

WE DESERVE SAFETY: ENDING THE CRIMINALIZATION OF WOMEN & GIRLS OF COLOR

At YWCA USA, we know that not all violence is physical, visible, acknowledged, or responded to equally, especially violence against women and girls. We know as well that the intersection of race, gender, and violence is often unexplored in mainstream discussions of criminalization and racial profiling. From police responses to domestic violence and threats in their homes and neighborhoods, to the policing of pregnancy and motherhood, to their experiences of “driving while female,” girls and women of color experience criminalization and racial profiling by law enforcement in ways that are overlooked by the current policy narrative’s focus on the experiences of Black men and boys.

YWCA’s review of studies, reports, and media accounts paints a disturbing picture of the gendered racial profiling and criminalization that girls and women of color experience. Our review finds that:

- Racial profiling and criminalization are a harsh daily reality for women and girls of color, especially Black women and girls. Like men and boys of color, they experience profiling and criminalization across a broad range of situations outside of the home—in traffic stops, airport security screening, border checkpoints, schools, and other interactions with government institutions and law enforcement.
- Women and girls of color, including those who are LGBTQ, are at heightened risk of sexual violence and excessive force by police as they are dually targeted for their race as well as their gender.
- Women of color are even at risk of police violence within the home, in front of children, and when in need of help.

Systemic reforms and policy solutions that will decrease racial profiling and criminalization of girls and women of color, and better ensure their safety, include:

1. **Legislation:** Passing legislation that addresses the underlying causes and consequences of racial profiling and criminalization of women and girls of color, including:
 - **End Racial (and Religious) Profiling Act** (S.411/H.R.1498) to require that local law enforcement agencies receiving federal funds maintain adequate cultural competency policies and procedures for eliminating racial profiling.
 - **Pretrial Integrity and Safety Act of 2017** (S.1593) to encourage states to replace the practice of money bail, which has a disproportionately negative impact on women of color.
 - **Dignity for Incarcerated Women Act of 2017** (S.1524) to reduce the negative impact incarceration has on the family members of women behind bars, especially their children, and better prepare incarcerated women to return to their communities.

- **Trauma-Informed Care for Children and Families Act** (S.774/H.R.1757) to identify and disseminate best practices; train key stakeholders; test new models for prevention and care; improve the understanding of trauma; improve treatment capacity; and improve community coordination to support children who have experienced trauma.
 - **Juvenile Justice Reform Act** (S.860/H.R.1809) to help improve state juvenile justice systems by focusing on education and rehabilitation.
 - Passing legislation specifically **prohibiting roadside strip searches and body cavity searches** during traffic stops, and that prohibits strip searches and body cavity searches conducted in any other location unless an officer first obtains a warrant.
2. **Data Collection:** Requiring comprehensive, robust, publicly available data collection disaggregated by race, ethnicity, and gender.
- Such data should be collected and disseminated by justice, immigration, and education agencies on key indicators of criminalization and racial profiling, such as stops, searches, arrests, and use of force by law enforcement, immigration officers, and school safety officers.
 - Priority should be given to studying and objectively assessing the impact on girls and women of color.
 - National data should also be collected on police violence, including sexual violence, against civilians through the Police-Public Contact Survey and other national surveys.
3. **Policy Changes:** Enacting and enforcing policies within law enforcement agencies is essential. Such policy changes should:
- Ensure appropriate training, supervision, and discipline regarding sexual harassment and sexual assault of members of the public by law enforcement officers.
 - Impose strict bans on the use of force against pregnant persons.
 - Prohibit officers from conducting strip searches and body cavity searches on roadsides or in other public spaces.
 - Explicitly ban officers from groping/searching people to identify anatomical features as a means of assigning gender; and require officers to respect gender identity and expression in all police interactions.
4. **Training:** Establishing comprehensive, robust national standards for mandatory training of all law enforcement, school resource officers, and immigration agents on implicit bias. Topics should include:
- The ineffectiveness of racial profiling
 - Guidelines on use of force
 - De-escalation techniques
 - Procedural justice
 - Other topics that support effective and ethical policing.

See also YWCA USA's policy recommendations in "[Girls of Color and Trauma.](#)"