

Experience of Criminal Justice System Abuses by Gender

Most civil rights reformers have yet to recognize one half the justice system problem, i.e., that systematic denial of enforcement is every bit as oppressive and dangerous to women as is over-aggressive enforcement to men.

[en espanol](#)

| Justice System Abuses Experienced Most Commonly by Males | Justice System Abuses Experienced Most Commonly by Females |
|---|---|
| <p>Police Brutality</p> <p>Over-aggressive and Authoritarian Attitudes</p> <p>Illegal Searches and Seizures</p> <p>Planting and Falsifying Evidence</p> <p>Malicious Selective Prosecution (e.g., racial profiling, biased gang classifications, etc.)</p> <p>Overcharging Cases</p> <p>Withholding Exculpatory Evidence, Soborning Perjury</p> <p>Cruel and Unusual Punishment</p> | <p>Police Refusals to Enforce</p> <p>Dismissive attitudes, Mocking Indifference, and Disregard</p> <p>Incomplete, Shoddy, or Denied Investigations</p> <p>Refusals to Collect Evidence and Witness Statements</p> <p>Malicious Selective Non-Prosecution (e.g., systematic failures to prosecute gender based violence)</p> <p>Undercharging Cases</p> <p>Withholding Probative Evidence, Dissuading Witnesses</p> <p>Give-away Plea Bargaining, Dismissals, and Impunity</p> |

Points to Ponder

* Women come to the criminal justice system most frequently and most urgently, not as suspects, but as victims of violence against women. In order to obtain justice and protection, women need law enforcement to act.

** Laws protecting people from justice system abuses aim almost entirely at the abuses experienced primarily by males. Many of these laws are enshrined in the U.S. Constitution Bill of Rights and other human rights documents. In stark contrast, when it comes to the justice system abuses experienced most commonly by females, U.S. Supreme Court cases, most recently *Castlerock v. Gonzales* (2005), have denied any right to protection and, in fact, solidified law enforcement's rights to do nothing at all, thus abandoning women without remedy when law enforcement refuses to act.

[Does Law Enforcement Have a Duty to Victims of Violence Against Women?](#)

~ [An Overview of 8 Key Legal Cases](#) ~

*** In order to end violence against women, we need to end the impunity.

In order to end the impunity, law enforcement must be obligated to act.

In order to obligate law enforcement to act, civil rights reformers need to respond to women's needs in the justice system as well as to men's, and help create legal remedies for when law enforcement fails to act.

[Women's Justice Center/Centro de Justicia para Mujeres](#)