

The Carceral Creep: Gender-Based Violence, Race, and the Expansion of the Punitive State, 1973–1983

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ABSTRACT

The development of the feminist anti-domestic violence movement in the United States illustrates the trajectory from a social movement field devoid of carceral involvement to one fully occupied by the agents of crime control. Countering a narrative that often begins with the Violence against Women Act of 1994, this study demonstrates how the roots of carceral feminism extend back to the movement's first decade from 1973 to 1983. This study analyzes data from 60 social movement leaders. The pluralist coalition resulting from a successful lawsuit against the Oakland Police Department, the creation of the victim witness program in San Francisco, and the development of the Community Coordinated Response in Duluth, Minnesota, represent mechanisms of engagement with law enforcement tied to innovative organizational forms. The process called the “carceral creep” describes how early social movement successes against an initially unresponsive criminal justice system evolved into collaborative relationships that altered the autonomy and constitution of initial social movement organizations. The creation of new organizational forms and their replication contributed to today's carceral feminism. These developments were accompanied by persisting gender, race, and class tropes used to justify pro-criminalization strategies and obfuscate impacts on marginalized communities.

KEYWORDS: social movements; domestic violence; intersectionality; carceral state; carceral feminism.

The unprecedented growth in rates of U.S. incarceration since the early 1970s has prompted widespread reevaluation of public investments in crime control. Beyond the alarming statistics, the scope of carceral activities has expanded beyond the confines of the criminal justice system, permeating ever-widening aspects of social, political, and economic life (Garland 2001; Simon 2007; Wacquant 2009). Implicated in carceral expansion has been the contemporary feminist social movement,

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particularly those movement strands that challenge gender-based violence including sexual assault, domestic violence, and, more recently, stalking and sex trafficking. Successful demands for criminalization of gender-based violence, enhanced penalties, and policies such as mandatory arrest are among the systemic changes that have earned this movement accolades for its record of social movement success and critiques by those concerned about its contributions to the expanding punitive state.

Building on theories of the “third governmental sector” and carceral annexation of civil society (Garland 2001), social scientists have begun to provide empirical evidence of the ways in which criminal justice institutions cooperatively or coercively incorporate sectors of civil society into carceral activities. Research largely focused on *third party policing*, referring to police recruitment of non-state actors into the functions of crime control, has contributed to a heightened understanding of the coercive mechanisms driving carceral expansion into civil society (Desmond 2016; Lara-Millán 2014; Mazerolle and Ransley 2005). However, the theoretical underpinnings and empirical examples rest upon the assumption of recruitment initiated by the state. Less is known about the dynamics of carceral expansion when initial demands are generated from civil society.

The emergence of what is now known as “carceral feminism” (Bernstein 2005), has advanced another set of considerations for carceral expansion associated with a social movement known both for its emancipatory origins and its embrace of tough-on-crime strategies. Social movement scholarship offers more general insights into the dynamics of elite-driven demobilization and cooptation of progressive social movements by more conservative state and non-state agendas (McCarthy and Zald 1977; Piven and Cloward 1977; Strolovich 2007). However, the specific carceral turn of feminist social movements demands closer examination of its alignment with the punitive arm of the state during a time of an extraordinary deployment of crime control functions into the sphere of civil society (Garland 2001).

The pro-criminalization success of social movements challenging gender-based violence first led feminist legal scholars to turn attention to the paradox of an emancipatory social movement’s close ties to the state’s most masculinist, repressive arm (Coker 1999; Mills 1999). The rapid growth of the carceral state and salience of feminist social movements championing pro-criminalization strategies led to further theoretical insights and empirical investigations under a broader scope of criminological inquiry. Examining the context of external factors that shaped the U.S. economic, social, political, and economic context over the past four decades, crime policy researchers demonstrate how the advance of neoliberalism hastened the erosion of emancipatory feminist aims. The encroachment of individualized models of service delivery, weakened welfare priorities, and heightened attention to crime in public discourse and policy shaped the carceral direction of feminist social movements (Bumiller 2008; Gottschalk 2006; Simon 2007). While recognition of deep race and class disparities inherent in pro-criminalization strategies may have impeded investment in crime control, the suppression of these differences under a gender essentialist framework facilitated the continued adherence to carceral strategies as a central feature of feminist anti-violence movements (Goodmark 2013; Richie 2012; Durazo, Bierria, and Kim 2011).

This article examines the formative years of the anti-domestic violence movement from 1973 to 1983, a time of transition from the virtual absence of carceral participation in the social movement field¹ to the onset of what is now a strong and persisting collaborative relationship. By looking at the period when carceral strategies were first developed, this study answers two fundamental questions. First, how and why did initial anti-domestic violence movement leaders, some of whom emerged from radical racial justice movements, pursue strategies tied to enhanced policing? Second, how did early social movement success in demanding criminal justice protections to battered victims transform into the eventual subordination of the movement to its law enforcement targets?

1 Reference to the social movement as a field incorporates the contributions of institutional sociology that recognizes social movements as areas of social life where collective and individual actors strategically vie for power (Armstrong 2002; Edelman, Leachman, and McAdam 2010).

The dynamic I call the *carceral creep* describes the processes and mechanisms that explain these two paradoxes. First, it unveils the relationship between the feminist emancipatory social movement and the masculinist arm of the state as one driven by the pursuit and delusion of feminist control, one that embraced oppositional political strategies but in service to the encroaching politics of mass incarceration. Second, it reveals the process through which impressive social movement success can lead to effects that undermine the goals of movement actors and institutions to the greater aims of the movement's prior targets, eventually subordinating them. As I will show, emerging gender, race, and class tropes provided justifications that served to promote pro-criminalization strategies and obfuscate its detrimental impacts on marginalized communities. Hence, this is not an account of feminist concessions to carceral pressures. Rather, it offers empirical evidence of a social movement's active role in the recruitment of carceral forces into civil society and the creation of innovative organizational forms that would become key features of the punitive state.

SOCIAL MOVEMENTS AND CARCERAL EXPANSION

The dramatic reconfiguration of the U.S. state over the past four decades has generated a body of criminological scholarship centered on the unprecedented magnitude of carceral expansion. Research on the salient role of civil society mobilization draws upon David Garland's (2001:170) identification of a "new crime control establishment" or "third 'governmental' sector" that describes the increasing deployment of civil society into the activities and institutions of crime control as central to the modern punitive state. Growing research, largely focused on *third party policing*, provides empirical evidence of how civil society actors, such as parents (Mazerolle and Ransley 2005), landlords (Desmond 2016), and hospitals (Lara-Millán 2014) have been recruited into the functions of surveillance and punishment. These studies emphasize the coercive dynamics of carceral recruitment and demonstrate the process of annexing non-state actors as crime control functions become institutionalized into everyday practices.

The study of feminist social movements provides a contrasting account of the mobilization of civil society into carceral activities. Identifying feminist anti-violence movements as "one of the clearest cases where a [social] movement has turned to criminalization as a primary tool of social justice" (Simon 2007:180), a growing body of criminological research has interrogated the development of pro-criminalization feminist forces, examining their relationship to the broader carceral terrain. This focus on the relationship of feminist social movements to the overarching development of the punitive state brings together research from theoretical traditions of critical criminology, social movements, and critical race studies.

Theories of social movements provide insights into the overarching tendencies for social movement cooptation by more conservative state and non-state entities. Classic social movement accounts attribute the demobilization of social movements to standard processes of institutional bureaucratization accompanying the maturation of successful social movements into "social movement industries" (McCarthy and Zald 1977). More critical of these concessions, social movement scholars such as Piven and Cloward (1977) and Strolovich (2007) explain the persistent failures of initially radical social movements to maintain progressive aims by illuminating the dynamics of elite social movement leadership and the alignment of goals and strategies to those that guarantee ties to state legitimacy and resources.

The prominent role of feminist social movements in the promotion of carceral expansion gained broader attention as scholars examined the causes and consequences of carceral expansion into civil society. The accumulation of legislation criminalizing gender-based violence including enhanced criminal penalties and mandatory arrest offered ample evidence of feminist carceral contributions. Feminist legal theorists began to critique anti-violence movements for policies promoting strengthened policing, over-investment in victim-centered frameworks, and the abandonment of broader economic and political considerations (Coker 1999; Mills 1999).

Criminological scholars embedded these critiques into a broader theoretical examination of carceral expansion and the more ubiquitous turn towards neoliberal policies. Pressures to conform to professionalized, individualized models of service delivery joined by crime control as a punitive response to economic and social problems contributed to the erosion of more progressive elements once central to grassroots feminist social movements² (Bumiller 2008; Goodmark 2013). Marie Gottschalk (2006) further emphasized the role of the weak U.S. welfare state that limited redistributive options for feminist social movements, leaving once progressive movements more vulnerable to the enticements of carceral resources and access to legitimization accompanying the adoption of pro-criminalization strategies. The reconfiguration of governance around crime control and the elevation of the crime victim as a central actor in the U.S. polity secured the alignment of victim-centered social movements with the interests of carceral expansion (Gottschalk 2006; Simon 2007).

The dynamics of gender, race, and class play a central role in the examination of the development of feminist anti-violence movements as they do in the broader criminological context. Kimberlé Crenshaw's (1991) landmark critique of the neglectful and detrimental impacts of feminist anti-violence policies on racially marginalized communities paved the way for a body of criminological analyses based on an intersectional framework. Studies attentive to the categories of gender, race, and class reveal that early feminist leaders capitulated marginalized interests to a single-issue orientation based upon gender alone; thus, they conceded a once radical social movement aware of the race and class perils of enhanced policing to the embrace of pro-carceral policies (Goodmark 2013; Richie 2012; Durazo et al. 2011; Strolovich 2007). Posed as a counter to prevailing notions of the disproportionate criminality of people of color, gender essentialist frameworks adopted by the anti-violence movement valorized white female victimization while neglecting the consequences of criminalization on targeted and marginalized racial communities (Goodmark 2013; Richie 2012). Gender essentialism masked the dramatically unequal impact of pro-criminalization policies on targeted communities, thereby leaving the tough-on-crime framework underlying carceral feminism remarkably resistant to critical evaluation.

This historical investigation of the anti-domestic violence movement's formative years is significant in its retelling of an important social movement account of carceral collaboration. In what follows, findings reveal how feminist demands for law enforcement response and the pursuit of collaboration result in paradoxical and perilous outcomes easily obscured by the luster of success. The study also provides broader insights into the annexation of civil society into the carceral sphere, suggesting civil society's constitutive role in the construction of the carceral state, beyond merely passive concessions to the machinations of law enforcement. These lessons are not only important in our understanding of social movements and their role in carceral expansion but also serve as a cautionary tale for progressive social movements facing off against today's punitive state. As legal theorists Brown and Halley (2002) warn, rights-based success can paradoxically transform social movement victors into unwitting agents of the state. With these forms of contentious politics, "once you win, you *are* the state" (p. 10).

CARCERAL CREEP

I use the term *carceral creep* to suggest the incremental and often imperceptible advance of carceral forces that led to the eventual domination of crime control within a feminist social movement field that was once almost devoid of its presence. As this study illustrates, the process (see Table 1), as it advanced through stages of *contestation*, *collaboration*, *hybridization*, *replication*, *occupation*, and *subordination*, was not imposed by a carceral leviathan. Rather, this progressive social movement employed a variety of protest tactics and strategies to demand law enforcement protections and punishments in

2 The dynamics of demobilization and cooptation are central to debates regarding conservative trends within feminist social movements. See Frazier (2013) for her analysis of neoliberalism's effects on feminist movements, critical to larger scholarship on feminism but not specific to debates on carceral feminism.

Table 1. The Carceral Creep

<i>Mechanism</i>	<i>Brief Description</i>	<i>Relationship of Social Movement/Civil Society to Carceral State</i>
Contestation	Initial form of contentious engagement between social movement actors/institutions and those of law enforcement (informal demands; protests; one-on-one relationships with “friendly” police)	No ties (or informal, localized ties)
Collaboration	Social movement demand for new organizational forms join domestic violence advocates with law enforcement; resulting in formalized collaborative relationships	Emerging collaborative ties (within new organizational forms); feminist forces retain subversive forms of control
Hybridization	As collaborative ties become institutionalized within new organizational forms, boundaries between civil society and law enforcement blur	Collaborative ties strengthen; distinctions between civil society and carceral state blur (hybridize)
Replication	Organizational forms are replicated across localities; mechanisms to maintain subversive feminist control are not part of replicated models	Feminist civil society autonomy and control erodes as hybridized forms replicate
Occupation	As hybridized organizational forms replicate, the social movement field is increasingly occupied by hybridized forms controlled by law enforcement actors and organizations	Feminist civil society power and presence diminishes; carceral power and presence escalates
Subordination	Social movement field is dominated by law enforcement agenda, aims, actors and institutions	Feminist civil society in a position of subordination to the carceral state

the face of police unresponsiveness. Strategies of engagement recruited law enforcement (through a continuum of coercion, invitation, and subterfuge) into anti-domestic violence activities they had previously refused. Rather than following a conventional linear social movement narrative of successful demands leading to desired policy outcomes, this process was marked by political dilemmas and contradictory consequences. The outcomes that characterize the carceral creep are not only the result of pro-criminalization strategies in the midst of an unprecedented build-up of carceral force, but also the outcome of strategies that ultimately failed to recognize the powers of the state and the perils of its punitive arm.

The anti-domestic violence movement began with familiar strategies of *contestation*, defining the contentious activities that social movements often engage vis-à-vis state or other targets that employ tactics and strategies well documented in social movement scholarship (McAdam [1982] 1999; Tarrow 1998). The emerging anti-domestic violence social movement made informal demands for police to protect victims of relationship violence and forged localized collaborative relationships with “friendly” officers and prosecutors.

This study reveals how early initiatives to more strategically engage law enforcement took the form of organizational innovations aimed expressly at establishing lasting *collaborative* ties between domestic violence advocates and local state institutions of crime control. Early leaders, cognizant of the subversive nature of initial contacts with movement targets, grounded their success in reliance on

concealing covert feminist goals and strategies under the overt guise of a collaborative organizational structure. The three organizational forms featured in this study—pluralist coalitions, victim witness programs, and the Coordinated Community Response—were each deployed by feminist movement leaders to initiate collaborative relationships between domestic violence advocates and law enforcement. Each also relied upon specific subversive strategies to maintain feminist control over these new relationships with the state.

Over time, ongoing and sustained collaboration diffused boundaries between the formerly autonomous spaces of civil society and the carceral state, resulting in a *hybridization* of these two spheres. Hybridization weakened the autonomy and integrity of the social movement, enhancing its vulnerabilities to the domination of the criminal justice system. The cumulative impact of hybridized organizational spaces multiplied with the rapid *replication* of organizational innovations. Amenable to an expanding agenda of crime control, these strategies were reproduced in forms that aligned with carceral aims while suppressing or omitting the subversive feminist goals and mechanisms upon which they had originally relied. Replication also multiplied the institutional presence of law enforcement into a social movement field once almost exclusively made up of civil society actors and institutions, leading to the increasing *occupation* of the developing social movement field by carceral entities.

As a result, the carceral creep served to consolidate a diverse and complementary set of hybridized spaces that constituted a constructive force behind new forms of criminal justice actors and institutions. Through a process that began with successful claims-making, a once subversive feminist social movement succumbed to eventual *subordination* to the criminal justice system, through the development and diffusion of organizational forms that it had helped to create. The success of the anti-violence social movement eventually led to its unintended opposite, that is, the submission of the social movement in its feminist civil society form to the domination of a masculinist punitive state.

METHODS AND DATA

This historical case study (George and Bennett 2005) is based on archival data and 60 semi-structured interviews with key anti-domestic violence social movement leaders, legislative actors, and law enforcement personnel active in or closely familiar with the pursuit of criminalization strategies during the formative period of the contemporary movement. Selection of initial informants was based upon insider knowledge of key social movement leaders and references in the literature. Subsequent informant recruitment followed from initial interviews and archival data pointing to other influential social movement actors. Interview data was supplemented by and contrasted with archival materials related to the anti-domestic violence social movement or criminal legal policy during the formative period. This includes documentation on litigation, legislation and other policy-making regarding crime control policy related to domestic violence, anti-violence social movement ephemera, and media.

THREE STRATEGIES OF CARCERAL ENGAGEMENT AND COLLABORATION

Historical Context

A latecomer in the contemporary women's movement, the U.S. anti-domestic violence movement or the "battered women's movement" began in 1973 with the emergence of crisis lines focusing on domestic violence, followed by the opening of the first specific domestic violence shelter in St. Paul, Minnesota, the following year. The nascent anti-domestic violence movement faced a criminal justice system that largely refused to recognize domestic violence as a crime. Within a decade, dramatic policy changes swept the country. By 1984, 49 states and the District of Columbia had enacted some form of legislation to provide legal remedies for domestic violence (Zorza 1992).

While police responsiveness to domestic violence was a concern for early social movement activists, it was only one arena in an emergent field grappling with larger questions of gender inequality and the radical reexamination of private versus public spheres. The formative period of the feminist anti-domestic violence throughout the 1970s was also characterized by battles over whether or not to

Table 2. Three Feminist Anti-Domestic Violence Strategies to Engage the Carceral State

<i>Feminist Anti-Domestic Violence (DV) Strategy</i>			
	<i>Lawsuit against Oakland Police Department</i>	<i>San Francisco Victim Witness</i>	<i>Community Coordinated Response Duluth, MN</i>
Mechanism for Criminal Justice Engagement	Litigation - Legal Aid lawsuit against OPD based on failure to protect battered women	Embeddedness - Embed pro-victim advocates <i>inside</i> prosecutor's office	Coordination - Link advocates and law enforcement in coordinated structures and activities
Resulting Organizational Form	Pluralist Coalition - Coalition of social movement actors and law enforcement form to enforce terms of comprehensive settlement decree	Victim Witness - Victim witness office established within prosecutor's offices for support of DV victims and promotion of successful prosecution	Community Coordinated Response joins DV advocates and law enforcement in structure facilitating common meetings, agenda, goals and activities
Initial Form of Feminist Control	Strong Facilitation - Feminist facilitation of coalition meetings to pressure compliance with terms won through successful litigation	Infiltration - Covert feminist agenda served by infiltrating prosecutor's office; facilitated by "good cop" role vis-à-vis more adversarial outside feminist group	Oversight - Covert feminist control maintained through a feminist lead umbrella organization managing the overarching collaborative structure
Gender/Race/ Class Trope	Everywoman - Championed the "everywoman" argument, i.e., "every woman can be a victim" regardless of race and class; gender is sole category of discrimination in Equal Protection Cause claim	Over-representation in the Criminal Justice System - "Poor people use systems for help" - focus on victims, not perpetrators - provides gender, race and class justification for enhancing law enforcement responsiveness	Disproportionate Incarceration of Men of Color - Concerns over overrepresentation of Native American male perpetrators (underrepresentation of white males) justifies turn to mandatory arrest policies to boost arrest of white men

pursue strategies and resources specifically tied to law enforcement, primarily available at the federal level³ (Schechter 1982). The anti-rape movement that pre-dated the battered women's movement

3 The preponderance of federal funds available for domestic violence programs was funneled through the Law Enforcement Assistance Administration (LEAA), a branch of the Department of Justice established under Nixon. Under Carter, a \$3 million initiative emerged in the late 1970s to support non-profit organizations in the joint project of improving law enforcement responses to victims of gender-based violence (Tierney 1982). By 1980, the final year of the LEAA, grants to battered women's programs amounted to \$5 million. Despite widespread opposition to LEAA involvement, at least 10% of domestic violence programs accepted LEAA funding (Gottschalk 2006).

cautioned against facile ties with the state, generally, and law enforcement, in particular (Bevacqua 2000; Schechter 1982; Thuma 2015; Whittier 2018). Beginning with crisis lines and local battered women's shelters emerging in the mid-1970s, many early relationships with law enforcement stemmed from efforts to address safety for individual battered women or for the protection of shelter personnel rather than representing a more overt political strategy.

Social movement entrepreneurs in California and Minnesota were among the first to seek more systematic strategies to mobilize law enforcement responses beyond goodwill efforts at the level of individual actors. By 1980, three successful social movement strategies gaining law enforcement participation in the protection of battered women emerged within these two states, resulting in important and enduring organizational forms: pluralist coalitions, victim witness programs, and the Community Coordinated Response (see Table 2).

Litigating Police Protection for Battered Women: Oakland's Scott v. Hart

Among the initial significant challenges to law enforcement was the first major lawsuit citing failure to protect battered women. In November 1976, four women attorneys at Oakland's Legal Aid Office filed the nation's first significant domestic violence lawsuit, *Scott v. Hart*, against the City of Oakland and local police for failure to protect battered women. Litigation was then a familiar mechanism for contesting the state, buoyed by civil rights successes and legal aid organizations and led by young, energetic attorneys eager to create new opportunities to push for high impact litigation (Sarat and Scheingold 2006).

Eva Jefferson Paterson, an African-American attorney, and Pauline Gee, an Asian-American attorney, were two recently graduated lawyers, part of a new cohort of women attorneys in a field still strongly dominated by white men. Both women worked together at Legal Aid of Alameda County on East 88th Street in the heart of East Oakland, an impoverished section of the city. Almost all of the clients at the 88th Street office were African-American. And many were battered women, although the problem of battering had not yet risen to the level of public recognition. The situation in Oakland was similar to that in many other parts of the country. Police called to intervene in domestic violence did little to stop the violence. Oakland Police were guided by an explicit "avoid arrest" policy in matters of family violence, a policy aimed at avoiding undue embarrassment of perpetrators of violence or fracturing a yet intact family. Official police references to the tender dynamics of gender and family psychology would soon become public record.

Battered women who wanted to take action were sent by the police to the offices of Legal Aid to handle what the police considered a civil matter. At that time, protective orders were granted only to married women who wanted a divorce. Those who were unmarried or uninterested in divorce had no civil recourse and were thus shuttled back to the Oakland Police by Legal Aid to handle violence as a criminal matter. After all, assault and battery were on the books as a crime. The Oakland police, however, still considered assault and battery among intimates as a civil matter. A copy of the Oakland Police protocol on family violence stating the same was used as evidence in the lawsuit.

The Legal Aid office participated in this legal Catch-22 for a number of years, pausing to take more serious notice only when an office administrator, a future plaintiff in the lawsuit, showed up to work in sunglasses, covering up injuries that she eventually revealed were perpetrated by her husband, a man the attorneys never suspected would strike his wife. The employee explained to office attorneys what domestic violence and the unresponsive public and legal system meant to her as a battered African-American woman. Her situation encouraged the attorneys to contest both the Oakland Police and the City of Oakland; the latter defendant was added as a strategy to force city funds towards the building of a battered women's shelter.

Over the next year, the lawyers gathered three other plaintiffs and sued as a "class of married and unmarried women in Oakland, California," women who received inadequate or no protection from the police (Gee 1983:556). The primary argument was based on the Equal Protection Clause of the

Fourteenth Amendment and the Civil Rights Act of 1871. The issue of race was dropped from the case even though all plaintiffs were African American women.

Support for a lawsuit increasing police powers, however, proved to be problematic for these civil rights attorneys. Gee, a former student at Berkeley, had witnessed the police tear gassing student protesters and considered herself a radical proponent of racial justice. As Gee explained:

Part of our problem with suing the police department to enforce more arrests was we recognized that it would have an adverse effect in terms of who are the men that are going to be arrested, low-income Black men. We were concerned about the civil rights aspects of the batterer, partly because in the 70s, this is the days of the Black Panther, a lot of police brutality, a lot of already hostile feelings between the police department and the Black community. And originally we both saw it as more of a racial issue because the victims that were coming in our office were primarily Black women, and so we thought maybe the police had a racist attitude towards low-income African-American victims and that that was the reason that they weren't enforcing the arrest or enforcing the law essentially.

The news of the lawsuit also brought greater public attention to Legal Aid. Callers to Legal Aid offices were no longer just from low-income, African-American neighborhoods. Paterson described her impressions of this as the “perfect case” to pursue her dream to “litigate under the 14th Amendment under the Equal Protection Clause and to sue people who were discriminating against black people.” However, the issue of race turned out to be vexed, as white women from the affluent Oakland Hills began to call with similar complaints of inadequate police response. Paterson and Gee began to formulate a legal and political argument focusing on gender discrimination rather than one based on race and gender. The switch from a race/class/gender analysis to one based on gender alone also facilitated the use of the Equal Protection Clause, one that would respond more easily to a single category of discrimination than to the real world complexities of intersectional identities. The “everywoman” argument insisting that “every woman can be a victim” of gender-based violence regardless of race, class, or other categories would remain a fixture of the movement over the next four decades (Richie 2012).

In November 1979, the suit was settled with a comprehensive settlement decree. It prohibited the “arrest avoidance” policy that informed police practice regarding domestic violence and mandated the Oakland police treat domestic assaults as they would any other crime. The decree also dictated that the police department document domestic violence calls and arrest statistics and establish a monitoring team to review compliance. Additionally, according to what Gee saw as the “holistic” goals of the suit beyond the scope of policing, the City of Oakland agreed to fund the first shelter in the San Francisco East Bay. While the comprehensive settlement decree mandated these policy changes, the attorneys also understood the precarity of implementation. Assurance of success depended upon maintaining a strong arm of feminism in an ongoing struggle with a recalcitrant criminal justice system.

Soon after the negotiation of the comprehensive settlement consent decree, Gee organized a pluralist coalition to ensure that the gains of the decree would be sustained in Oakland's Alameda County, while Paterson lent her skills and leveraging power to activities across the bay in San Francisco. Gee set up the Alameda County Coalition against Domestic Violence, bringing together representatives from the police department, the District Attorney's office, the Public Defender's office, shelter staff, and other community members. For the next eight years, Gee staffed the Coalition, crafting Oakland Police Department domestic violence protocol and conducting weekly police trainings. She was also appointed to California's Police Officer's Standards and Training Commission (POST) where she contributed to the development of statewide domestic violence training protocol. The policies developed locally in Oakland and expanded through POST trainings provided a precedent leading to the 1983 passage of SB 1472 that created and enforced statewide police trainings.

Embedding Advocacy within the State: The San Francisco Victim Witness Program

In San Francisco, social movement leaders leveraged the successes of litigious action across the bay in Oakland and sought further gains by establishing the first model victim witness program in 1980.⁴ While victim witness programs highlighting victim-targeted advocacy within prosecutorial offices were also emerging in other arenas of criminal prosecution, they were still relatively unknown by 1980 with no other model for domestic violence cases.

The Family Violence Project in San Francisco was founded in 1979 by local feminists already savvy in governmental politics through leadership in such institutions as California's Department of Substance Abuse and the local Commission on the Status of Women. From the beginning, the Project had its eye on large-scale systems change. Unlike shelters or legal advocacy programs that dominated the social movement field especially in the 1970s and early 1980s, the Family Violence Project was not committed to serving a local client base of women seeking safety through shelter or civil legal actions. Rather, it was organized to provide flexible advocacy or policy functions that could serve a broader movement mission. The program immediately situated itself within the criminal justice system, responsive to women victims of domestic violence or "victim-witnesses," in the parlance of criminal prosecution.

The Family Violence Project was the nation's first publicly visible program to experiment with a victim witness model specifically addressing domestic violence as a crime. Its founders successfully vied for new LEAA funding open to domestic violence, aware of incendiary social movement critiques but eager to take advantage of its opportunities. Despite ambivalence, at least among some of the new staff recruited for the Family Violence Project, the orientation towards systems change work and the salience of the criminal justice system as a new institutional target motivated them not only to "take on" the system but to situate themselves within its very walls. Sue Martin, the project's coordinator recalled, "I was mixed if I wanted to work within the institutions because it was clearly going to be an *inside* the institutions job because it was part of the District Attorney's Office." But she was also enthusiastic about the prospects of a program that could "basically [change] the way the justice system was responding to domestic violence."

While the Family Violence Project had no model to guide them, they moved forward with a sense of confidence and a community of Bay Area feminists who were not new to the arena of police reform. Eva Jefferson Paterson across the bay in Oakland had successfully taken on the Oakland Police Department in the *Scott v. Hart* lawsuit. Del Martin, a long-time San Francisco lesbian activist who had written an influential book on domestic violence, *Battered Women* (1976), had been involved in San Francisco police reforms stemming back to days of widespread and public police brutality against the gay and lesbian community. Mimi Silbert, a celebrated leader who was involved in local re-entry programs for formerly incarcerated people, also lent her access to and knowledge of the San Francisco police. Together, they formed the core of an emerging San Francisco-based feminist advocacy group that named themselves the Coalition for Justice for Battered Women.

The formation of a victim witness program for battered women and the establishment of the Family Violence Project within the physical space of the Hall of Justice, which housed the District Attorney's Office, required a strategy that could guide and justify a potentially troubling project. Project staff informally conceptualized the arrangement in terms of "infiltration," a contentious positioning which covered the pursuit of feminist control of this state institution under the mask of collaboration. As Sue Martin recalled:

It was like this little activist hub within the government, within a government agency. It was more like we felt we were *infiltrating*. That was totally our view. We totally saw ourselves as community organizers at that point. There wasn't a model for it, but that was a way for us to

4 Santa Barbara was the actual home to the first domestic violence-related victim witness program, but it was established as a local program, never recognized as a national model.

figure out how to influence the DA's office. Our goal was to change the system, so we figured we had to be seen as part of the system. So we were . . . inside the system and then we kept organizing to create the domestic violence consortium, the Coalition for Justice for Battered Women . . . [as the] outside pressure on the police department.

Successful infiltration required finesse and subterfuge on the part of victim witness staff. Martin, who directed the victim witness program, quietly observed police trainings and operations, gaining knowledge of the internal culture of the Police Department, a task that the Family Violence Project focused on for six months in preparation for what they believed to be deeper work towards systems change. She quickly learned the social cues that could disarm an otherwise distrustful or hostile law enforcement officer. Martin eventually became an inside "good cop," offering to law enforcement her wisdom on how to respond to the more unruly and menacing feminist adversary as embodied in the Coalition for Justice for Battered Women. The Family Violence Project worked inside, while Paterson and the Coalition for Justice for Battered Women pressured from the outside, threatening to sue law enforcement if they did not comply. The success of the lawsuit against the Oakland Police Department created a viable threat.

Learning from the inside of law enforcement contributed to a strategy that at least overtly aligned with the culture of law enforcement. For one, the Family Violence Project came to hold the conviction that promoting "domestic violence as a crime" would serve the goals of systems change. This would also link an internal strategy that would resonate with law enforcement with the rising external or public pre-occupation with crime. As Martin explained:

We felt that if domestic violence was seen as a crime that then it would be seen as a serious issue, socially. So the reason for going the criminal justice route wasn't necessarily because we wanted to see guys in prison. It was much more that we wanted the social attitude to change and if it started being seen as a crime, the social attitude would change; public attitude would change.

Although Family Violence Project staff were aware of the racial implications of heightened arrest strategies, they also recognized that poor women and women of color were disproportionately represented within this system; they thereby argued that the responsible position would be to direct their energies towards the criminal justice system, one that victims of violence were encountering whether they liked it or not, and one that poor women and women of color were disproportionately exposed to, regardless of one's political analysis of that situation. As founding Executive Director Esta Soler recounted:

From an organizer's point of view, it's a lot easier to meet people where they're at than to try to create alternative institutions, which we also need to do. But we very much understood that for every one person who was calling a shelter, thousands more people were going to call the police department. . . . Poor people call systems for help, and we know that.

The success of the insider strategy relied on the forging of a personal alliance between Project staff and law enforcement. Close contact between Project leadership and certain key law enforcement officials occurred first under the cover of an infiltration strategy, but eventually through authentic bonds of trust and camaraderie, lending more immediate access and legitimacy to the Family Violence Project within a previously inhospitable criminal justice terrain. A relationship that started as contestation quickly moved to a more authentic collaboration and the softening of the initial oppositional stance of domestic violence advocates vis-à-vis law enforcement.

The new victim witness office embedded within the prosecutor's office provided immediate victim-centered support for a group that was still comprised almost exclusively of battered

women. This included emotional support, education on the criminal process, ongoing advocacy with criminal cases, community referrals, and access to victim compensation. Prosecutors, now collaborators within the victim witness program, were more likely to pursue prosecution of domestic violence, with rates of successful prosecution enhanced both by the willingness to prosecute cases and the cooperation of victims supported by the services of the victim witness program.

Beyond the introduction of a pilot victim witness program, the Family Violence Project also published national protocols guiding prosecution of domestic violence misdemeanors and felonies. A report published in 1982 titled “Domestic Violence Felony Prosecution Protocol” was followed three years later by one on misdemeanor prosecution. While Oakland’s litigation strategies strengthened local police arrest protocols, San Francisco’s victim witness program produced guidelines for criminal prosecution meant for a national audience.

Meanwhile, legal advocates were inspired by the successful lawsuit and others who were active participants in the newly formed state-wide California Alliance Against Domestic Violence (CAADV), a consortium of three regional alliances which worked together to move forward statewide legislation, build upon local successes, and further enhance domestic violence-related crime control measures. California advocates, with strong leadership by staff of the Family Violence Project, worked together not only to demand SB 1472 but to write the legislation, using local protocol written with police as a template for the statewide bill. While members of the Women of Color Caucus, as part of CAADV, raised questions regarding the disproportionate racial effects of pro-arrest policies on communities of color, the police training did not immediately elicit these concerns.⁵

The bill moved from introduction to passage in six short months. In 1983, SB 1472 was the nation’s first bill mandating police training on domestic violence. What followed was a closer knitting together of advocates who would from then on be involved in police trainings throughout the state and the eventual creation of special police units dedicated to domestic violence. The local success of Oakland became the template for a statewide model of advocate and police collaboration, increasing the engagement and attention of domestic violence advocates to the activities of policing, and producing and reproducing relationships once adversarial to increasingly collaborative.

Formalizing Advocate-Law Enforcement Ties: Duluth’s Community Coordinated Response

Minnesota was known as the home of the first shelter explicitly created for victims of domestic violence. Women’s Advocates in St. Paul opened its doors to battered women in 1974 following a pattern of crisis calls from women desperately seeking safety from violent partners. However, Minnesota is better known as the home of the internationally celebrated Duluth Model and its Community Coordinated Response.

Like the social movement leaders initiating the Family Violence Project, Ellen Pence, the founder of the Duluth Model, was already familiar with governmental programs. She was a young lesbian feminist rabble rouser, using her position within the Model Cities program to fight for affordable housing for poor women of color and to initiate an internal feminist newsletter written in shorthand so only the women administrative staff could read its contents.

Joining in the anti-domestic violence movement that had an early start in Minnesota’s Twin Cities, Pence was interested in piloting a model program, one that would emulate the successes of the civil rights movement and “take on patriarchy” one system at a time. The achievements of the civil rights movement paved the way for a rights-based frame that demanded equal protection from the state as a starting point for Pence’s project.

5 When California later introduced a “mandatory arrest” bill, the Women of Color Caucus, for the first time, unified against the enhancement of further penalties, writing a position statement opposing “mandatory arrest” and supporting an “encourage arrest” option, which passed.

We wanted to do just an institutional change project. We were going to start with the criminal justice system and then go to the schools. Two years in the criminal justice system; two years in education. It was going to be ten years. There was lots of talk about “psych” system and giving people a lot of drugs. We wanted to deal with that. Medical institutions. Faith communities. Those were the ones we talked about. The reason why we focused in on the criminal justice system was not because it was the biggest one to do, but because it was the *easiest*. One of the reasons is that they were public agencies so you had a way to confront them. Who’s the agency to go to in terms of medical institutions, faith communities? There wasn’t a vehicle for confrontation—especially with the history of the confrontation of the law. The civil rights movement was a model for confrontation of the law. And the women’s movement followed that strategy, saying that the system of protection should protect us, too.

Pence won a state-wide grant opportunity not for services, but explicitly for coordinated systems change. Seeking out a city with a solidly established battered women’s shelter program that would not be opposed to the introduction of a new project and a criminal justice system with some level of openness to collaboration, she placed the project in the northern city of Duluth that had already established cooperative relationships between the local shelter and law enforcement. The city had also been jolted by a recent case in which a domestic violence victim killed her husband in a lurid yet publicly sympathetic situation of self-defense. Shaken city advocates and law enforcement officials were ready to welcome Pence’s proposed innovation.

The Community Coordinated Response was a casually written title for a document describing their project and approach, but the title stuck. The Community Coordinated Response, or what more familiarly became known as the CCR, rested on a deliberate, integrated and, most importantly, advocate-led coordination between local advocates and law enforcement, all focused on one broad goal, safety for women victims of domestic violence. It combined a service delivery model including shelter, support groups, and a soon to be internationally recognized batterer intervention program coordinated with law enforcement response, from policing to prosecution and probation.

Structurally, the Community Coordinated Response retained feminist social movement leadership by creating an autonomous organization called the Domestic Abuse Intervention Project (DAIP) that took on an explicit management function beyond that of domestic violence advocates in the shelter program. As Pence understood that domestic violence advocates alone were unlikely to sustain the upper hand in power negotiations with law enforcement, she created another organizational structure focused on coordination and integration of systems change centered on the experiences and needs of battered women. This original Community Coordinated Response employed a subversive form of feminist oversight through the establishment of the umbrella organization, DAIP, as a central coordinating body with the potential to trump the usual advantages of state control.

In 1981, one year after the establishment of the project, the Community Coordinated Response initiated concrete domestic violence policy change by implementing one of the first mandatory arrest policies in the country. The insistence that law enforcement take the crime of domestic violence seriously had a strong racial justification. Although Duluth, at that time, was over 90 percent white, Native Americans made up five percent of the local population and constituted an important, if marginalized, community within northern Minnesota. Discretionary arrests for domestic violence-related offenses were said to disproportionately fall upon Native American men. Mandatory arrest, advocates argued, would greatly reduce the level of disproportionality, not reducing Native American arrests, but increasing the arrests of white men. Indeed, arrest records following the institutionalization of the mandatory arrest policy resulted in a dramatic increase in overall arrests for domestic violence. Notably, the arrests of whites rose from only 11 percent of total arrests for domestic violence to 80 percent within the first year ([Paymar and Barnes 2007](#)).

The success of the policy was based largely on the close relationships possible within a small, concentrated local community and the fine tuning of coordination within the confined parameters of the

city's advocacy community and the institutions of law enforcement. Although mandatory arrest had been attempted in only one state-level setting at that time, passing in Oregon in 1979, Pence saw the backlash of police response in Oregon as evidence of careless social movement actions. She argued that relationships nurtured within Duluth's Community Coordinated Response were meant to ensure that such policies would be monitored jointly by law enforcement and the advocacy community, rather than seen as an alien feminist imposition to be resisted at all cost. In fact, Minnesota passed a state level bill to *encourage* arrest, not to mandate it, leaving such strong measures to local jurisdictions. Control by feminist advocates, a fundamental component of the Community Coordinated Response, would be held covertly within the frame of feminist oversight or central coordination of an overtly collaborative institutional form.

FROM LOCAL INNOVATION TO NATIONAL REPLICATION: THE DECLINE OF FEMINIST CONTROL

Autonomy to Hybridization: The Joining of Civil Society and the Carceral State

The success of each of these strategies generated a sequence of pro-criminalization policies based upon and strengthening the collaborative relationship of feminist social movement with that of law enforcement. In order to guarantee the enforcement of the comprehensive settlement decree, one of the litigating attorneys became a primary trainer of the Oakland Police and elevated her position to California's POST Commission. Growing influence led to the 1983 passage of SB 1472, which mandated statewide police trainings and served as a model for other states. The advocates at San Francisco's victim witness program forged their pilot program and then promoted it as a national model for misdemeanor and felony criminal prosecution of domestic violence. Proponents of the Community Coordinated Response joined with local law enforcement to implement a mandatory arrest policy that inspired similar policies nationally.

These close collaborative relationships prodded police and prosecutors toward renewed roles as pro-victim advocates; but they also transformed feminist social movement actors into active agents of the carceral state. As the advocate-law enforcement divide blurred, so did the boundaries between civil society and criminal justice system contained within these new organizational forms. The hybridization of the local pluralist coalition, victim witness program, and Community Coordinated Response set the stage for a broad diffusion of diverse institutions that held in common what had once been distinct identities, roles, and aims across the divide of civil society and the punitive state.

They Weren't "Sisters": Replication and the Advance of Carceral Occupation

The success of each of these organizational innovations and their impressive policy outcomes spurred widespread public interest, particularly as the issue of domestic violence achieved greater legibility and the legislative appetite for pro-victim and pro-criminalization policies grew. This was occurring during a time of more inflamed concerns about crime, stoked by conservative political forces and affirmed by feminists who rallied behind the call for tough-on-crime measures. Feminist forces, their success now tied more tightly to the fortunes of carceral expansion, lost much of their original autonomy as well as critical discernment regarding the consequences of this new partnership. Skillfully crafted, remarkably effective, and aligned with the rapid forward movement of the policies of mass incarceration, each of these models found eager public audiences, keen on replication.

While not the first public interest litigation to address domestic violence, *Scott vs. Hart* prompted similar actions across the nation. The lawsuit served as a model for successful litigation, buttressed by a similar victory in New York City with *Bruno v. Codd* which was initiated only days after that in Oakland. The success of *Scott v. Hart* fueled feminist confidence in their ability to achieve systems change. It also sent law enforcement a clear message that protocols exempting domestic violence from public response faced formidable challenges, accompanied by significant political and financial consequences.

Gee, of Oakland's Legal Aid, led the newly formed pluralist coalition, the Alameda County Coalition against Domestic Violence, to secure the gains promised by the comprehensive settlement decree. While such a coalition was not unique in the wake of civil rights and women's rights wins, it represented the way in which the formative anti-domestic violence movement sought to muscle implementation through invitation and pressures to comply to a social movement agenda. It also demonstrated how, upon success, a fairly aggressive litigation strategy immediately invoked a softer collaborative organizational form in order to ensure that the winning terms would translate into lasting policy change.

The highly publicized victory of Oakland's *Scott vs. Hart* sent a political boost across the bay, fortifying the local conditions under which the San Francisco victim witness program was initiated. Envisioned as a national model from its onset, the program founders also took advantage of new LEAA domestic violence funding that resulted, in part, from federal research identifying lack of victim support as a key reason for failed prosecution (Cannavale 1976).

Family Violence Project's victim witness program legitimized close advocacy ties between civil society and law enforcement by embedding feminist social movement actors as partners within the physical and institutional boundaries of the criminal justice system. The subversive infiltration strategy of the Family Violence Project and the outside pressure from the Coalition for Justice for Battered Women, bolstered by the more overtly contentious success of *Scott vs. Hart*, served as an example of covert and multi-pronged organizing strategies. However, with replication, these subversive strategies were not disseminated.

Victim witness programs based upon San Francisco's pilot rapidly replicated across the country. Devoid of explicit mechanisms for feminist control and embedded within the institutional constraints of the criminal justice system, this model easily devolved into one vulnerable to the domination of law enforcement. As national domestic violence leader, Donna Medley, explained:

[T]he [criminal justice] money was there. However, the fact that victim witness was now becoming part of federal funding was pretty big because that was. . .soft money. There wasn't a gun in the whole funding package. This was like this softening of law enforcement which also seemed like a good thing. What happened. . .was that [there] was steady pressure to be coopted by the DA's. Over time, people who are in victim witness were the bottom of the totem pole, particularly in DA's offices, where it's very hierarchical and attorneys are gods. So victim witness was there to serve. And [the DA's] can hire the people into victim witness. . .And the ones that they hired, a lot of times they wanted to please the attorneys. You know. . . the civil servants. . .they're good law enforcement backers and they cared about these victims. But they weren't "sisters."

For the Community Coordinated Response, the success and the degree to which the project was known, the charisma of its proponents and rising public interest in the issue of domestic violence quickly garnered national media attention. The concept of the Community Coordinated Response, mandatory arrest and the model featuring such a strong criminal justice component disseminated nationally and globally with Duluth as its training hub. The "community" in the Community Coordinated Response became circumscribed to the joining of domestic violence agencies to law enforcement. The name offered a grassroots patina to the model while crowding out alternative formulations of community engagement.

Throughout regions adopting new policies to combat domestic violence, any semblance of success required that advocates turn their attention to law enforcement, emulating the Duluth Model, regardless of the local political context. The autonomous organization, DAIP, critical to the success of the Duluth example, was not identified as a necessary component of the overall Community Coordinated Response model, nor was the subversive nature of DAIP strategies.

Rather, a reduced version of that model, that is, domestic violence advocates in coordination with law enforcement and, to a lesser extent, other community partners, left those implementing the model vulnerable to the power imbalances inherent in any community partnership with the criminal justice system. Despite intentions to uphold feminist control vis-à-vis law enforcement, its replication legitimated and enhanced carceral powers.

Reflecting on the results of widespread dissemination of the Community Coordinated Response, Denise Gamache, an early proponent of the model, explained:

[The Community Coordinated Response] got . . . picked up and bastardized in different ways. [One person] picked [it] up and . . . promoted a prosecutor-led council. . . And [another]. . . got a huge grant to promote judge-led councils, which I think are useless It can really go wrong when you have basically devolved into a council that gets together under the judge . . . or people pick up the structure without picking up the priorities What are the priorities and the goal of this actual coordination? It's not just to quote "coordinate." How are you looking at how this is impacting victims How is it promoting some sort of offender accountability? What's the impact on children? What's the impact on marginalized communities? I mean there's all of these things that should be what the goals are about. And if it gets lost . . . you know, it's really the advocacy programs' roles to keep those front and center. And sometimes they're successful and sometimes they're not. And sometimes they're drowned out or squeezed out.

Absent the subversive feminist mechanisms of control that characterized the early innovations, replication set the stage for the rapid expansion of hybridized law enforcement entities into the developing social movement field. The occupation by organizations dominated by law enforcement and the carceral creep's eventual denouement, hastened by the galvanizing of the carceral state, eventually resulted in the subordination of feminist forces to the carceral actors and institutions that were initially of their making.

DISCUSSION AND CONCLUSION

This article contributes new findings and theoretical insights regarding feminist social movements and their relationship to carceral expansion. While the advance of neoliberalism hastened the erosion of emancipatory feminist origins, this study demonstrates that key social movement choices made earlier in the movement's formation set the conditions for a pro-criminalization strategy. Data from the anti-violence movement's first decade reveal how early feminist forces opened with conventional social movement strategies to counter police impunity. However, the entrepreneurial creation of new organizational forms figured significantly in the early anti-domestic violence movement. The three organizational forms discussed in this article employed different mechanisms of engagement, institutional arrangements between advocates and law enforcement, and subversive forms of feminist control. But their common aim was to create and maintain lasting collaborative relationships with law enforcement. Far from the familiar narrative of coercive carceral impositions into the sphere of civil society, this study illustrates how civil society also initiated demands for carceral expansion from a punitive state resistant to partnership.

Focused on the motivations and perceptions of early feminist leaders in their active pursuit of pro-criminalization policies, the study reveals how and why politically progressive activists chose a puzzling course. Through the use of oppositional strategies and the incorporation of organizational practices and structures that covertly offered feminist advantage, early movement leaders claimed a sense of control that obfuscated incremental losses over the next decades. Early leaders were politically progressive and astute; many identified with or were strongly influenced by radical racial justice ideologies. They were well aware of the race and class perils of enhanced policing and included women of

color in strong positions of leadership who wrestled with seeming contradictions. However, this study demonstrates how feminist endorsement of these strategies ultimately relied upon racial equity arguments to justify collaboration with law enforcement. Indeed, three different arguments motivated by considerations of race, gender, and class (see [Table 2](#)) enhanced rather than condemned the embrace of pro-criminalization strategies.

This study also explains the endurance of carceral feminism and the diminution of feminism's power despite the movement's apparent vigor. The developments that unfolded reveal the dynamics through which contestation and success against state targets can quickly transform today's laudatory victories into the conditions for tomorrow's less evident defeats. The process I call the *carceral creep* (see [Table 1](#)) demonstrates how each successful demand for criminalization enhanced the power of the criminal justice system through strategies that also changed the constitution of the social movement field. Each advance weakened feminist autonomy, diminishing its power and presence within a field increasingly occupied by hybrid institutions that have come to represent the hallmark of social movement success. The eventual construction of carceral feminism can be understood as an unwitting result of an emerging feminist leadership that believed (and may continue to believe) that it can maintain feminist control and a subversive agenda, even as the carceral creep has dominated and overtaken the movement.

The consequences of these social movement choices extend beyond the confines of carceral feminism. By inviting carceral actors into new hybrid organizational forms, these strategies contributed to the architecture undergirding the construction of the expanding punitive state. Collaborative strategies legitimizing the key role of the criminal justice system and their accompanying gender, race, and class justifications forged the foundations for enduring frames and strategic directions that bolstered public support for pro-criminalization legislation and muted feminist opposition to carceral expansion. This narrative continued for at least three decades, fixing the feminist gaze on the promise of carceral protections at the expense of more emancipatory movement directions.

Despite today's critique of carceral feminism, demands for crime legislation to curb violence targeting oppressed groups such as LGBTQ communities and religious minorities have readily adopted the pro-criminalization frame promoted by feminist anti-violence strategies ([Jenness and Grattet 2001](#); [Spade 2015](#)). Establishment of a Community Coordinated Response is now a familiar criterion for federal funding and has been implemented within jurisdictions in all 50 states and 13 countries abroad ([Gondolf 2010](#)). The most recent reauthorization of the Violence Against Women Act in 2013 again tied federal funding for new campus sexual violence programming to participation in a Community Coordinated Response.

Renewed attention to familiar yet persisting manifestations of gender inequality in the form of sexual harassment and assault are re-energizing public demands for both culture change and policy response. The compulsion for punitive responses tied to the carceral state remains. However, public recognition of the excesses of criminalization and growing awareness of the complicity of feminist movements have begun to shift the ground. As conventional anti-violence forums have begun to reflect on the consequences of decades of pro-criminalization strategies and legislation, policies reversing prior carceral mandates have begun to pass; new opportunities for innovative strategies are emerging. Talk of dismantling the ties between advocacy groups and law enforcement are now commonplace among conventional anti-violence providers alongside once suppressed critiques of the movement's pro-criminalization legacy. Options for radical alternative strategies, such as transformative justice and restorative justice, championed largely by women of color at the peripheries of the feminist anti-violence movement, have moved to the forefront. As the social movement's gaze averts from the carceral state, new emancipatory possibilities have been raised, some of which recast visions from the dawn of this contemporary movement.

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