The creation (and the vision) of social justice depends on the building of just, generous, and compassionate relationships within our communities—across the fault lines of race, national origin, culture, class, gender/gender identity, sexual orientation, religion, age, disability, and the like. This in turn requires expanding the framework in which we understand and respond to both interpersonal and community violence—including homophobic and transphobic violence—so that we are not addressing hate violence in a social and economic vacuum.

Much of the violence directed against LGBT people (as well as other groups targeted on the basis of race, national origin, gender, or other factors) is not simply the product of the pathological prejudice of volatile “extremists” who aren’t welcome in respectable society.

Persistent and systemic cycles of anti-queer violence will not be stopped by jailing more people for longer periods of time. Nor will it be stopped by educating individuals or communities about the benefits of “diversity,” or organizing to “stop hate,” as if such violence were an aberration in our society.

The more painful—and complicated—truth is that violence against LGBT people and other targeted groups is an explosive symptom of already shattered social, economic, cultural, and religious relationships in our communities, and of the fear, rage, and resentment that is the result of those shattered relationships. The problem isn’t “out there,” located only in the beliefs and actions of the pathological few; it exists much closer to home.

Effective LGBT efforts to interrupt these cycles of violence must be rooted in the recognition that justice, safety, and nonviolence—like injustice, danger, and violence—are intertwined within the context of social, political, cultural, economic, and spiritual relationships in the communities in which we live, work, and find meaning.

It is not possible to significantly reduce hate violence unless our communities—both our geographic communities and our identity-based communities, secular and religious—rise to the challenge of naming and exploring the relationship between local outbreaks of hate violence and systemic forms of violence and exclusion that exist in our own midst.

Within this expanded framework for anti-violence work, LGBT activists would organize not to expand the scope and reach of the criminal legal system, or simply to protest and issue calls to “stop hate,” but for the positive creation of safety and justice for all in our communities.

This requires working in pursuit of an interdependent vision of justice, one that fully integrates an understanding of systemic power relations based on race, class, gener-
LGBT people must reconceptualize ourselves as active, engaged, and competent co-creators of safety and justice in our communities, not merely as disempowered victims of violence who are dependent upon the authorities to protect us.

1. Lift up and amplify the voices of those who are oppressed and marginalized in order to broaden public understanding of and support for their struggles. Commitments to work actively for racial, gender, and economic justice are woven into everything we do. We honor and help lift up the leadership of people of color (immigrants, indigenous, and U.S. born), poor people, transgender people, and youth. We work explicitly to reduce the growing disparity between rich and poor in the United States and throughout the world.

2. Promote leadership by the affected groups in traumasizing and undermining their oppression and exploitation. People and communities suffering the harms of violence, injustice, oppression, and poverty are not only victims, they are agents for change. We seek to work in ways that are empowering for individuals and communities, encouraging them to take charge of their own futures. Within the LGBT movement, we promote leadership by people of color, poor people, women, trans/gender variant people, and youth, recognizing that authentic justice for LGBT people cannot exist in the absence of racial, economic, and gender justice.

3. Address the root causes as well as the manifestations of violence, within and among families, communities, and nations. The violence of us and them is played out in many ways—socially, politically, economically, spiritually—and is used not only to isolate, exclude, hurt, and deny rights to LGBT people, but also communities of color (immigrant and U.S. born), poor people, women, youth, and other groups. A narrow vision of “gay rights” that is to be achieved within a larger, unjust social and economic status quo that harms many LGBT people on the basis of race, class, gender, culture, age and other factors, and many of our LGBT neighbors, is not acceptable.

4. Connect LGBT justice struggles to the struggles of people of color, women, youth, poor people, people with disabilities, and others. Single-issue campaigns and organizing initiatives can be both worthwhile and important. But it’s also important to understand the limits of single-issue organizing. Many of us have multiple identities: we are not only lesbian, gay, bisexual, transgender, intersex, or two spirit. We also have racial, cultural, class, and other identities. The LGBT movement must never leave anyone behind, reveal contradictions, and repressive and exploitative government policies. We believe our responses to violence should interconnect and repress compounding institutions.

5. Work in ways that are consistent with our belief that every person and all peoples are of equal and infinite worth. While we directly name injustices and seek to hold institutions, individuals, and governments accountable for the harm they do, we do not demonize others or promote enemy formation. We reject all forms of xenophobia, and we stand with those who are made into targets of fear, resentment, and repressive and exploitative government policies. We believe our responses to violence should interconnect and repress compounding institutions.

6. Establish respectful, just relationships with one another, and with the earth itself. We try to reflect in our work a practical commitment to the human rights, human dignity, and social and economic well-being of all peoples. We have a strong commitment to the integrity of the natural world and its complex ecosystems. We work to protect the environment, to stand with peoples, communities, and cultures resisting environmental exploitation and degradation.

7. Articulate and work in light of an interdependent vision of justice. What we do affects others, for good or ill, and what other movements do affects us, for good or ill. We understand that the assault on LGBT rights is one part of a much larger assault on the entire legal framework of civil rights in the United States, an assault largely coded in terms of race, sex, gender, and class. As we frame issues and consider strategic choices, we ask:

   a. How is this likely to affect other marginalized and oppressed groups and communities? Are race, class, gender, and age as central as sexual and gender identity? Are these issues of the same magnitudes of the proposed strategies? Who might be harmed by our strategic choices, and how? Are we trying to secure LGBT rights in ways that may inadvertently trade off the rights of others? For example, if we are considering criminal legal approaches, are the communities most directly impacted by the violence of the criminal legal system centrally involved in our discussions so that we are very clear about the short- and long-term impacts of decisions we are making?

   b. How is this an opportunity for strengthening or building new relationships and partnerships across issues and constituencies?

   c. What resources and support can we offer to friends and neighbors who also are struggling for justice?

A Note about Terminology

For the sake of brevity, the terms “LGBT” and “queer” are used throughout this publication and should be assumed to include lesbian, gay, bisexual, transgender, two spirit, intersex, questioning, and gender variant people who do not identify as transgender. Two spirit is a contemporary, English language term that many Native American LGBT people are using to identify themselves, as the terms lesbian, gay, bisexual, and transgender are culturally biased in favor of non-Native concepts. The term two spirit refers to the diversity of sexual, gender, and spiritual identity and experience. Persistent and systemic cycles of anti-queer violence will not be stopped by jailing more people for longer periods of time.
Harsher sentencing policies and the expansion of categories of crime have not produced more resources for us to use at the community level.

weapons racial profiling, religious demeaning, and the notion that vio-

lence directed against dehumanized others is not only acceptable but necessary in order to secure our safety and well-being.

Even when particular communities shared a common identity, frightened and angry people divided along the fault lines of race, national origin, religion, gender, sexuality, and other social divisions. Numerous LGBT publications, for example, openly denigrated Islam, asserting the spiritual superiority of Christianity and, in some cases, Judaism—both of which are faith traditions that also include individuals and groups who promote intolerance and violence toward queers. Many Arab and South Asian queers—Muslim or not—were being treated with suspicion and hostility by others, especially white people, in the larger LGBT community. Within our queer communities, shared identities and interests were easily forgotten, overshadowed by fear and a desire to identify enemies and feel safe from “terror” at whatever the cost.

Some may argue that the post-9/11 climate was atypical, and that the eruption of violence “at home” was unusual. But war fever, with its insatiable hunger for enemies, fueled by fear and rage, is not at all unusual; it is merely an intensification of the “ordinary” violence that routinely surrounds groups targeted on the basis of race, national origin, sexual orientation, gender/gender identity, and other characteristics.

The dynamics of domination and subordination, rein-

forced through geopolitical war, cultural war, economic exploitation, and other forms of violence and oppression, aren’t based solely on irrational prejudice. They also benefit dominant groups socially, politically, and economically. Like-

wise, the violence directed against queers, people of color, and other targeted groups is often rooted in the policies and practices of “respectable” public and private institutions—both secular and religious—that treat some people as less worthy of human rights and dignity.

Our collective queer histories testify to the grimly ordinary, largely “invisible” institutional forms of violence and systemic discrimination that treat us as subordinate and expendable. This kind of violence is shielded from public scrutiny by custom and convenience; it is so com-

monplace, so deeply engraved in the daily working of our social, political, economic, and religious institutions, that it is considered (by the dominants’ ‘mainstream’) to be normal, and not violent at all.

Contemporary examples, just to name a few, include policies including queers from full participation in various secular and religious institu-
tions, neglect and abuse in health care systems, endemic harassment of students who are or are thought to be queer, coercive religious attempts to “cure” queers, and the like. Anti-queer police and state violence—that is, violence under-
taken or sanctioned by the government, such as the pervasive racism, violence, and abuse of human rights in the U.S. criminal legal system—are also powerful forms of “ordinary” violence that often are not acknowledged as such by dominant groups who don’t directly ex-

perience their impact.

All of these manifestations of violence exist because communities filled with ordinary people—who themselves want to live in safety, free from violence and intimidation—accept them. Many of us seem quite willing to sacrifice the safety, well-being, and human and civil rights of others in order to try to secure our own.

This is not to excuse or explain away anti-LGBT violence, or suggest that individuals should not be held accountable for their actions, but rather to emphasize that anti-LGBT violence—as well as vio-

lence directed against others on the basis of race, eth-

nicity, and other factors—is not simply a product of individual pathology. It is an inevitable accompani-

ment to the many kinds of “ordinary” (that is, struct-

tural) violence that surround us. Criminal legal solutions ignore this reality.

Beyond the Criminal Legal System

Prioritizing “get tough” criminal policy responses to hate violence is problematic in several ways, which are briefly reviewed here. (See Resources, p. 12, for more detailed discussions.)

Punitive laws do not produce the desired results.

Over the past twenty years, thirty or more states have adopted hate crimes laws including either sexual orientation or both sexual orientation and gender identity as “protected” statuses categories. Most of these so-called “qualifiable” premises that harsher criminal penal-

ties tend to send a message that hate violence will not be tolerated,” and include “penalty enhancements,” or measures that increase the sentence for bias-related violence, over and above the sentence for the underlying criminal offense. Penalty enhancements are a feature of feder-

al legislation addressing hate-motivated violence.

Yet even as penalty enhancement hate crimes laws proliferate, and societal willingness to condone brutal incidents of anti-LGBT hate violence grows, anti-LGBT hate vio-

lence remains entrenched. Accurate data is hard to come by; since many incidents of hate violence are never reported to law-enforcement authorities, and FBI data relies on a compilation of voluntary reports from local jurisdictions, many of which do not collect relevant data. Data from the affiliate agencies of the National Coalition of Anti-Violence Programs confirm, however, that anti-LGBT harassment, intimidation, and violence is widespread.

LGBT-initiated training efforts to increase the responsiveness and sensitivity of law-enforcement authorities have attempted to bridge this gap, but severe prob-

lems remain. Training alone cannot eradicate problems rooted in or reinforced by systemic anti-LGBT discrimination in our communities and in society as a whole. The problem is compounded by animosities, resentments, and rage that are at least partly an expression of unequal power relations based on race, class, ethnicity, and other factors.

Too often LGBT people who experience homophobic or transphobic vio-

lence are “re-victimized” by responding law-enforcement authorities. According to activist attorney Andrea Ritchie, who has interviewed many law-enforcement officials across the country, it is not at all uncommon for police to refuse to identify an obvious homophobic or transphobic assault as such unless the abuser actually verbalized anti-

LGBT comments in front of witnesses while committing the offense. The officers may also look for possible other motives, such as rob-

bery, for the offense in order to avoid making a bias-motivated charge because they perceive it will be difficult to win conviction for such charges.

On many occasions, law-enforcement authorities simply fail to take seriously or respond quickly to reported incidents of anti-

LGBT intimidation or violence, leaving individuals who report incidents feeling even more unsafe. If this unresponsiveness is witnessed by hostile others, the safety of reporting individuals may, in fact, be more severely compromised. It also is not un-

usual for investigating police officers to focus their investiga-
tions on the victim’s sexual orientation, gender identity, or conduct at the time the violence occurred, at times direct-
ly blaming LGBT’ victims of violence for what happened.

Police response to transgender people is especially prob-

lematic and can include reframing the violence to allege that the trans person precipitated the violence by engaging in “gender fraud”—a term that reflects the notion that the trans person was lying about their gender, and therefore is not credible and perhaps even a criminal.

Hate crimes laws can be and are sometimes used to seek penalty enhancements for crimes com-

itted against queers, and the like. Anti-queer police and state violence—that is, violence under-
taken or sanctioned by the government, such as the pervasive racism, violence, and abuse of human rights in the U.S. criminal legal system—are also powerful forms of

Violence In Greensboro, North Carolina: Searching For Truth 25 Years Later

One innovative effort designed to address the deeper issues that underlie hate violence is underway in Greensboro, North Carolina, twenty-
five years after an outbreak of violence cost five lives and wounded ten other people.

The Greensboro killings occurred on November 3, 1979, when members of the Ku Klux Kan and others encouraging white supremacy interrupted prepara-
tions for a legally scheduled parade through African American neighborhoods in Southeast Greensboro. Despite three directly related trials, many people believe a full accounting of relevant factors connect-

to this incident has yet to be compiled and integrat-
ed into public consciousness. Community racial, political, and economic tensions have remained strong to this day.

To address these issues, the Beloved Community Center and the Greensboro Justice Fund initiated the Greensboro Truth and Reconciliation Project, the first of its kind in the United States.

While many truth commissions are state-sponsored—a fact that has elicited much criticism and is sometimes believed to undermine the credibility of truth processes—the Greensboro Truth and Reconciliation Project is privately funded and guided by a local task force, comprised of a diverse group of Greensboro community members. A sevenember–Commission organizes public hearings, reviews documents, collects personal statements, and hosts community forums.

The Greensboro Truth and Reconciliation Commission processes encourage many forms of participation by those most directly affect-

ed by the violence and other community residents, and permit many different kinds of community engagement. That in itself is a marked departure from the limited, adversarial ways in which community members are usually involved in justice procedures.

The commission will, for the first time, compile a multi-layered account of the events, including an accurate picture of the underlying social and economic community tensions that helped to produce such lethal vio-

lence, and the actions of various groups and individuals, including civic and religious leaders. In considering what needs to happen in the future, the commission will make recommendations to the entire city—not simply to government officials, but to all residents. Those recommendations may well provide a springboard for innovative community organizing.
Women Of Color Anti-Violence Activists Provide Community Accountability Leadership

Anti-violence groups and organizations led by women of color, serving women of color and their families, are leading the way in developing new forms of community accountability. Their work grows out of simultaneous engagement with both intimate violence against women and children (including battering, rape, and sexual abuse) and systems, or structural, violence in which women of color and their families and communities disproportionately bear the brunt of violence in the criminal legal system.

While many mainstream, white-dominated domestic violence organizations have uncritically pursued harsher sentencing and other criminal legal policies, a growing number of women of color–led groups have challenged this approach, pointing out the unintended racial, gendered, and class consequences of such heavy reliance upon the criminal legal system and insisting on centering issues of race, culture, and class in the discussion. Mimi Kim describes several innovative community accountability approaches in The Community Engagement Continuum, a report for the Asian & Pacific Islander Domestic Violence (see Resources on p. 12), including:

- A Shaming/Ritual of Sakh for South Asian Women in New York that ultimately seeks to reintegrate those who abuse women back into the community;
- The Breaking the Silence Project of Raksha, an initiative that not only works directly with violent men—whose own lives have been brutalized by racism and colonization—but attempts to shift intervention responses to community and social networks in homes and community spaces;
- The Pacific Islander Men’s Program by Sharon Spencer in Oahu, Hawai'i, which works directly with violent men—whose own lives have been brutalized by racism and colonization—in order to reframe positive cultural values they have lost.

Though the initiatives vary, each is designed to be culturally relevant for the communities it serves.

Additionally, in 2005, INCITE! Women of Color Against Violence, issued a groundbreaking report entitled Gender Oppression—Abuse—Violence: Community Accountability within the People of Color Progressive Movement (see Resources on page 12). Combining important information with practical suggestions for putting community accountability principles into action, this report underscores the necessity of developing community-based responses that do not rely on the criminal legal system and which have mechanisms that ensure safety and accountability for survivors of domestic and sexual violence.

Hate violence sometimes erupts in a complicated context of economic, demographic, cultural, and social conditions that encourage scapegoating and deployment of fears.

Mitzed by one racial group against another. So-called ‘gang’ crimes in Los Angeles, for example, are sometimes charged as hate crimes, if they involve young people of different racial/ethnic groups, especially Latinos and African Americans.

Moreover, many members of LGBT communities will not seek law-enforcement assistance when they experience homophobic or transphobic violence for fear of disclosure of their sexual orientation or gender identity. Similar disincentives to hate crimes include immigration status, language and cultural barriers, participation in informal or criminalized economic activity (such as sex work), or simply the perception that police forces, who historically have prosecuted queer communities, are not likely to care and may even respond with violence of their own.

Harshest sentencing includes built-in racial and class biases

The emphasis on penalty enhancements and other approaches that rely on the criminal legal system ignores the ways in which racial and class bias permeate every aspect of that system, from arrest to sentencing.

It also sidesteps the issue of widespread violence and abuses of human rights of queers, people of color, women, people with mental disabilities, and others by law-enforcement officers and prison personnel. Violence that mirrors anti-LGBT, racist, and misogynist violence outside prison walls.

Such approaches also fail to recognize how “get tough” policies disportionately affect state and federal budgets will diverting resources away from programs and initiatives that address the root causes of crime, poverty, and inequality. Queer people of color and others whose constituencies are profoundly affected by “get tough” policies have repeatedly raised these concerns, only to have them largely disregarded by the mainstream LGBT movement.

An emphasis on retribution narrows and distorts our vision of justice.

In many respects, relying on criminal legal “solutions” encourages us to equate safety for victims of violence with increased policing, greater use of incarceration, and harsher sentencing.

This is an ineffective, dangerous, and self-defeating understanding of safety. It is, of course, far easier to imagine that the threat of imprisonment can solve complex social and economic problems—intimate violence, violence directed at particular communities, drug addiction, poverty and homelessness, and more—than to actually confront those problems.

Harder sentencing policies and the expansion of categories of crime have failed entirely to produce more resources to use at the community level for the hard work of intervening in perpetuating, and ultimately preventing violence against queer and other targeted communities. In fact, it is clear that over time, the channeling of increasing amounts of public funding into policing and prisons has significantly decreased the public funding available to address human needs of many kinds.

Finally, reliance on criminal legal approaches reinforces the idea that people should be held accountable only to the state, not to the communities in which we live and where the violence took place. This emphasis largely ignores the role of communities in promoting, permitting, and experiencing violence targeted against particular groups. It fails to call communities to the pro-active creation of just social, economic, political, cultural, and spiritual relationships. Neither does it hold institutions and civic or religious leaders accountable for the community climate they help to create, for which community leaders might encourage or discourage violence.

Within this narrow framework, individuals may play the role of advocate, victim, or perpetrator, but there is no shared community responsibility—a notion that is not only disempowering, but dangerous as well. After all, the state itself is often a perpetrator of violence against queers, people of color, indigenous peoples, poor people, women, people with mental illness, and other communities suffering systemic discrimination. (For more information, see Resources, p. 12.)

Toward a New Vision of Community Engagement

How can we reconceptualize the role communities might play in reducing many interrelated forms of violence, holding the individuals and institutions who perpetrate or facilitate violence accountable for their actions? We are not talking here about a new form of “vigilante justice,” but of responsible, constructive forms of community engagement that strengthens a practical societal commitment towards creating peace and rights for all people.

We are talking about community action that interrupts cycles of violence, not acts of vengeance that only compound them.

It may seem an impossible tall order, but we can draw inspiration from, learn from, adapt, and build on innovative work that is under way in a number of communities. Several key themes for community engagement are summarized in the paragraphs that follow:

Truth-Telling

The concept of “truth commissions” is useful for imagining how to publicly name and confront not only the violence endured by particular communities, but also the underlying social and economic conditions that help produce this violence.

First used in Uganda in 1974, the truth and reconciliation model has been used in various places throughout the world as one—not the only—means of addressing the massive violence of apartheid, war crimes, ethnic cleansing, genocide, paramilitary death squads, and the like. This approach is based on the belief that it is not possible for entire societies to move into a just and peaceful future without confronting and reconciling with the wounds of the past. Following violent conflicts, those who inflicted suffering and those who suffered must find new ways of living together. The suffering and violence is too massive, and too many people have been implicated in it, to imagine that it can be punished away or simply forgiven.

In general, truth and reconciliation processes seek to:

- Uncover all relevant facts and issues related to the violence, and any social and economic conditions that helped to produce it;
- Expose lies and myths about what took place;
- Permit victims, witnesses, and perpetrators to tell their stories publicly without fear that they will jeopardize their own safety by telling the truth of what happened as they experienced it;
- Provide opportunities for public mourning and healing;
- Recognize that ultimate reconciliation cannot take place without practical action directed toward transforming unjust power relationships.

Can truth commissions really address the complex and shifting nature of anti-LGBT violence in our communities? That depends, in part, on the integrity with which they are implemented and supported. This approach is based on the belief that it is not possible for entire societies to move into a just and peaceful future without confronting and reconciling with the wounds of the past. Following violent conflicts, those who inflicted suffering and those who suffered must find new ways of living together. The suffering and violence is too massive, and too many people have been implicated in it, to imagine that it can be punished away or simply forgiven.

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Can truth commissions really address the complex and shifting nature of anti-LGBT violence in our communities? That depends, in part, on the integrity with which they are implemented and supported.

LGBT advocacy groups often call for community dialogue in the wake of anti-LGBT violence, hoping to strengthen public understanding of the impacts of the violence and civic efforts to ensure that such violence never happens again. Such dialogues may well have value for some, perhaps for many. A word of caution is in order, however, as informal and informal forums also can also produce unintended harm if not conducted within a framework that explicitly acknowledges the unique as well as obvious ways in which race, ethnicity, class, and other factors are always embedded in the discourses and in the community’s systemic power relations.

Where might we be if government accountability did not aim its efforts at criminal legal punishment, but instead centered responsibility for basic needs and human dignity, and affirmed the human rights of all?

Mimi Kim, In Safety & Justice for All
These [structural] manifestations of violence exist because communities filled with ordinary people—who themselves want to live in safety, free from violence and intimidation—accept them.

For example, community forums were held after several instances of violence directed against lesbians in the Slope area of Brooklyn, New York. Many white, middle-class LGBT people called for increased police presence, insisting that this was what was most needed to create safety. Many residents of color, including LGBT people of color, already feeling harassed and persecuted by law-enforcement officials in their own neighborhoods, reacted to this demand with anger and dismay. The results: more division in the community and no increased safety for anyone.

The challenge is to create community-based processes that do more than simply illuminate “the facts” of the violence and ascribe the motive to “hatred” based on irrational prejudice. We must help equip communities with tools for understanding and addressing the complex interrelationships of hate violence, intimate violence, institutional violence, poverty, and other forms of oppression. We need organizing tools that help us address the underlying social and economic conditions that create fertile ground for the production of violence directed against queers and other targeted groups.

When these deeper issues are not addressed in meaningful ways, they continue to produce division, resentment, oppression, and injustice in communities over long periods of time. ASEC recognizes that no truth-telling process can produce perfect justice. However, we do believe that accountability can come in many forms, which need not be synonymous with increasingly harsh punishment in a violent criminal legal system. From this point of view, we have commissions, carefully structured and implemented with integrity, can be one significant step toward creating new forms of community accountability.

Community accountability.

The concept of community accountability reframes our understanding of who is ultimately responsible for ending violence, asserting that those who have harmed others to survivors and the larger community, not merely to the state. It also permits communities to hold public and private institutions accountable for systemic forms of racial, gender, and economic violence that may be present in institutional policies and practices.

Communities and institutions accountable for systemic forms of racial, gender, and economic violence that may be present in institutional policies and practices.

The two concepts are different: It is not the same as a judicial system where evidence is presented and verdicts are reached. Community accountability is not about blame or guilt; it is not about retribution, revenge, or justice. It should be nonretributive and nonvindicatory. Accountability means acknowledging responsibility and taking appropriate action if accountability mechanisms are violated.

What are the points at which we might be able to intervene in acts of anti-LGBT violence? How can we ensure that intervention does not or escalate the violence we seek to interrupt? How can we secure the safety of those who are targeted for anti-LGBT violence? How can we provide for their needs, some of which may be long-term?

How do we ensure the safety of those who intervene in or confront acts of violence?

How do we hold those who threaten or assault LGBT people accountable for their actions without relying solely on the criminal legal system?

What do we ultimately want to happen to those who have harassed, intimidated, or committed acts of violence against LGBT people? What would we need to do to create accountability practices that emphasize reparations to survivors, changed behaviors, and the possibility of reintegration back into communities more constructive and nonviolent terms?

How do we monitor these forms of accountability and take appropriate action if accountability mechanisms are violated?

How do we address the many intersections of anti-LGBT violence, racism, misogyny, poverty, and state violence?

How do we hold our communities and our own organizations accountable for systemic forms of racial, gender, and economic violence that may be present in institutional policies and practices?

How do we broaden the base of support for community accountability initiatives in our own communities, whether geographic and identity-based?

Meaningful Alternatives to Incarceration

Sooner or later, most people convicted of bias-motivated offenses to constructively, nonviolently reintegrate into community life. In this way, we will truly interrupt cycles of violence.

The government may not be willing to fully affirm the human and civil rights of queer people, but it is sometimes willing to add sexual orientation and gender identity into the hate crimes mix so long as this approach does not fundamentally challenge existing patterns of racial, gender, and economic domination.

Alternatives to Incarceration

Few alternative sentencing models exist for people convicted of bias-motivated crimes. Where they do, they usually involve a combination of education about the impacts of intolerance and community service designed to help make reparations for harm caused by the offense. But at least one organization, the TGI (Transgender/Gender Variant) Interface Justice Project (TGJP) is thinking more deeply about the effectiveness of alternatives to incarceration in general.

While its work clearly does not focus on bias-motivated violence, TGJP recognizes that poverty and histories of extreme physical, sexual, and emotional abuse actually funnel many people into the prison system, where the same patterns of brutality are repeated, TGJP seeks to reduce the number of transgenders, gender variant, and intersex people who are incarcerated by diverting them out of the system early. This involves assisting TGI people in the San Francisco Bay Area who are awaiting sentencing to petition their judges asking for diversion from or prison into plans that will connect them with essential health, social, and economic services that address the underlying conditions that helped to channel so many TGI people into the system in the first place.

It has long been known that poverty, lack of a good education, lack of good-paying jobs, and other forms of social and economic disenfranchisement funnel many people into the criminal legal system.

Any serious attempt to reduce and prevent crimes of violence and other offenses must tackle these issues.

Anecdotal evidence suggests that many people who commit anti-LGBT offenses also have long histories of poverty and abuse. While such histories can never justify anti-LGBT violence, they may well be contributing factors for some who displace rage and resentment about conditions in their own lives onto a scapegoated group. It is important to recognize that effective work with people who threaten, intimidate, or harm LGBT people must address the broader context of violence and injustice.

Such approaches should hold those who threaten, intimidate, or harm people accountable for their actions and responsible for appropriate reparations. At the same time, we must find ways to encourage transformation of violent behaviors and attitudes, and help strengthen the ability of people who have committed offenses to constructively, nonviolently reintegrate into community life. In this way, we will truly interrupt cycles of violence.
most, people who harass, threaten, intimidate, vandalize, or assault people of color, queers, and other targeted groups are young men in their teens and twenties from working class or poor back-grounds. Many appear to have personal histories of poverty and abuse. Most are white.

We do not have reliable national research data that tells us the outcomes of sentencing of offenders convicted of offenses categorized as hate violence. It is clear, however, that throughout the criminal legal system, people of color are far more likely than white people convicted of the same offense to receive harsher sentences. There is no reason to believe that this racial disparity disappears with regard to the application of penalty enhancements for those convicted of hate crimes.

Few of those charged with anti-LGBT violence are organized with hate groups. In fact, the most striking thing about those who threaten and direct violence against LGBT people is that they are so ordinary. Do we want to reclaim these lives, or are we determined to throw them away?

If the only option is a longer sentence in prisons or jails, what lessons will people convicted of anti-LGBT or other kinds of bias offenses have learned—given that prisons and jails are in themselves efficient factories of brutality, racism, misogyny, homophobia, and other forms of abuse? Most prisoners are incarcerated without meaningful access to educational or rehabilitative programs. Do we honestly think that people who have been brutalized within jails and prisons—most of whom have already known the systemic violence of poverty, racism, misogyny, and the like—will ultimately return to communities with a new commitment to tolerance and nonviolence?

The reasons for reconsidering the effectiveness of harsher penal-ties for breaking cycles of violence are compelling. Many LGBT activists say privately that they realize that our movement should begin to work with offenders in order to help break the cycle of vio-lence. Nonetheless, it is difficult to know where or how to start. Part of the difficulty comes from the sense of obligation we feel to those whose lives have been lost to anti-LGBT violence, and the rage and fear so many of us feel in the face of this violence. The horrific murders of Gwen Araujo, Brandon Teena, Sakia Gunn, Fred Martinez, Matthew Shepard, Billy Jack Gaither, Rebecca Wright, and others cast a long shadow over our strategic choices. To many, it seems like a betrayal to suggest that harsher penalties aren’t the way to go. Many of us think of those who commit acts of anti-LGBT violence as brutal, unredeemable ‘monsters’ who are scarred human at all and deserve anything they get.

If our goal is to reduce and ultimately eliminate LGBT violence, however, we must be willing to address the structures that produce it and work constructively with those who have committed anti-LGBT offenses. Harsher penalties and measures that expand the criminal legal system won’t do the job.

Community Leadership Development

The deepest and most lasting change comes from organizing that is designed and implemented by those who are most affected by violence—in this case, not only by anti-LGBT violence, but also by every structural form of violence. As a method of community engagement, a growing number of LGBT groups, particularly those led by people of color, trans people, youth, and low-income queers, are giving particular emphasis to grassroots leadership development among those queer constituencies that have traditionally been marginalized in the larger LGBT movement. The purpose is to strengthen the ability of these communities to identify their own needs, frame issues in relevant ways, and organize to confront the violence and injustice they experience.

The TGI (Transgender/Gender Variant/Intersex) Justice Project, whose mission is to challenge and end the human rights abuses committed against transgender, gender variant/genderqueer and inter-sex (TGI) people in California prisons and beyond, supports projects that expand the leadership capacity of TGI communities, especially among TGI prisoners and former prisoners.

AFSC’s Seattle-based GLBTQ Youth Program offers paid youth internships that focus on leadership development and empowerment. Modest stipends make it possible for low-income and homeless youth, many of whom are trans people and people of color who would typically be excluded from movement decision-making, to participate and exercise leadership in work that challenges and seeks to transform injustice.

In Hawai’i, the AFSC-facilitated Rainbow Revolu-tionaries, a multicultural group for LGBT youth and their allies, emphasizes youth networking, lead-ership development, skill-building, community organizing, and bridge building across issues and constituencies. Work for LGBT rights and recogni-tion is also linked to work for Kanaka Maoli (indigenous Hawaiian) sovereignty and human rights and to organizing for demilitarization and decolonization.

In New York City, FIERCE! (Fabulous Indepen-dent Educated Radicals for Community Empower-ment), emphasizes youth empowerment and lead-ership development. FIERCE! has a community-based organizing project for transgender, lesbian, gay, bisexual, two spirit, queer, and questioning youth of color, which works to take on ‘the institutions that perpetuate transphobia, homophobia, racism, eth-nic conflict, gender bias, economic injustice, ageism, and the spread of HIV, STIDs, and other mental and physical health crises that make daily survival a terrifying challenge’ for its own constituency.

Reconceptualizing the Role of Government

In many ways, the LGBT movement has accepted the current terms of the criminal legal approach to justice. The government may not be willing to fully affirm the human and civil rights of queer people, but it is sometimes willing to add sexual orientation and gender identity into the hate crimes mix, at least as long as this ‘add and stir’ approach does not fundamentally challenge existing patterns of racial, gender, and eco-nomic domination.

While this doesn’t produce safety and justice for queer communities, it does dovetail nearly with the increasing shift of public funding from human needs to prisons and policing, both domestic and global. It is time to question the terms of the debate about the best ways to create safety and justice for all. It is time for the larger LGBT movement to join with other progres-sive movements to insist upon a new set of federal and state policy and budget priorities—and a new vision of justice.

Toward an Interdependent Vision of Justice

We can begin to create a new, interdependent vision of justice by asking some small, but important, steps.

Examine, through engaged discussion across fault lines of race, national origin, gender, sexuality, and class, what terms such as safety and justice actually mean to different communities with different histories and experiences. As we listen closely to one another, taking critical examination of the multiple, interrelated impacts of the ways we frame issues and make strategic choices about responding to anti-LGBT violence, we will begin to perceive the world in a much more interde-pendent way.

Learn more about the racial and class biases that per-vade the U.S. criminal legal system and the massive abuses of human rights within this nation’s jails and prisons. Learn about the impacts of a rapidly-expand-ing, for-profit, private prison industry. Think about what an emphasis on immortality enhancements for bias crimes means within a 30-year context of ‘get tough on crime’ policy. Learn what those 30 years have produced, especially for people of color (immigrants and U.S. born), poor people, women, youth, and people with mental illness. (A companion AFSC issue brief, Corrupting Justice, offers an accessible introduction to these issues; see Resources on p. 12.)

Learn about the innovative anti-violence work already underway that prioritizes survivor safety and self-deter-mination while emphasizing community engagement, community accountability, truth-telling, and the like. Think about how it could be adapted or adapted to the communities in which we live and find meaning. Think about how we might build on these ideas over time.

Start talking to others about what we are learning, even when it seems uncomfortable to do so, or others respond with denial, harsh criticism, or ridicule. Remember that discomfort in such a situa-tion actually means that the situation is full of life, because there is something new with which to engage.
LGBTQ Groups Addressing Police and Criminal Legal System Violence
Audra Lande Project Working Group on Police Violence (http://www.ljd.org)
Fierlax! (Transgender Truth & the Prison Industrial Complex)
http://www.fierlax.org/trp/!
National Center for Lesbian Rights (Fierlax! Rights of Transgender Persons Group Working Paper)
Syria_Rivane_Law_Project (Rights of Transgender and Transsexual Prisoners, Criminal Justice Issue page)
TJJ_Protection_Joint_Initiative (Challenging human rights abuses committed against transgender, gender
varietypersons and intersex (TGI) people in California prisons and beyond)
http://www.tgijp.org
Trix/ Gender_Variant_in_Prison_Committee (A California Prison Forum Committee)
http://www.prison.org TFTPrison
Queers for Economic Justice (Criminal Justice Resources in GL/Library)
http://www.pase.org/economicsjustice
Queer_to_the_Left (Honi Death Penalty Organizing)
http://www.pawliblib.org/delaydeath/index.html
Restorative Justice
Please note that there are many different kinds of programs and initiatives gathered under the umbrella concept of restorative justice, which seeks to offer practical alternatives to retributive justice. There are also many different kinds of websites offering information on restorative justice, affiliated with governments, universities, private organizations, and particular constituencies. Only a few are listed here.
AFSC encourages readers to carefully evaluate these, and all other restorative justice sites and initiatives in light of their aims and limitations, and with regard to the following questions:
• Do particular restorative justice practices or programs constructively transform or do they replicate patterns of racial, cultural, and economic domination? Are members of poor communities and communities of color full partners in defining the meaning of restorative justice and in shaping and implementing the practice? Is there indigenous community leadership?
• Do particular practices and programs address underlying social and economic conditions that contribute to violence, harm, and injustice?
• How are those programs accountable to the communities they seek to serve?
• Have restorative justice elements been grafted onto an existing, retributive justice model or co-opted by the state? What role does the state play in funding and implementing particular restorative justice initiatives and programs? What ways does this influence the program?
Challenges for Equity-Driven Restorative Justice (CERJ)
An email consortium operated by John Wilkening, a member of the Religious Society of Friends (Quakers). A global, plain text, email-based coalition and consortium for those with a serious theoretical and/or activist-oriented interest in peace, conflict resolution, radical nonviolent social justice, and social reform.

This collection of articles identifies significant challenges to the legitimacy and effectiveness of restorative justice models throughout the world. This critical self-examination by prominent, long-term advocates and practitioners of restorative justice highlights the dangers of misunderstanding or distorting these models, and the unintended harmful consequences that may accompany reform, including being relegated primarily to “reform” criminals or offenders, finding negligible impact on larger systems of injustice, and failing to focus on the possibility of cultural or gender biases, or alleged failure to address underlying social problems that breed conflict and violence.
http://www.crimeweb.org/posts/ CRIJ.html
http://www.usask.ca/english/publications/ jafkh/cjwh.html
http://www.greensborotrc.org
Restorative Justice Practices of Native Americans, First Nations and Other Indigenous Peoples, by Laura Myrskyl
http://www.rajustice.org/library/ natjust1.html
Truth Commissions & Truth-Telling Processes
The resources listed here provide a sampling of different kinds of truth-telling processes in which violence involves not only the intestine hatred felt for particular groups, but also the complicity of many public/private institutions, as well as if that of many ordinary people who consider themselves to be acting in the name of morality and justice.
AFSC Special Galleries on AFSC Work in the Prince Edward County Virginia School Closing Issues
http://webarchive.afsc.org/archives/princeed/ closingissues071.html
http://www.greensborotrc.org

AMERICAN FRIENDS SERVICE COMMITTEE
The American Friends Service Committee (AFSC) is an internationally recognized Quaker organization whose work for peace, social justice, and humanitarian service is carried forward by women and men of all faiths. The Service Committee, in its historic role of meeting needs stalked by World Wars I and II, won the Nobel Peace Prize in 1947 along with the British Friends Service Council, in behalf of all Quakers; for peace building and humanitarian service, AFSC’s quick reaction to the internment of Japanese Americans at the beginning of World War II helped educate, advocate, and relocate thousands of American citizens who were unjustly targeted, arrested, and imprisoned because of race. In 1969, at the request of an aide of Dr. Martin Luther King, Jr., AFSC published its first complete edition of Dr. King’s historic Letter from a Birmingham Jail, addressed to a group of white clergy who opposed his nonviolent civil rights campaign. Throughout the years, AFSC has worked for human rights of many including Buddhists, Jews, Muslims, and transgender people, challenging both the violence of individuals and the violence of the state.