

‘Don’t Call Us, and We Won’t Call You’ - Law Enforcement and the Trans Community

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Abstract

A couple of years ago, I attended a community forum in Denver that was set up so that trans people could meet with local police and discuss our community’s concerns. The police representatives present were from a newly formed “diversity”-type unit that was created to work specifically with marginalized communities, including LGBT communities, and to [...]

Article



A couple of years ago, I attended a community forum in Denver that was set up so that trans people could meet with local police and discuss our community’s concerns.

The police representatives present were from a newly formed “diversity”-type unit that was created to work specifically with marginalized communities, including LGBT communities, and to investigate possible hate crimes or crimes that appeared to specifically target members of these particular communities.

The officers and detectives in attendance were friendly, attentive, and open to suggestion and criticism. They listened carefully as community members, primarily trans women, expressed their safety fears and detailed their experiences with police, some of which were not too pleasant.

The police assured the attendees that they were there for us and that they would take our complaints seriously. But, they said, “You have to call us. We can’t help you if you don’t call.”

And they’re right about that. The police can’t help if they’re not called. Unfortunately, it’s not that simple.

The primary targets of hate crimes in our community, from destruction of property to verbal threats, and from physical and sexual assault to murder, are trans women - and, more specifically, trans women of color. And although there are enough case files to fill a library, we need only look to the case of CeCe McDonald to discover why trans women of color, or any trans woman, might be hesitant to call the police about threats or even assault.

Everyone probably knows by now that McDonald is a black trans woman who was verbally and physically assaulted, along with her companions, by white attackers. In the melee that followed, including McDonald’s attempts to defend herself, one of the attackers was killed.

McDonald was charged with two counts of second-degree murder, and she recently accepted a plea agreement that reduced her charge to second-degree manslaughter - and resulted in a sentence of almost four years in prison. As of now, it appears that McDonald will serve her sentence in a men’s facility, where she will once again be at high risk of physical and sexual assault - all because she tried to defend herself against a brutal attack.

This is why trans people - in particular, trans women, and especially trans women of color - are hesitant to call the police and reluctant to approach the legal system for help at all.

Everything we know about this situation indicates that McDonald was a victim, not an attacker, on the night in question. And everything we know about the law indicates that victims are supposed to be able to defend themselves when their life is in danger. But now CeCe McDonald is going to prison - and a men’s prison, no less - for doing just that.

It’s true that McDonald did not call the police when she was being attacked. She didn’t have time. She was too busy trying to save her own life. But if what happened to her afterward is any indication, even if she would have had time, it wouldn’t have made much difference.

“We can’t help if you don’t call.” It’s true. But as many trans women and other marginalized groups have discovered, calling can, at the very least, lead nowhere, and it can often result in further harassment and victimization.

When the Denver police met with the local trans community, it felt as if real progress was being made. People left feeling positive and supported. Meetings such as this one are possibly taking place in other locations as well.

Unfortunately, a situation like CeCe McDonald’s sets any progress back - to the Stone Age. And time moves forward very slowly.

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