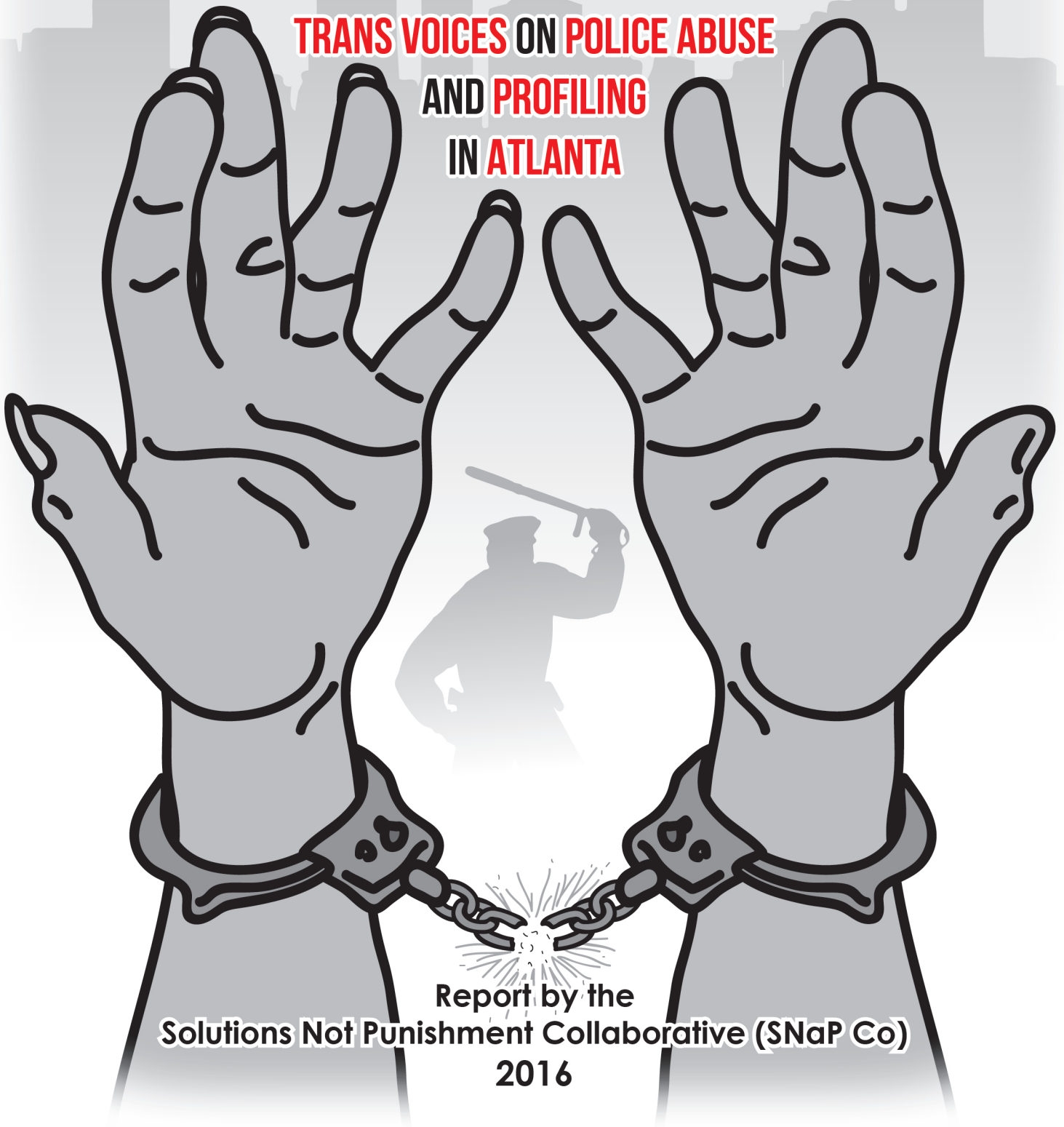


“The Most **DANGEROUS
Thing Out Here
Is The **POLICE**”**

**TRANS VOICES ON POLICE ABUSE
AND PROFILING
IN ATLANTA**



Report by the
Solutions Not Punishment Collaborative (SNaP Co)
2016

**BLACK
TRANS LIVES
MATTER**



“The Most **DANGEROUS**
Thing Out Here **POLICE”**
Is The

TRANS VOICES
ON POLICE ABUSE AND PROFILING IN ATLANTA

A report by the Solutions Not Punishment Collaborative (SNaP Co)

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The illustrated cover was designed by Budah Balenciaga,
featuring a police officer and hands breaking a chain of oppression in Atlanta.

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1. WHO WE ARE



Solutions Not Punishment Collaborative

Solutions Not Punishment (SNaP Co) is a Black trans and queer led collaborative that builds the power of our people to wage campaigns that divest from the Prison Industrial Complex and invest in our communities.

**SOLUTIONS
NOT PUNISHMENT**
For People Just Trying To Survive

We collectively envision a vibrant, radically inclusive Metro Atlanta where all our people live safe and free, and have the opportunity to thrive and live as their authentic whole selves. We believe in a greater South that rejects punitive responses to poverty and harm, and instead believes in restorative and transformative justice.

We define “our people” as gender oppressed people of color including: Black Trans and Queer People, Trans and Queer People of Color, Formerly Incarcerated People, Sex Workers, Immigrants, People with Mental Illness, People who Use Drugs, Poor and Homeless People, People Living with HIV, Black Cisgender People, People with Disabilities, our youth and our elders.

SNaP Co organizes to end the criminalization of our communities and to transform the culture and institutions that affect our lives. For example, we defeated a proposed ordinance to “banish” many of our community members from Atlanta. We were also successful in passing legislation in support of a Pre-Arrest Diversion Initiative in both the Atlanta City Council and the Fulton County Board of Commissioners in 2015.

SNaP Co is anchored by 4 Organizations: LaGender, Inc., Racial Justice Action Center, Trans(forming), and Women on the Rise and also runs an innovative leadership development program, the Trans Leadership Connection.

WHO WE ARE

LaGender, Inc., is a trans women led organization dedicated to empower the trans community on the unique issues we face daily, such as HIV/AIDS, homelessness, wrongful incarceration, mental health and discrimination. We accomplish our mission through outreach, networking, educational workshops, advocacy, support groups, spiritual counseling, and social services referrals.



The Racial Justice Action Center is a multi-racial TLGBQ people of color led organization building the grassroots leadership and power of communities of color and low income communities in order to fight for- and win- political and social transformation in Georgia and the South. We engage in generative, holistic grassroots leadership development, savvy organizing and strategic policy advocacy rooted in deep political and historical analysis in order to advance our vision of a transformed society, where justice exists for all people.



Trans(forming) is a Metro Atlanta membership-based organization led by trans, intersex and gender non-conforming people who were assigned female at birth. We are driven by our deep commitment to ensure our communities live with dignity, wellness, and connection for liberation.



Women on the Rise is a membership-based organization of women targeted and/or impacted by the criminal "justice" system. Women on the Rise works to educate, heal, and empower ourselves, one another, and our communities to demand justice, dignity, and liberation for all. WoR asserts that public safety is created by strong, interdependent communities, and empowered woman and families, not by prisons and police.



Trans Leadership Connection

SNaP Co's premier leadership development program, the Trans Leadership Connection, was launched in 2015. TLC is designed to educate and empower members of Atlanta's trans community to become leaders in ending the crisis of mass criminalization, especially as it impacts TLGBQ communities, and to become advocates for the community based Pre-Arrest Diversion initiative that diverts people away from the criminal legal system and instead offers life changing social services. The 2015 internship team consisted of five beautiful and brilliant trans people who were all chosen because of their desire to learn, grow and heal, and because of their unwavering passion, love, and commitment to the trans community.



2. WHY THIS / WHY NOW

Our communities are in crisis!

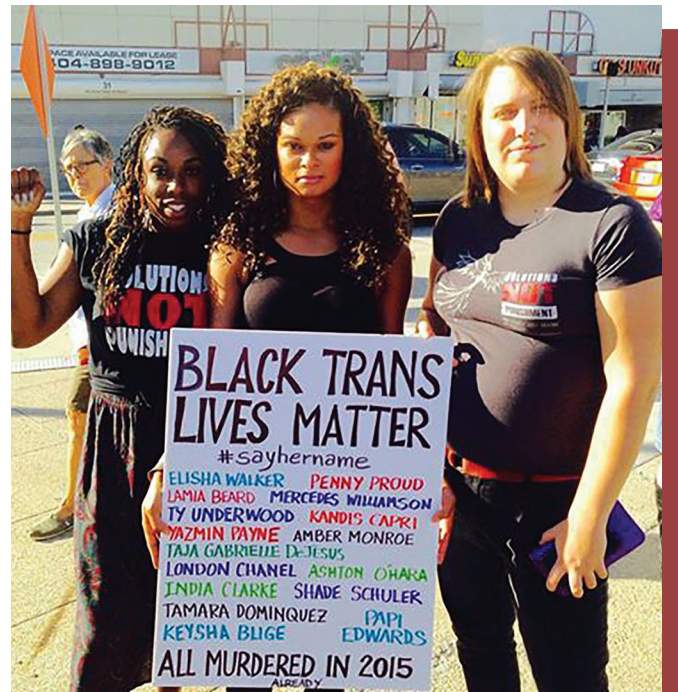
Our research is urgent and crucial because **our communities are in crisis**. Trans people – especially Black trans people – face criminalization and violence from all sides: from strangers, from loved ones, from behind bars, and at the hands of the police. We hear harrowing stories about APD profiling and harassing our communities, making Atlanta even less safe for trans people. **Yet, before now, there was no study or formal report documenting these realities.**

This report demonstrates that Atlanta has a long way to go to create equity for our communities. It lifts up the stories and voices of people who have been neglected, silenced, and criminalized for surviving and for being who we are.

Black trans people must document the crisis & propose the solutions

In Atlanta, Black trans people respond to this crisis by building community and coalition power, defining our own forms of resistance, and winning major grassroots victories. Although city and police officials have attempted to address community concerns, the crisis continues. **Our goal is to end the violence, profiling, and harassment directed at Black trans communities.**

Our communities are directly impacted by these issues so we must lead efforts to research, document, and demand real solutions. **We demand a transformation of police culture and practices in this city.** Fortunately, Black trans people have the experience, creativity, passion, vision, and commitment to lead the efforts to make our city safer and more affirming, and this report offers clear recommendations of where to start.



Addressing Black trans community concerns benefits all Atlanta residents

These issues impact many Atlanta communities overlapping with and extending beyond Black trans people. Yet because we are among the most intensely marginalized populations in Atlanta, addressing our concerns will have a positive impact on trans and non-trans residents throughout the city. Implementing our calls to action will increase community safety, police accountability, and mutual trust and respect between many different communities and the APD.

This report is a testament to the daily struggles of trans people in Atlanta, and to the people who gave us their time and their stories for this report. We hope everyone who reads this report joins us in transforming Atlanta into a city where everyone who lives, works, or visits here is able to do so in full dignity, safety, and freedom.

3. EXECUTIVE SUMMARY



People come to Atlanta from all over the South, nation, and world to get free – to be able to be live full lives, to escape economic and social violence and intolerance, to have opportunities to thrive, to be unapologetic about who they are. Those born in Atlanta desire – and deserve – the same. Known as the “city too busy to hate” and the “Black and/or Gay Mecca,”¹ the potential for Atlanta to be a beacon and a safe haven for all people, including trans people of color, is tremendous.

But, sadly, Atlanta has not yet realized that potential – and especially not for trans² people, in particular people of color. In our city, trans people face intense barriers to stable housing, adequate health care, and employment with a living wage. Well-documented, widespread discrimination results in trans people of color being unemployed at four times the national average.³ In addition, at least 41% of Black trans people in the U.S. have been homeless at least once in their life- over five times the general U.S. population rate.⁴ HIV/AIDS also disproportionately impacts trans communities: a meta analysis released by the Centers for Disease Control and Prevention indicates that 28% of trans women are living with HIV.⁵ Studies also suggest that trans men and non-binary identified trans people are over twice as likely to be HIV-positive than those in the general population.⁶

EXECUTIVE SUMMARY

In addition to (and often because of) these social and economic realities, our community is also especially vulnerable to violence and abuse, both interpersonal and at the hands of law enforcement. Black trans people faced extraordinary levels of violence in recent years. Over 23 trans, gender non-conforming, and/or non-binary identified people were reported murdered in the U.S. in 2015. In the first 11 months of 2016, the murders of 26 trans people have been reported, making it the deadliest year on record for trans people in this country.⁷ Over both years, almost all of the victims were people of color, and the vast majority of those were Black trans women.

In Atlanta, Shaneku McCurthy, a 25-year-old queer, gender non-conforming woman was murdered by three teenage boys.⁸ In the Summer of 2015, a Black trans woman was arrested for defending herself against her attackers at a MARTA station. Even within our own homes and relationships, between 31.1% and 50% of trans people have experienced intimate partner violence.⁹ This violence and abuse has devastating impacts on our community as a whole. Suicide attempt rates for trans people who have experienced physical violence at work or school are an astonishing 63-64%.¹⁰ And recent reports indicate that trans women of color have a life expectancy of only 35 years.¹¹

Given these realities, law enforcement and city leaders should be paying special attention and engaging specific policies and practices to protect and serve our communities, recognizing that we are particularly marginalized and especially vulnerable to discrimination and hate-based violence.

The grassroots researchers of this study spent the Summer and Fall of 2015 surveying 88 trans people in Atlanta about their experiences and interactions with the Atlanta Police Department (APD) to determine the current state of law enforcement-community relations and to explore whether and how trans people feel and are protected and served by the city's police department.

The findings inside "The Most Dangerous Thing Out Here is the Police" should serve as a call to action to all of us, but especially to city leaders and law enforcement officials. This report is the first of its kind in this city and it tells us an important story with lessons that must be heeded if we believe that trans people are a part of this great community and deserve to be safe from violence and abuse. Far from feeling and being protected and served, trans people and especially trans women of color are currently being profiled, sexually abused, and physically and emotionally endangered by the actions and attitudes of APD officers. Instead of protecting the lives and rights of trans people, our police department is actively contributing to making life unsafe for us and our families. This is unacceptable and should spur us into immediate and decisive action to make significant changes in how our city polices in our communities.

EXECUTIVE SUMMARY

The following are key findings from the research and data analysis and recommendations for city leadership and law enforcement:

KEY FINDING # 1: APD IS SEXUALLY ASSAULTING TRANS PEOPLE OF COLOR

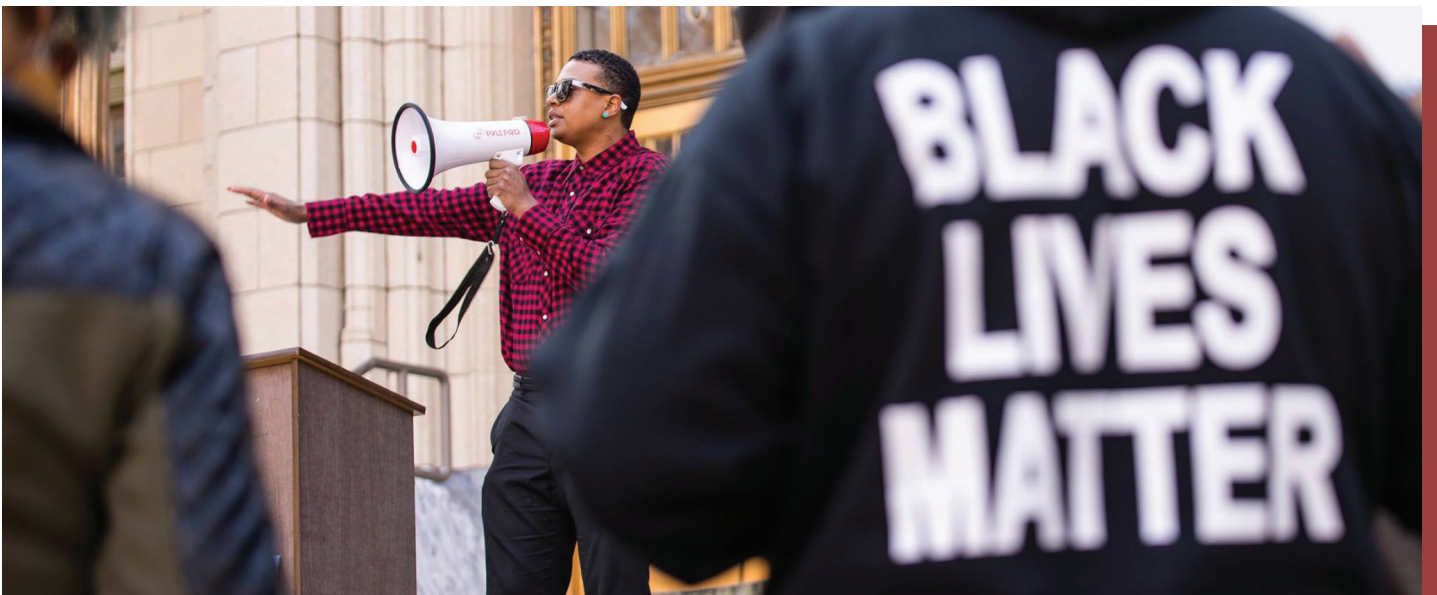
It is one of the most egregious violations of trust when law enforcement representatives abuse their power to sexually exploit or assault community members.

Our research found that four respondents had been **forced to engage in sexual activity or experienced various forms of unwanted sexual contact from an APD officer in the last year**. Of these, three were trans women, and one was a non-binary identified, genderqueer, and/or gender non-conforming person.

Like two weeks ago a [man with a] bald head, and short, black square framed glasses, about 5'5 or 5'6 picked me up on a stroll in Midtown. He told me that he knew what I was doing, so I asked him, "What do you have for me?" He said "nothing - you are going to do this for free or I am taking your ass to jail"

- Raven, Black, Gender Non-Conforming, Trans Femme, 28 years old

Even one incident would be unacceptable. We find it especially concerning that multiple respondents experienced this abuse during interactions with the APD.



EXECUTIVE SUMMARY

KEY FINDING #2: APD HAS A PATTERN & PRACTICE OF PROFILING TRANS PEOPLE

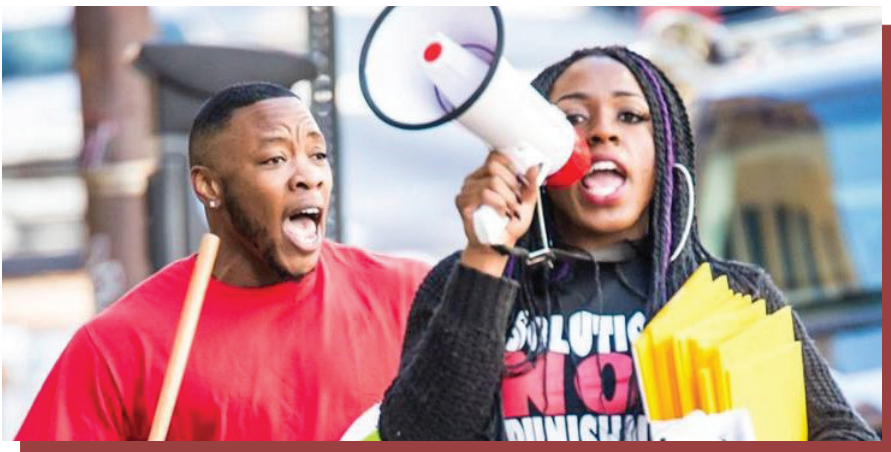
Atlanta Police Department's mission is to "create a safer Atlanta...ensuring the safety of our citizens and building trust in partnership with our community." When it comes to trans people, however, Atlanta police are much more likely to harass than to protect us. Police profiling, harassment, and violence has a devastating impact on our communities – we suffer lasting psychological harm, increased risk of suicide, and get sent to prisons and jails where so many of us are hurt and mistreated.

The research found that:

- **An overwhelming 80% of the trans women of color reported having been approached or stopped by the APD within the last year**, and of these, **nearly half (46%)** said that police **assumed they were sex workers. Many felt they had been profiled based on their gender identity.**
- The **majority** of other respondents also reported **being approached or stopped by the APD within the last year.** Our research found that race and gender expression based profiling impacts trans men and genderqueer, gender non-conforming, and/or non-binary respondents in unique and distinct ways.

"I left Louisiana and moved to Atlanta... and I've been homeless ever since... I go to The Underground some mornings because we have to leave the Salvation Army [shelter] at 7 a.m. Every time I try to go to the restroom, an APD officer asks me for my ID. 7 times they've asked me! I don't really understand it, because I have never seen them asking anyone else for theirs before they go into the bathroom. I have repeatedly been sexually harassed in the bathroom by strangers. I never reported it, because I figured the police wouldn't believe me and I was right. The last time I used the bathroom I had a conversation with this guy and as we were walking out, the police stopped both of us and asked us for our IDs. Without any questioning I was escorted to a security office and "banned" from The Underground for 3 months. Where am I going to go in the mornings? I had a routine that kept me safe from people who hate us on the street. Turns out the police just hate us even more."

- Mia Z., Black,
Trans woman, 23 years old



EXECUTIVE SUMMARY

KEY FINDING #3: ENCOUNTERS WITH APD MAKE TRANS PEOPLE LESS SAFE

Research confirms that encounters with APD leave trans people less safe than they were before the encounter. This is true **even when** we have called the police ourselves for help because we were in danger or to report a crime.

A stunning 2 out of 5 trans women of color respondents (38%) reported having **called the APD for help - but ended up getting arrested instead.**

In addition (and perhaps as a result), the vast majority of respondents clearly stated that they **do not have trust** in the Atlanta Police Department. Many respondents felt, at some time, that **their life was in danger because of an APD officer**, including 35% of trans women of color, 23% of all trans women, 20% of all trans men, and 33% of all genderqueer or non-binary identified respondents.

Encounters with Atlanta Police that result in detention make trans people even less safe by exposing them to humiliating and often violent conditions that exist in our jails and prisons. At the Atlanta City Detention Center, an overwhelming **83% of trans women were housed in men's population**, while **17% were put into isolation**. And appallingly, though not surprisingly, it was reported that **officers or other prison staff had sexually assaulted respondents**, including one trans woman and one non-binary, genderqueer, and/or gender non-conforming person who'd been detained in the city jail.

I was stopped by the APD...I was on North Avenue, they took one look at me and said 'I fit the description' of someone they were looking for. The officers were very rude, assaulted me and called me 'she' and 'Ms.' They took me in, booked me and put me in holding. The officers at the jail were very ignorant and aggressive. They kept demanding 'Am I male or female' and what parts do I have. They didn't believe me when I told them. They used crude and incorrect language for my body. They tried to touch me below the belt as part of their 'genital check' but I kept blocking them, I wouldn't have it! They gave up and sent me to isolation. I don't know what I'd do if I had to stay there any longer. But I got out. There was never any reason for this. Just pure discrimination.

- Farhad, Mixed-Race, Intersex Man, 31 years old

A Call To Action

The following recommendations are based on these findings:

1. Eliminate ordinances that encourage police officers to target, harass & sexually assault trans people
2. Decriminalize sex work & provide employment & social service opportunities to trans residents
3. Adopt community drafted & supported Standard Operating Procedures & implement improved policies & protocols that ensure trans equity
4. Conduct an investigation into abuses by the Atlanta Police against trans individuals & develop a clear plan to address harm done

4. A NOTE ON LANGUAGE

Throughout our report, we use “we,” “our,” and “us” as we describe our methods, results, and experiences, rather than using distant or passive language. We do this because trans and/or gender non-conforming people are the experts on our own experiences and needs. Most of the people who developed the survey, conducted outreach, and contributed to this report are Black trans Atlanta residents. In other words, we did this research within our own local trans communities. Many of us have similar experiences, perspectives, and identities to our respondents. We are proud to raise up our communities’ voices, document our communities’ struggles, and to identify as part of our communities.

We also use words that may not be familiar to some readers. Below, please find definitions of commonly used terms in our report, and explanations for choosing some words over others.

Trans: An inclusive term for people whose gender identity or expression is different from the sex they were assigned at birth. SNaP Co uses the term “trans,” because we consider this more inclusive and expansive than other terms. It is not a shortcut for “transgender,” a term our collaborative does not use. When we refer to trans people we include (among others): trans women and men, cross-dressers, and genderqueer, non-binary identified, genderfluid, gender non-conforming, and/or agender people.

Gender Non-Conforming: Those whose gender expression does not conform to gendered expectations (e.g. masculine women, feminine men). Not all trans people are gender non-conforming.

Non-Binary: A person whose gender identity is neither man/boy nor woman/girl. Please see Appendix B for more.

Genderqueer: Individuals whose gender identity or expression transcends categories of man/boy or woman/girl. May be used as an adjective (“a genderqueer woman”) or as a separate gender identity. Please see Appendix B.

TLGBQ: An acronym for “trans, lesbian, gay, bisexual, queer, and questioning.” While we put the “T” first, we otherwise agree with Black and Pink’s explanation: “Even though we know that sexuality and gender are much bigger than these letters, we nevertheless use this limited acronym to include people who claim LGBTQ identities as well as many others, including but not limited to: same gender-loving . . . transsexual, transvestite, nelly, asexual, Two-Spirit . . . sissy, dyke. We continue to seek better words for people who identify outside of heteronormative and white supremacist categories . . .”¹

LGBQ: An acronym for “lesbian, gay, bisexual, queer, and questioning.” We use this term to describe researchers’ results when respondents were LGBQ but not explicitly trans or gender non-conforming.

Trans Man: Generally, a man who was assigned female at birth.

Trans Woman: Generally, a woman who was assigned male at birth.

See more definitions in
Appendix A



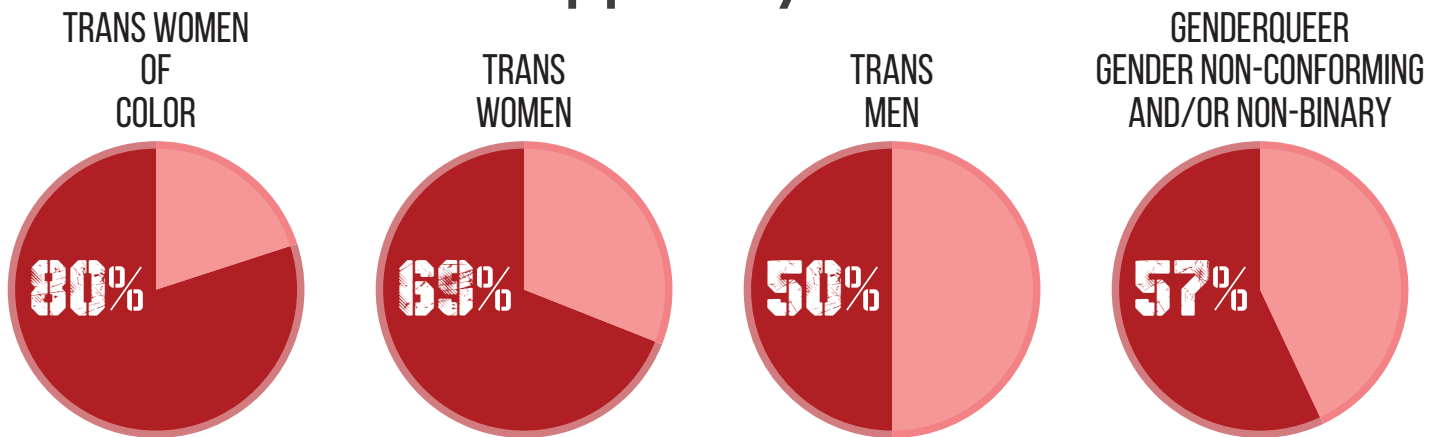
5. SURVEY FINDINGS

a. "They took one look at me...": APD profiling & assumptions about trans people

Profiling and Assumptions

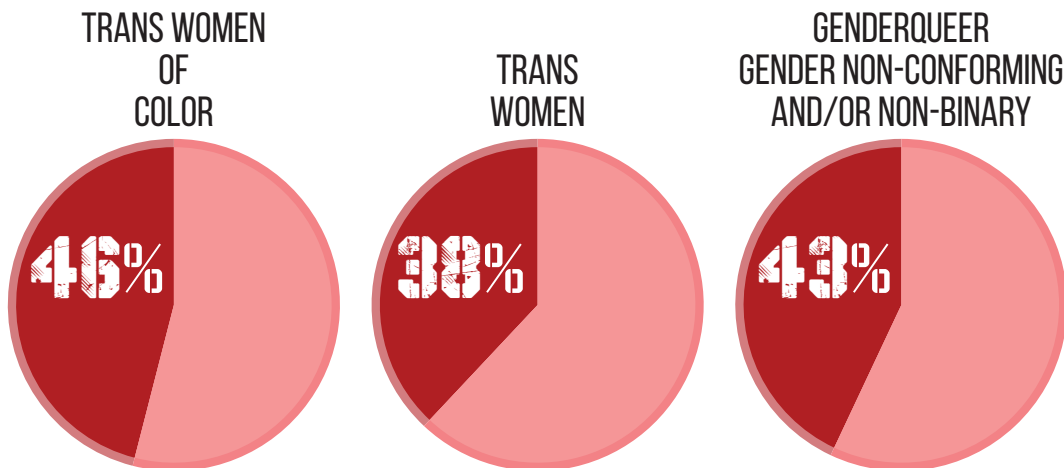
- In the past year, the majority of trans people were stopped or approached by the APD, including:
 - 80% of trans women of color
 - 69% of all trans women
 - 50% of trans men
 - 57% of genderqueer, gender non-conforming, and/or non-binary identified respondents

Stopped by APD



- Among those who were stopped or approached by the APD, many respondents indicated that law enforcement **officers assumed they were sex workers**, including:
 - 46% of trans women of color
 - 38% of all trans women
 - 43% of genderqueer, gender non-conforming, and/or non-binary identified respondents

APD Assumed I Was a Sex Worker



"When I'm walking down the street, they always think I'm prostituting – especially if I have on some nice tights. I work the stroll sometimes, because a girl got to eat. But I love to walk up and down the street [when I'm not working]... APD makes me so nervous that I don't want to go out for a smoke. I can tell by the way they look at me that they think that I'm prostituting..."

- Janae, Black, Trans woman, 33 years old

SURVEY FINDINGS

- Respondents also indicated that **officers stopped or approached them due to profiling based on their gender identity**, including:
 - 22% of all trans women
 - 29% of trans women of color
 - 43% of genderqueer, gender non-conforming, and/or non-binary identified respondents
- Respondents cited several additional, intersecting reasons why they had been stopped or approached by the APD:
 - Profiling based on race, especially being Black
 - Officer "curiosity" about respondent's gender
 - "No real reason of substance" - implying bias
 - Alleged traffic violations, jaywalking, loitering, shoplifting, or fighting.
- Assumptions about trans people may influence APD responses to calls for help. Some respondents called the APD for help, but were arrested instead, including:
 - 38% of trans women of color
 - 26% of all trans women

I knew I hadn't broken any law, but I still felt my stomach drop when the police officer behind me cut on his lights. I didn't have any witnesses and I was scared. I also didn't out myself as a trans person. I know that being trans isn't safe. Especially being black and trans in Atlanta..."

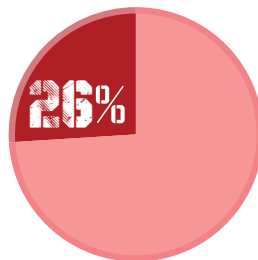
- Cazembe, Black, Non-binary, Trans man, 34 years old

Called For Help, Arrested Instead

TRANS WOMEN OF COLOR



TRANS WOMEN



- Respondents from all four primary gender categories had been jailed at the Atlanta City Detention Center, including:
 - 24 trans women (62% of all trans women)
 - 18 trans women of color (72% of trans women of color)
 - 1 trans man
 - 3 genderqueer, gender non-conforming, and/or non-binary identified respondents

One morning, while walking into the restroom at the CNN Center downtown, some man...stopped me and told me that he knew me and that I reminded him of a "tranny" from Peachtree and Pines. I didn't know him, so I ignored him and continued to the restroom. I used the men's restroom that day, because there was an incident just a few weeks before and CNN staff told me that I couldn't use the women's restroom. When I opened the stall door, the man from the shelter was standing in front of me...He said, "Y'all bitches get what y'all deserve! And started swinging on me like Tyson! I covered my face as best as I could, thinking to myself what the hell is going on? About twenty minutes later, a female APD officer pulled up to Spring Street's entrance. The officer separated the two of us and walked my attacker to a corner asking him, of all people, if I was a woman or a man. He claimed that he attacked me in self-defense because I touched his butt in the men's restroom. As I shared my story with her she seemed to be very disinterested and distrusting of every word that came out of my mouth. I told her that my jaw ached, and that my arm was very sore. I even offered to show her where everything went down at. She arrested both of us for disorderly conduct. My charges were dismissed a few weeks later, but I should have never been locked up or put away for defending myself! Would my life had mattered more if I was a straight cis woman assaulted by a strange man...?"

- Kleopatra, Black, Trans woman, 26 years old

SURVEY FINDINGS

b. Even Less Safe: APD abuse and harassment of trans people

Sexual Assault

- Among respondents who had been stopped or approached by the APD, some were forced to engage in sexual activity and/or experienced unwanted sexual contact from an officer, including:
 - 3 trans women
 - 2 trans women of color
 - 1 genderqueer, gender non-conforming, and/or non-binary identified respondent

Physical harm

- Among respondents who had been stopped or approached by the APD, some were physically harmed by APD, including:
 - 3 trans women of color
 - 1 intersex man of color

Verbal harassment, Inappropriate questions, Disrespecting gender identity

- Officer(s) verbally harassed many of the respondents who had been stopped or approached, including:
 - 10 trans women (27% of trans women)
 - 8 trans women of color (33% of trans women of color)
 - 1 trans man
 - 2 genderqueer, gender non-conforming, and/or non-binary identified people
- Respondents who were stopped or approached by the APD indicated that officers asked about private medical information related to their gender transition, and specifically to surgeries and use of hormones, including:
 - 7 trans women of color (29% of trans women of color)
 - 1 trans man
 - 1 genderqueer, gender non-conforming, and/or non-binary identified person
- Respondent(s) who were stopped or approached by the APD also indicated that officers called them by the wrong gender pronouns, including:
 - 18 trans women (49% of trans women)
 - 16 trans women of color (67% of trans women of color)
 - 1 trans man
 - 2 genderqueer, gender non-conforming, and/or non-binary identified people

"[The officer]...asked me again, "So where are you going?" [Then] he asked if he could take me there. I didn't give an answer and started to walk away. He started to follow me with his car... steadily creeping.... [Finally], when I got in the car, he told me that he would give me \$40 [if I performed] and I performed. I just wanted to be safe and sound!"

- Janae, Black, Trans woman, 33 years old

I worked as a HIV Outreach Specialist for about four months...This particular night, my outreach partner and I had to go to the Pittsburg Community to pick up a volunteer...We noticed the APD police car coming from Sims and slowing down. Before we knew it they turned on the street to cut us off. The officer on the passenger side rolled down the window and started to talk to us in this chastising voice. "You two are too pretty to be walking out here this late. You know what somebody can do to something as beautiful as you?" My outreach partner...sharply replied, "Yep. We do! That's why we have the buddy system. But thank you officers, we are good." Annoyed that we were not entertaining them, they stopped the car and jumped out. They asked to see our IDs and told us we couldn't leave until they ran our names. Of course my old name kept popping up and they tried to detain me even longer because of it...When we refused to answer inappropriate questions and asked him for his badge information, he told us "I don't have to give you my badge number" and he continued to threaten us with arrest. My co-worker asked him if he knew about the LGBT Liaison, and his reply was, "Yea. 'They' got that shit. We don't have to call them and tell them shit."

- Salena, Black, Trans woman, 24 years old

SURVEY FINDINGS

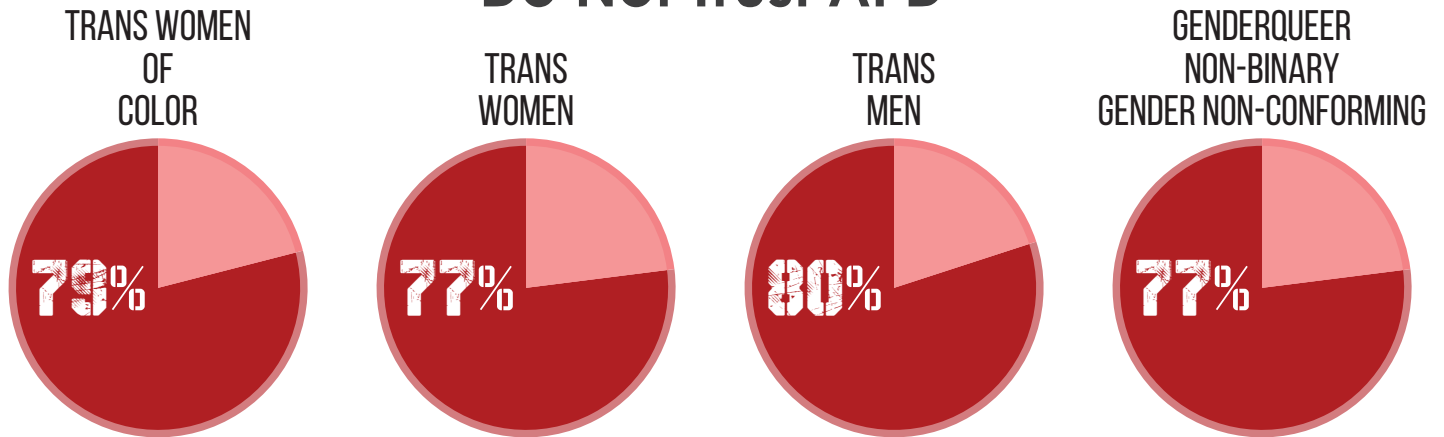
c. Feeling Unsafe: Broken trust in the APD

- The majority of respondents did not trust the APD, including:
 - 79% of trans women of color
 - 77% of all trans women
 - 80% of trans men
 - 77% of genderqueer, gender non-conforming, and/or non-binary identified respondents

I immediately saw the officer turn on his lights, heard his sirens, and was pulled over. My thoughts were going all over the place, "This is not good and [this] will be another ticket that I just can't afford or have the time for." I got so hot that I ended up having a panic attack. I noticed three cops drive pass me... I ended up calling my mom and my sister, like profusely crying. The officer kept saying, "Ma'am, calm down!" He was yelling at me, using the speaker from the police car. It freaked me out even more. I'm like heaving over the car, throwing up, because I'm so overwhelmed. He just left me there and told me to get back in the car.

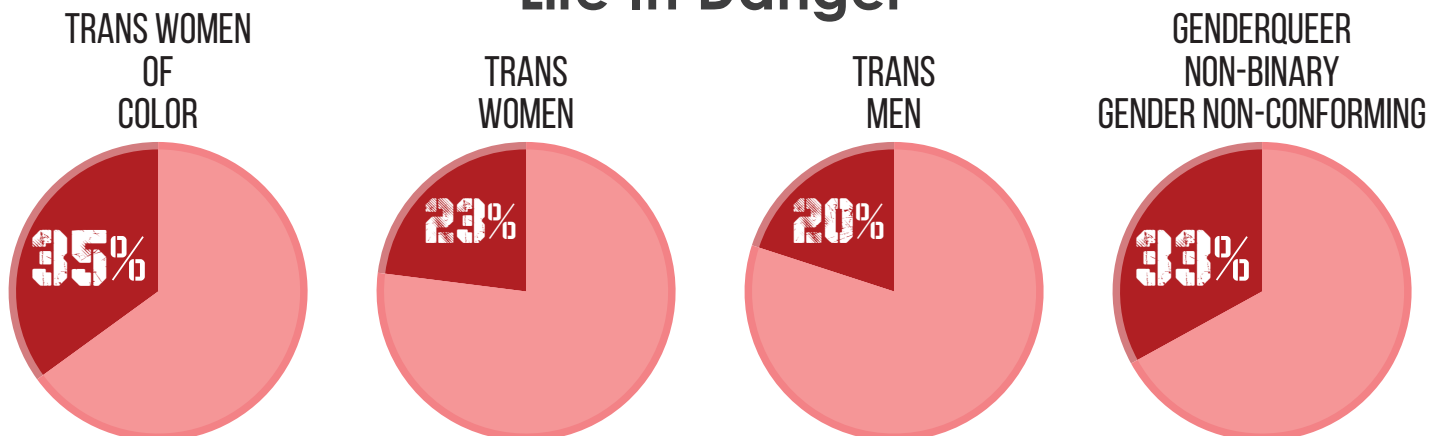
- Eshe, Black, Non-binary, 25 years old

Do Not Trust APD



- In every gender category, some respondents indicated their lives had been in danger because of an APD officer, including:
 - 35% of trans women of color
 - 23% of all trans women
 - 20% of trans men
 - 33% of genderqueer, gender non-conforming, and/or non-binary identified respondents

Life In Danger



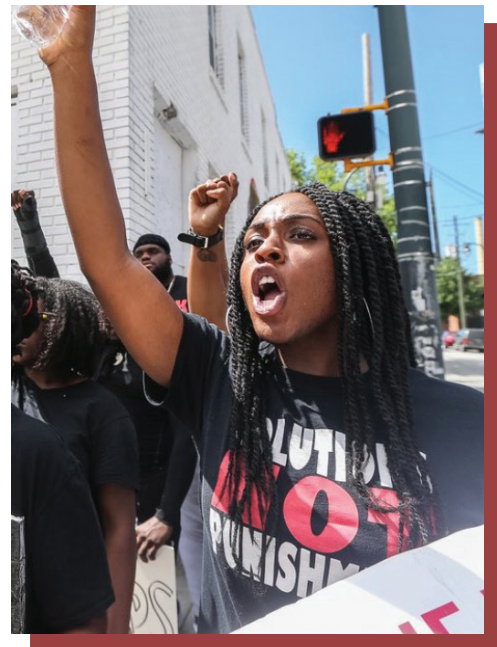
SURVEY FINDINGS

d. "Horrific:" Abuse of incarcerated trans people in the Atlanta City Detention Center

- In the Atlanta City Detention Center, respondents were most often held in general population with people of a different gender, and otherwise in solitary confinement:
 - 15 trans women (83% of trans women) were held in men's' general population
 - 13 trans women of color (81% of trans women of color) were held in men's' general population
 - 3 trans women of color (19% of trans women of color) were held in solitary confinement
 - 1 trans man was held in women's' general population
 - 1 intersex man was held in solitary confinement
- Among respondents who had been detained in the city jail, some were sexually assaulted and/or physically harmed by officer(s) and/or staff at the Atlanta City Detention Center, including:
 - 1 trans woman of color was sexually assaulted
 - 2 trans women of color were physically harmed
 - 1 genderqueer, gender non-conforming, and/or non-binary identified person was sexually assaulted
- The city jail denied health care to some respondents who had been detained there, including:
 - 4 trans women, including 3 trans women of color, were denied health care related to their transition needs
 - 1 trans woman of color was denied health care related to HIV/AIDS care
 - 1 genderqueer, gender non-conforming, and/or non-binary identified respondent was denied basic healthcare
- One intersex man and the majority (61%) of the trans women respondents, including most (57%) trans women of color, who had been detained in the city jail were verbally assaulted by officers and/or staff.

I was stopped by the APD...I was on North Avenue, they took one look at me and said 'I fit the description' of someone they were looking for. The officers were very rude, assaulted me and called me 'she' and 'Ms.' They took me in, booked me and put me in holding. The officers at the jail were very ignorant and aggressive. They kept demanding 'Am I male or female' and what parts do I have. They didn't believe me when I told them. They used crude and incorrect language for my body. They tried to touch me below the belt as part of their 'genital check' but I kept blocking them, I wouldn't have it! They gave up and sent me to isolation. I don't know what I'd do if I had to stay there any longer. But I got out. There was never any reason for this. Just pure discrimination.

- Farhad, Mixed-Race, Intersex Man, 31 years old



"I came to Atlanta at the age of 14...With no skills or resources I was forced to the streets. To pay for a place to lay my head, I hustled. I was locked up in the Atlanta jail, DeKalb jail and Gwinnett jail. What I experienced in each and every one of those jails was horrific for anyone, but most dangerous for trans women who were simply trying to survive on the streets."

- Tomorrow V., Black, Trans woman, 44 years old

6. RESEARCH METHODS (METHODOLOGY)

Throughout our history in Atlanta, trans people have joined together to confront the barriers we face. Drawing on this history, we created the first known survey on our communities' experiences with the Atlanta Police Department and city jail. Our team of emerging trans leaders worked together to design, implement, analyze, and evaluate the survey.

a. Transformative Values and Community-Led Research

We learned more about our communities' experiences while demonstrating our shared values: racial justice, gender self-determination, shifting power over our lives into community hands, building skills, and valuing storytelling alongside statistics to document our experiences. Our values remain crucial when the criminal legal system often denies we exist or disregards our value and dignity.

The survey was designed primarily by Black trans residents of the City of Atlanta. Our experiences informed the questions asked, the language used, the outreach locations, the trust respondents showed in us, and every step of this process. We aimed to respect respondents' identities by recruiting only trans respondents, allowing for more than two possible gender categories, and allowing respondents to write-in their gender and/or race if the available categories did not match their identity. This approach contrasts standard APD and Atlanta City Detention Center (ACDC) practices for classifying gender and race. To prioritize privacy and safety we're careful to avoid disclosing respondents' trans status without consent, and we allowed anonymous responses and narratives.

b. Scope

Our research focused on trans Atlanta residents' experiences with law enforcement generally and the APD specifically. The survey asked about experiences of profiling, harassment, violence, and discrimination by police and jail staff, and whether there existed trust in the police. Survey questions asked specifically about experiences with the Atlanta Police Department and the Atlanta City Detention Center.

c. Survey Instrument

We conducted this research using a survey that contained questions about race, age, and gender. When applicable, respondents were also asked how they were treated by the APD and staff at the city jail. There were 21 questions. Some of these functioned as a combination of several questions.

We created online and print versions of the survey. We collected responses in-person on print copies of the survey and on wireless-enabled tablets. The online version was hosted by Survey Monkey, and some respondents participated directly online by clicking the hyperlink that was distributed by email and via social media. For data analysis, completed print survey responses were entered as online survey responses by a peer researcher. The survey was written in English. In some cases a bilingual SNaP Co member verbally translated the survey questions to Spanish and individual respondents' responses to English.

RESEARCH METHODS (METHODOLOGY)

d. Recruiting Survey Respondents and Collecting Responses

We collected responses from trans Atlanta residents of diverse ages, genders, and races. Due to the high rates of criminalization and violence that Black trans women experience within and beyond the City of Atlanta, and Black trans women's local and national calls to action, special focus was placed on recruiting Black trans women to take the survey. We recruited respondents at clubs and bars frequented by our communities, on the streets, through partner organizations, at conferences, through social media, and in other social circles of peers.

When recruiting respondents, we explained the survey's purpose and obtained verbal consent before proceeding. Respondents were informed of, and entered into, a raffle for gift cards for completing the survey. Keeping the survey short, engaging respondents 1-on-1, and promoting the survey within our peer networks helped us reach our response goals quickly with a small team of peer researchers. 88 trans Atlanta residents responded.



e. Sharing Stories

We contacted some respondents whose survey responses indicated they experienced profiling, abuse, harassment, and/or discrimination, and invited them to share their stories with us. First, we explained that we would include excerpts of their stories in our published report, and that they could choose to use their name, use a pseudonym (or "Anonymous"), or not have their story published. With those who gave verbal consent to publish an excerpt, we conducted 1-on-1 interviews ranging from 10 minutes to two hours in length. To maintain confidentiality, we conducted several interviews in-person in a closed room at our office, and the rest by phone. During the interview, we asked the respondent to say, in their own words, what happened during their interaction with the Atlanta Police Department and/or their detention in the city jail. We then asked follow-up questions responsive to the content of the narratives, and asked what should be done to prevent similar harm to trans people in Atlanta.

The peer researchers who conducted the interviews took notes during the interviews, and also wrote summaries after the interviews. After all interviews were completed, we examined the summaries and notes, excerpted stories, and determined which excerpts would appear in the report. We prioritized stories that described personal experiences that could give greater depth, nuance, insight, and context to the survey results. However, honoring the deep tradition of Southern trans storytelling, we also value trans narratives as valuable and valid proof of our experiences on their own (i.e., with or without statistics to "back up" the narrative).

f. Data Analysis

After collecting surveys, we worked with a qualified consultant to analyze the data. This analysis identified trends across all responses, and brought us a clearer understanding of how Atlanta trans respondents' experiences with APD and the city jail differ across gender identity and race.

When analyzing respondents' experiences with the APD, analysis was limited to those who both answered the relevant questions and reported they had been stopped or arrested by the APD. We also limited analysis of city jail experiences to those who both answered the relevant questions and reported they had been detained in the city jail.

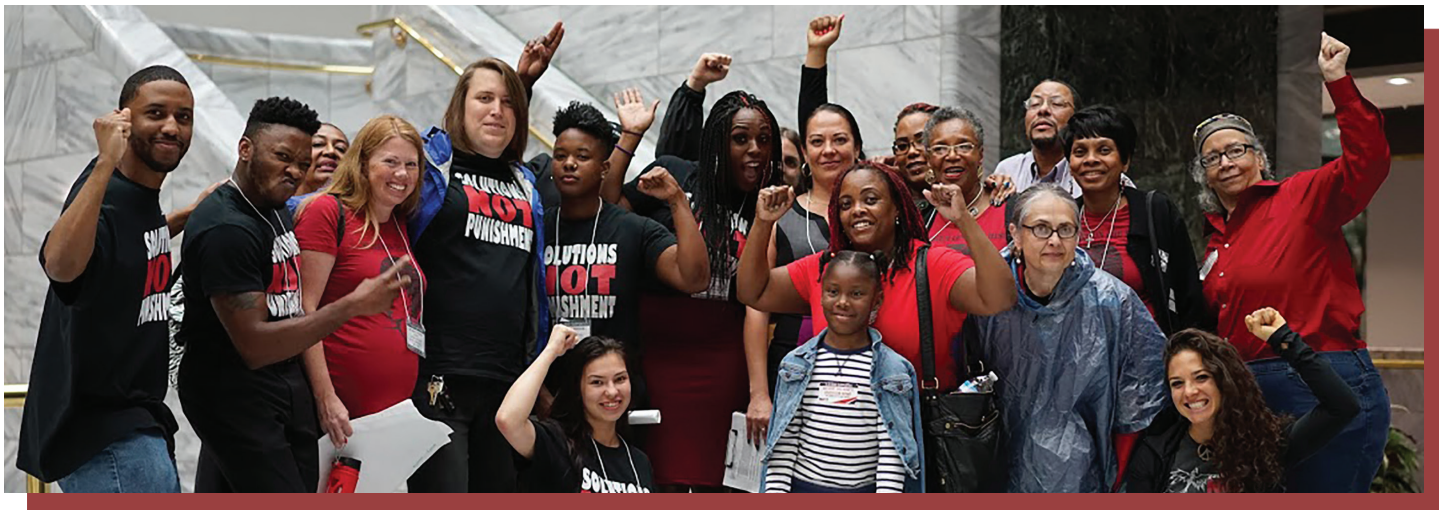
RESEARCH METHODS (METHODOLOGY)

g. Who Took Our Survey (Demographics)

Respondents represented a diverse sample of trans Atlanta residents in terms of gender, age, and race:

Gender, Age, and Race

| | |
|----------------------------------|---------------|
| Trans women | 65.51% |
| • Average age | 35 years old |
| • Race | |
| • Black | 70% |
| • Biracial/multiracial | 5% |
| • Latina/Hispanic | 5% |
| • White | 22.5% |
| Trans men | 11.49% |
| • Average age | 26 years old |
| • Race | |
| • Black | 66.67% |
| • Biracial/multiracial | 11.11% |
| • Latino/Hispanic | 11.11% |
| • White | 11.11% |
| Genderqueer or Non-Binary | 19.54% |
| • Average age | 28 years old |
| • Race | |
| • Black | 54.55% |
| • Biracial/multiracial | 9.09% |
| • Latinx/Hispanic | - |
| • White | 36.36% |



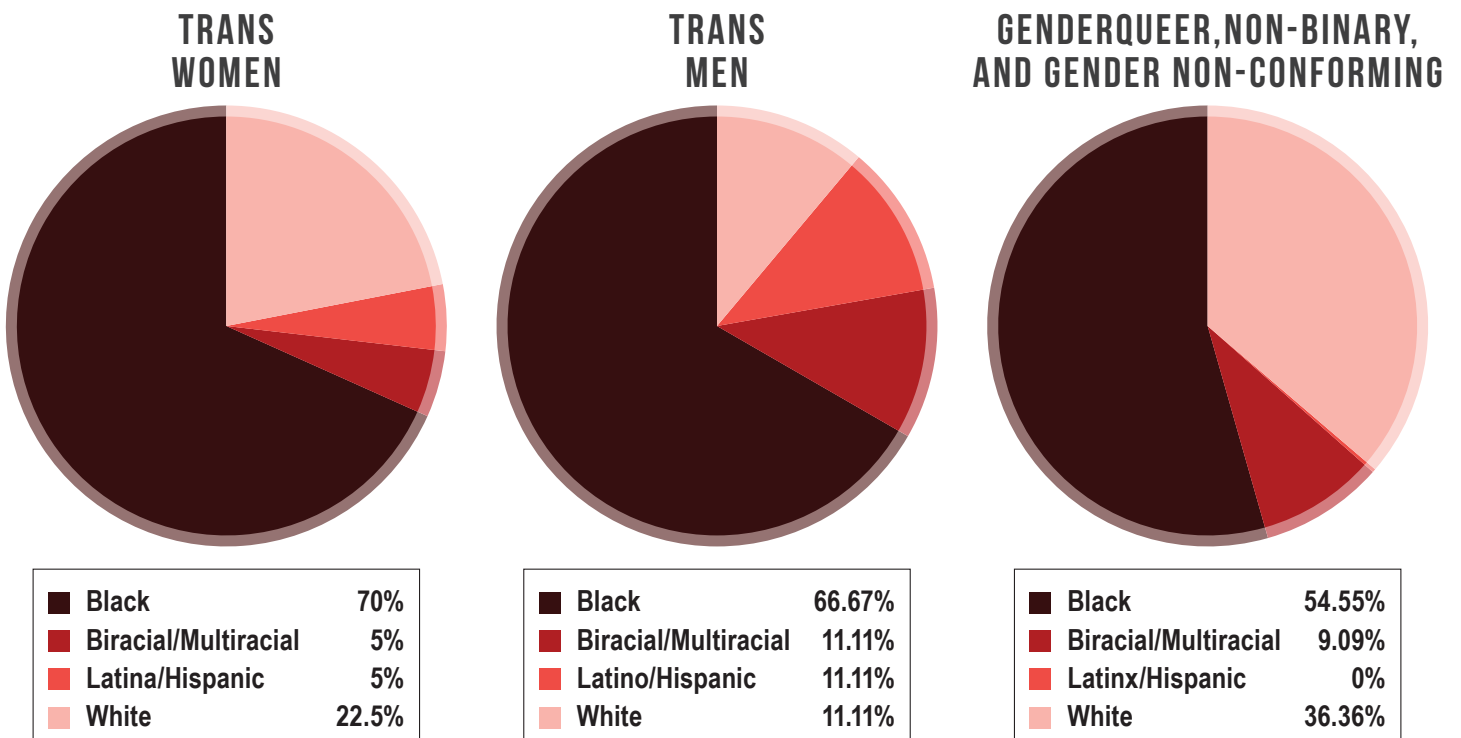
RESEARCH METHODS (METHODOLOGY)

1. Gender

Our survey included four gender identification categories: Trans woman, Trans man, Non-binary/Genderqueer, and Other. Our survey outreach strategy prioritized recruiting trans women, who represented the majority (66%) of respondents. Among respondents who marked "Other," three respondents are gender non-conforming, and one respondent is an intersex man.

2. Race/Ethnicity

Our survey included six racial or ethnic categories: Black / African American; Asian / Pacific Islander / Asian American; Biracial / Multiracial; Latinx/Hispanic; White; and Other. Our outreach strategy prioritized recruiting respondents of color, especially Black respondents. Accordingly, the majority of our respondents are people of color, and most respondents of color were Black. Of the four respondents who chose "Other," two are American Indian, one is Creole, and one left the field blank.



3. Age

Respondents had the opportunity to write in their age in years in response to Question 4, and to write in the month and year of their birth in response to Question 5. According to a report by the Inter-American Commission on Human Rights, the average age of trans women of color who were murdered in the Americas over a 15-month period was 35 years – the same as the average age of trans women of color who responded to our survey.¹

7. DISCUSSION/CONCLUSIONS

"The Most Dangerous Thing Out Here Is the Police" is the first known study on trans community interactions with law enforcement in Atlanta, and among few studies to examine non-binary, genderqueer, and gender non-conforming individuals' experiences. With outrage and determination, we confirmed that trans people – especially trans women of color – are at exceptional risk of police violence and profiling, and we are deeply concerned about the harmful impact this has on our communities. Urgent action must be taken to ensure Atlanta becomes a city where trans people can live with safety and dignity.



For Trans Communities, APD Is No Better Than Other Law Enforcement Agencies

Many of our survey findings and respondents' personal stories reveal shocking and disturbing realities about APD conduct towards trans people. Sadly, these results are largely consistent with – and in some cases, worse – than results of prior research on trans peoples' experiences throughout the U.S.

Our most troubling finding was that the APD sexually assaulted trans respondents, including three trans women and one genderqueer, non-binary, and/or gender non-conforming community member. In addition, 35% of trans women of color said APD has placed their lives in danger at least once. This violence is unacceptable, yet national surveys have found alarming rates of police sexual abuse against trans people, and disproportionately against trans women of color.¹ Lambda Legal found that 8% of trans people in the U.S. were sexually harassed by police, while 7% of Black trans respondents to another national survey were sexually assaulted by a law enforcement officer for being trans.²

The APD also focuses surveillance on trans communities through frequent stops and arrests. The majority of respondents to our survey, including over 80% of trans women of color, were approached or stopped by the APD within the last year. Studies in New Orleans and New York City similarly found that the majority of trans people had been approached or stopped by local law enforcement.³

DISCUSSION/CONCLUSIONS



In their survey responses and personal stories, trans Atlanta residents identified several forms of profiling that led to these stops: racial profiling, profiling based on gender non-conformity (and/or police "curiosity" about one's gender), and especially sex worker profiling. Trans people across the U.S. are similarly targeted by police for their perceived occupation as sex workers, race, gender non-conformity, or for using the "wrong" restroom.⁴ Law enforcement assumptions particularly impact Black trans people: in a national survey, 41% of Black trans respondents had been arrested or jailed due to bias.⁵ In Atlanta, trans women were treated as suspects even when they sought assistance: 26% of trans women, including 38% of trans women of color, had called police for help only to be arrested by APD officers.

An overwhelmingly high percentage – 72% - of trans women of color respondents have been incarcerated at the Atlanta City Detention Center. The ACDC is detaining trans women and genderqueer, gender non-conforming, and/or non-binary identified people in extremely unsafe conditions, where some have been physically and sexually assaulted. The ACDC's practice of housing trans women either in mens' general population or in isolation are similar to, and just as harmful as, the policies many state and federal prisons enforce against trans women.⁶ Some of those policies are explicitly prohibited under recently released federal guidelines.⁷

DISCUSSION/CONCLUSIONS

APD Abuse and Profiling Makes Atlanta Trans Communities Less Safe

We found that trans people are experiencing physical and sexual assault, harassment, and discrimination from APD officers. This violence, harassment, and discrimination causes lasting harm to our communities' health and dignity, even months and years after an incident. For example, trans people who have experienced discrimination are more likely to experience mental health conditions such as depression and anxiety.⁸ An alarmingly high percentage (70%) of trans people who have been sexually assaulted by law enforcement officers have also attempted suicide.⁹

As discussed above, we also found that the APD has a pattern and practice of profiling trans women of color and genderqueer, gender non-conforming, and/or non-binary trans people. Profiling funnels our community members into the criminal legal system of booking, detention, court dates, incarceration, and lasting criminal records. Trans people also enter the system when they call police for help, only to be arrested themselves.

This system harms trans people, especially trans people of color, in many ways. Several surveys, including our own, have found that detained or incarcerated trans people face extremely high rates of physical and sexual assault, harassment, solitary confinement, and inadequate medical and mental health care.¹⁰ In many cases, assaults were either carried out, encouraged, or tacitly allowed by prison staff.¹¹ This systemic harm is gaining more attention here in Georgia, due to the recent campaigns of Black trans advocates Ashley Diamond and Ky Peterson against Georgia Department of Corrections policies on incarcerated trans people.¹² These conditions cause lasting psychological and medical harm.¹³

Our communities are already intensely marginalized, and having a criminal record makes it that much harder for a trans person to obtain housing, health care, education, employment, and public benefits. Many of us become permanently locked out of the opportunities Atlanta supposedly offers to all residents equally.

Trans Communities Remain Committed to Our Survival and to Transforming the APD

Although our communities face so much injustice and violence, trans people in Atlanta are courageous, creative, and resilient. Like trans people across the country, the interviewees quoted throughout this report also shared their strategies for healing, ways to support one another, and their hope that speaking out would help prevent others from experiencing similar APD profiling and abuse.

Trans people have also organized to raise bail or bond funds; exchange letters and phone calls with incarcerated community members; demand accountability when community members are harmed by police; and advocate for the recently passed Pre-Arrest Diversion Initiative legislation before the Atlanta City Council and the Fulton County Board of Commissioners. By documenting the crises facing local trans communities and sharing our demands for change, this report is one important step to improving conditions for trans people – especially trans people of color – in Atlanta.



8. CALLS TO ACTION

A Call To Action By Atlanta's Trans Community

Based on the findings of this report, we recommend that all indicated parties swiftly and decisively take the following action steps:

1. ELIMINATE ORDINANCES THAT ENCOURAGE POLICE TO TARGET, HARASS & SEXUALLY ASSAULT TRANS PEOPLE

The **City Council** should immediately repeal the ordinances that give police officers excuse and incentive to conduct pretextual stops that often lead to exploitation and abuse. Survey respondents repeatedly shared stories of being threatened with or actually arrested and detained for behaviors such as sitting, standing, walking, talking, using a restroom, or asking a question. The ordinances that should be eliminated include most of Chapter 106 of the Atlanta Municipal Code among other provisions. We specifically recommend repealing the following:

- Idling and Loitering (§106-127)
- Disorderly Conduct (§106-81)
- Unauthorized Person Entering Vacant Building (§106-56)
- Monetary Solicitation (§106-85)
- Indecency (§106-129)
- Marijuana (Under 1 Oz) (§106-182)
- Spitting (§106-131)
- Obstructing Traffic (§150-266)
- Disorderly Conduct While Under the Influence (§10-9)

2. DECRIMINALIZE SEX WORK & PROVIDE EMPLOYMENT & SOCIAL SERVICE OPPORTUNITIES TO TRANS RESIDENTS

The **Atlanta Police Department** should follow best practices and immediately stop conducting any arrests of or raids/stings against sex workers. These stings disproportionately harm trans people. In addition, the Atlanta Police should, as a policy, deprioritize any arrests or detentions of people for offenses that focus on criminalization of HIV/AIDS.

The **City (including the City Council and Mayor's Office)** should invest in a **job training and placement program** specifically focused on serving trans communities, recognizing the unique obstacles we face due to widespread discrimination.

The **City and the County** should also work together to **expand funding and support for community-based, gender-affirming services** both as alternatives to jail and as stand-alone community supports. Services should include but not be limited to harm reduction oriented drug treatment, safe and affirming housing, physical and mental health care, social services, and education. Service providers must ensure that groups, services, facilities and programs for survivors of sexual violence, intimate partner violence, and/or police violence are fully accessible and accountable to trans survivors.

This funding and support could be done, in part, through the continued investment in the Pre-Arrest Diversion Program, the design team and planning process of which was authorized in late 2015 by both the City Council and the Fulton County Board of Commissioners.

CALLS TO ACTION

3. ADOPT COMMUNITY DRAFTED & SUPPORTED STANDARD OPERATING PROCEDURES & IMPLEMENT IMPROVED POLICIES & PROTOCOLS THAT ENSURE TRANS EQUITY

The APD should immediately amend the current SOPs to fully incorporate the provisions of The People's Standard Operation Procedures including bi-annual trainings conducted by a person of trans experience, knowledgeable of the involved issues.

To further build trust with the community and eliminate accusations of unlawful searches leading to arrests, APD should require all officers to **obtain written consent for a “consent search”** to be considered lawful.

In addition to these policy changes, the **Atlanta Department of Corrections (ADOC)** should immediately **adopt Standard Operating Procedures** that ensure the safety and equitable treatment of trans people while detained in the Atlanta City Detention Center (ACDC).

For all recommendations above for **APD and the ADOC**, **departmental leadership should ensure that materials and forms are available in all major community languages**, particularly Spanish, and people should be provided interpreters upon request, particularly those making complaints.

Until the above are fully being implemented, thereby ensuring the safety and equitable treatment of trans people, **the Atlanta Police Department should refrain from arresting and detaining any trans person** on any city level offense and placing them in what is currently a dangerous housing situation where they may be exposed to violence and discrimination. Further, until the above is fully implemented, **the ADOC should release any trans individual currently in their custody.**



CALLS TO ACTION

4. CONDUCT AN INVESTIGATION OF MISCONDUCT BY THE ATLANTA POLICE AGAINST TRANS INDIVIDUALS & DEVELOP A CLEAR PLAN TO ADDRESS HARM DONE

The **City of Atlanta, APD, and ADOC** should work with Solutions Not Punishment Collaborative, community leaders, and an independent investigator to **conduct a thorough investigation into the abuses and misconduct of the police**. The purpose of the investigation is to understand the harms caused by police misconduct, and to create a plan for repairing that harm. A qualified restorative/transformational justice practitioner should be part of the process, to ensure that the investigation can be used as a basis to acknowledge and repair the harm done. Actions arising from such an investigation may include:

- Public apologies and acknowledgment on the part of the individuals and institutions responsible;
- Discipline, up to and including termination of officers who caused harm, failed to report and/or intervene, were complicit in wrongdoing, or those who retaliated against individuals who expressed intent or in actuality did file complaints;
- Financial compensation for victims of APD assault and harassment including coverage for medical and mental health costs resulting from APD harm

Unlike a criminal investigation that asks whether there is sufficient evidence to prove criminal behavior beyond a reasonable doubt, this investigation focuses on the harm to trans people caused by Atlanta Police. Its primary purpose is to repair that harm.



9. AREAS FOR FUTURE RESEARCH



Our groundbreaking, community-led research found that many trans people feel less safe, and actually are less safe, around the APD. Through analyzing the data and writing this report, we identified several areas where additional research would supplement our work and benefit our communities.

For example, future surveys should ask about experiences with other city police departments (e.g., Decatur and East Point) and institutions (county jails, state and federal prisons, immigration and juvenile detention centers, and psychiatric hospitals). In addition, we recommend asking about circumstances (such as traffic stops) where police learned the respondent's trans status only after looking at the ID and/or checking for warrants. Asking more questions about alleged charges during stops or arrests may help to document patterns of criminalization.

Future surveys should ask more questions about sexual victimization, including practices such as strip searches, "gender checks," and pat downs that are inherently forms of sexual violence. Researchers must address traumatic re-experiencing among survey respondents.

We recommend asking demographic questions that are crucial to documenting experiences with the criminal legal system, such as class, socio-economic status, education, disability, gender expression, and citizenship status. Respondents should be permitted to "fill-in-the-blank" in response to questions on gender. Given the criminalization of Latinx trans people, ensure that interviews can be conducted, and surveys made available, in Spanish.

Finally, while it is important to document our communities' experiences of profiling, violence, and criminalization, there are drawbacks to focusing exclusively on what holds us back. Researchers should strongly consider asking survey questions about, and conducting interviews focused on topics such as resilience, survival strategies (individual and collective), resistance, and dreams for the future.

APPENDIX A – GLOSSARY

Agender – A person who does not identify with any gender, or has no gender.

Atlanta City Detention Center (ACDC) – Also called the “city jail.” Individuals awaiting trial on city ordinance violations who are unable to afford bond are held here. Individuals are also held to serve up to 180 day sentences for those violations.

Cisgender (non-trans) – A person whose gender identity matches the sex they were assigned at birth.

Criminalization – Using the criminal legal system to punish behavior associated with poverty, homelessness, drug addiction, or mental illness, particularly where less harmful alternatives exist.

Genderqueer – Individuals whose gender identity or expression transcends categories of man/boy or woman/girl. May be used as an adjective (“a genderqueer woman”) or as a separate gender identity.

Gender Identity – How a person identifies their gender. A person’s gender identity is their own understanding of their gender. Examples: man/boy, woman/girl, non-binary, genderqueer.

Gender Expression – Characteristics and behaviors that conform to, resist, or transcend “gendered” roles. May include dress, speech, mannerisms, or social interactions.

Gender Non-Conforming – Those whose gender expression does not conform to gendered expectations (e.g. masculine women, feminine men). Not all trans people are gender non-conforming.

Gender Pronoun – Examples: “He/him/his,” “she/her/hers,” and “they/them/theirs.”

Institutionalized Racism – A system of behavior, policies, and discrimination that harms a group defined by race, and is rooted in society’s or an institution’s structure, not just individual prejudices.

Intersex – A term used to describe a variety of conditions in which a person is born with reproductive organs or sexual characteristics of both male and female.

Non-Binary – A person whose gender identity is neither man/boy nor woman/girl. See Appendix B for more information.

People’s SOPs (Standard Operating Procedures), The – Model SOPs (see: Standard Operating Procedures) developed by trans community members in the Atlanta area to specify the appropriate protocol for police officers in any department to interact with us.

APPENDIX A – GLOSSARY

Pre-Arrest Diversion (PAD) – An initiative that shifts resources and energy away from the criminal legal system by providing services as an alternative to arrest. PAD re-directs individuals who would otherwise be arrested for sex work, drug use, or other behaviors, and gives them access to services focusing on housing, mental health, substance use, job placement, and healthcare.

Prison Industrial Complex (PIC) – A system of control that includes the prisons and jails and detention centers- the concrete and steel buildings that warehouse people. The prison industrial complex is also how the government and companies work together to control and punish poor communities and communities of color. This includes the police. And immigration enforcement. And courts. And how the news and movies show “criminals.” And cameras in communities. And companies making money on prison phone calls. And many other ways that take power away from many, and keep it with those at the top.¹

Sex Assigned at Birth – An individual’s sex determined at birth based on genitals, reproductive organs and/or chromosomes. A trans or intersex person’s current sex may not match the sex assigned at birth.

Sexual Orientation – A person’s physical and/or emotional attraction to members of the same gender and/or different gender(s). Examples include: lesbian, gay, bisexual, heterosexual, queer, pansexual, and asexual.

Solitary Confinement – The practice of isolating a prisoner or detainee from the detention facility’s general population. Extended periods of solitary confinement are considered a form of torture.²

SOPs (Standard Operating Procedures) – Documents published by and within police departments to provide guidance and training for officers on required protocol for interacting with the public.

TLGBQ – An acronym for “trans, lesbian, gay, bisexual, queer, and questioning.” The similar acronym LGBT is sometimes used.

Trans – An inclusive term for people whose gender identity or expression is different from their the sex they were assigned at birth. SNaP Co uses the term “trans,” because we consider this more inclusive and expansive than other terms. It is not a shortcut for “transgender,” a term our collaborative does not use. When we refer to trans people we include (among others): trans women and men, cross-dressers, and genderqueer, non-binary identified, gender fluid, gender non-conforming, and/or agender people.

Trans Man / Trans Boy – Generally, a man or boy who was assigned female at birth.

Trans Woman / Trans Girl – Generally, a woman or girl who was assigned male at birth.

APPENDIX B – IDENTITIES OUTSIDE THE BINARY

Most survey respondents were trans women or trans men. Our communities also include individuals whose gender identities transcend, combine, or reject two (“binary”) genders. Nearly 20% of survey respondents identified as neither men nor women and checked the “Genderqueer or Non-Binary” gender option. Still others wrote-in their gender. Three wrote “Gender non-conforming.” Throughout this report, we have combined these respondents into a single genderqueer, gender non-conforming, and/or non-binary identified group. Of these, a majority (64%) were people of color.

In this research, we learned two key facts about these groups:

1. Genderqueer, Gender Non-Conforming, and/or Non-Binary Identified People Also Experience Police Abuse and Profiling

- 33% of respondents in this group felt their lives had been in danger because of an APD officer
- 8 genderqueer, gender non-conforming, and/or non-binary identified respondents were stopped or approached by the APD. Of these:
 - APD assumed that 3 were sex workers
 - APD profiled 3 on the basis of their gender identity or expression
 - One experienced unwanted sexual contact from an APD officer
 - One was sexually assaulted by officers and/or other staff at the city jail
 - One was denied basic health care while detained at the city jail

“They made up all kind of lies, accusing me of jaywalking, and saying that I had drug paraphernalia. They took me to the city jail and I stayed overnight. I live at Peachtree and Pines and those folks stole all of my belongings. Shit, they trying to survive too. I can’t believe the bullshit they make up just to put us behind bars.”

- Raven, Black, Gender Non-Conforming, Trans Femme, 28 years old

2. Genderqueer, Gender Non-Conforming, and/or Non-Binary Identified Peoples’ Needs Differ from Trans Women’s’ and Trans Men’s’ Needs

Individuals living outside the gender binary often face unique barriers and harms when interacting with police, jails, courts, secured facilities, residential treatment programs, and other institutions that are gender-segregated or enforce gendered norms and expectations. Policy solutions that may be appropriate for a trans woman (such as housing her consistent with her gender identity, i.e., with other women) cannot be broadly applied to this group. Instead, genderqueer, gender non-conforming, and/or non-binary identified people should be allowed to determine the best service, housing, or program for themselves on a case-by-case basis.

APPENDIX C – LITERATURE REVIEW

Our survey builds off of the work that trans communities and allies have done to document experiences with the criminal legal system. We examined many other published reports during this process, including:

The Report of the 2015 U.S. Transgender Survey is a 2016 report from the National Center for Transgender Equality on the National Transgender Survey. It is the largest-ever national survey of trans people in the U.S. The final sample included 27,715 trans respondents.

Injustice At Every Turn: A Report of the National Transgender Discrimination Survey is a 2011 report from the National Center for Transgender Equality and National Gay and Lesbian Task Force on the National Transgender Discrimination Survey.

Protected and Served?: Survey of LGBT/HIV Contact with Police, Courts, Prisons, and Security is a 2015 report from Lambda Legal on its national survey of TLGBQ people and those living with HIV in the U.S. The final sample included over 2,350 respondents.

Coming Out of Concrete Closets: A Report on Black & Pink's National LGBTQ Prisoner Survey is a 2015 report from Black and Pink on its national survey of TLGBQ prisoners in U.S. state and federal prisons. Over 1,200 TLGBQ prisoners responded to the survey.

Discrimination and Harassment by Law Enforcement Officers in the LGBT Community is a 2015 report from the Williams Institute based on several national surveys documenting TLGB experiences of police harassment and discrimination.

"This Is a Prison, Glitter Is Not Allowed": Experiences of Trans and Gender Variant People in Pennsylvania's Prison Systems is a 2011 report from Hearts On a Wire on its survey of trans and gender variant people incarcerated in Pennsylvania. The final sample included over 80 respondents.

"It's War In Here": A Report on the Treatment of Transgender and Intersex People in New York State Men's Prisons is a 2007 report from the Sylvia Rivera Law Project on interviews with incarcerated or detained trans and intersex people in the New York State mens' prisons.

We Deserve Better: A Report on Policing in New Orleans By and For Queer and Trans Youth of Color is a 2014 report from BreakOUT! on its survey of 86 TLGBQ youth in New Orleans on their experiences with the New Orleans Police Department.

Transgressive Policing: Police Abuse of LGBTQ Communities of Color in Jackson Heights is a 2012 report from Make the Road New York on police abuse of TLGBQ communities of color by specific precincts within the New York Police Department.

APPENDIX D – WORKS CITED AND REFERENCED

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APPENDIX E – ACKNOWLEDGMENTS



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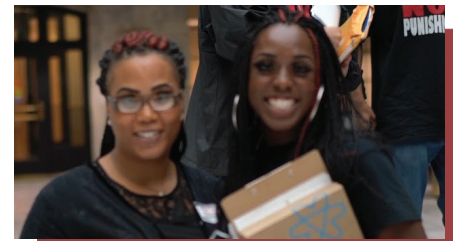
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10. ENDNOTES

EXECUTIVE SUMMARY

- ¹ The authors of this report recognize that the city of Mecca is a holy place for Muslims. At a time when Muslims in the U.S. face escalating violence and criminalization, we are committed to demonstrating solidarity with Muslim people across the country and world. We put this common reference to Atlanta as a “Black and/or Gay Mecca” in quotations because we understand the phrase is a cultural appropriation, and one we do not use ourselves.
- ² Throughout this report, we use the term “trans” instead of “transgender.” By trans, we mean any person whose gender identity or expression is different from the sex they were assigned at birth or gendered expectations. Please see A Note on Language for more information.
- ³ Grant, Mottet, et al., 2011
- ⁴ Id.
- ⁵ Centers for Disease Control and Prevention, n.d., citing Baral, Poteat, et al., 2013.
- ⁶ Grant, Mottet, et al., 2011; Clements-Nolle, Marx, et al., 2001
- ⁷ These are the Trans People Killed in 2016. (2016).
- ⁸ Whitney, 2015
- ⁹ Willis, 2015; Langenderfer-Margruder, Whitfield, et al., 2014; Landers and Gilsanz, 2009
- ¹⁰ Haas and Rodgers, 2014
- ¹¹ Inter-American Commission on Human Rights, 2014

A NOTE ON LANGUAGE

- ¹ Definition excerpted from: Lydon, Carrington, et al., 2015

RESEARCH METHODS (METHODOLOGY)

- ¹ Inter-American Commission on Human Rights, 2014

DISCUSSION/CONCLUSIONS

- ¹ Grant, Mottet, et al., 2011; Amnesty International, 2005
- ² Lambda Legal, 2015; Grant, Mottet, et al., 2011
- ³ BreakOUT!, 2014; Make the Road New York, 2012
- ⁴ Lambda Legal, 2015; BreakOUT!, 2014; Make the Road New York, 2012; Arkles, 2012; Mogul, Ritchie, and Whitlock, 2011
- ⁵ Grant, Mottet, et al., 2011
- ⁶ Lambda Legal 2015; Emmer, Lowe, and Marshall, 2011; Arkles, 2009; Spade, 2008; Mann, 2006; Tarzwell, 2006
- ⁷ National PREA Resource Center, 2016
- ⁸ Bockting, Miner, et al., 2013
- ⁹ Haas and Rodgers, 2014
- ¹⁰ Beck, 2015; Lydon, Carrington, et al., 2015; Emmer, Lowe, and Marshall, 2011; Grant, Mottet, et al., 2011; Jenness, 2007; Sylvia Rivera Law Project, 2007
- ¹¹ Lydon, Carrington, et al., 2015; Emmer, Lowe, and Marshall, 2011
- ¹² Southern Poverty Law Center, 2016; Brydum, 2016
- ¹³ Mogel, Ritchie, and Whitlock, 2011; Arkles, 2009; Lobel, 2008; Haney, 2002

APPENDIX A – GLOSSARY

- ¹ Definition copied from Black and Pink, and adapted from Critical Resistance. Black and Pink. (n.d.) Words We Use. Retrieved December 3, 2016 from: <http://www.blackandpink.org/purpose-analysis/>.
- ² Lobel, 2008



**SOLUTIONS
NOT
PUNISHMENT**

SOLUTIONS **NOT PUNISHMENT** For People Just Trying To Survive

