’m going to kill you, bitch. You’re not a man ...I’m gonna put you in your place.” The verbal abuse escalated to physical abuse; the two women called 911. When police were told this was a homophobic crime, the officers reportedly left without further investigating the incident or taking a complaint, telling the ambulance attendants responding to the women’s call to leave. One woman reportedly was bleeding from the head due to a blow from one of the men. Her companion stated, “It was ridiculous. There she was running down the street bleeding and chasing after the ambulance.”

A Native American transgender woman reported that two Los Angeles police officers handcuffed her and took her to an alleyway. One officer reportedly hit her across the face, saying “you f---ing whore, you f---ing faggot,” then threw her down on the back of the patrol car, ripped off her miniskirt and her underwear and raped her, holding her down and grabbing her hair. The second officer is also alleged to have raped her. According to the woman, they threw her on the ground and said, “That’s what you deserve,” and left her there.

While it is impossible to obtain accurate statistics, the AI study showed that transgender people, particularly women and the young, suffer disproportionately. A large percentage of transgender people reportedly are unemployed or underemployed, leaving the population more vulnerable to homelessness or situations that leave them exposed to police scrutiny and abuse. Meanwhile, 72 percent of police departments responding to AI’s survey said they had no specific policy regarding interaction with transgender people.

AI welcomed the initiative taken by several police departments to improve their practices. The West Hollywood Station of the Los Angeles Sheriff’s Department has a Gay and Lesbian Conference Committee that is open to the public and allows police to stay in touch with community concerns. The City of West Hollywood also established a Transgender Task Force that addresses policing issues. In Washington, D.C., the Gay and Lesbian Liaison Unit (GLLU) is staffed by four full-time officers and ten volunteers, and the head of the unit, Sgt. Brett Parson, reports directly to the police chief. GLLU is also involved with training efforts within the police department.

However, the AI report demonstrates that despite initiatives such as these, police departments nationwide need to do more to protect LGBT people – something that was reflected in responses to the AI

survey of police policies and practices with regard to LGBT people. Of the 29 departments that responded to the survey, only 31 percent instruct their officers on how to strip search a transgender individual; two thirds (66%) of police departments reported providing training on hate crimes against LGBT individuals; and while most departments provide training regarding sexual assault (86%), about half (52%) do not include LGBT-specific issues.

“Police officers are hired to protect and serve *all* of their communities, not only the ones they deem worthy,” said Michael Heflin, Director of Amnesty International USA’s OUTfront program, which focuses on LGBT human rights. “Every human being, without exception, has the right to live free from discrimination and abuse, yet LGBT people nationwide are afraid to report hate crimes or other abuses to the police, who at times prove themselves to be the criminals. If we can’t count on law enforcement to set an example, hate crimes and discrimination will continue to flourish in a land that otherwise has made relative headway in the fight for LGBT rights.”

Under international law, everyone, regardless of sexual orientation or gender identity or expression, is guaranteed the fullest enjoyment of his or her civil, political, economic, social and cultural rights. The United States is party to the International Covenant on Civil and Political Rights, the principal international treaty that lays out fundamental rights such as freedom from arbitrary arrest and detention and torture, cruel, inhuman or degrading treatment, as well as the Convention Against Torture and the Convention on the Elimination of All Forms of Racial Discrimination.

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