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From Lynching to Central Park Karen: How White Women Weaponize White Womanhood

Megan Armstrong

INTRODUCTION

In recent years, we have seen an influx of “Karens” and otherwise nicknamed white women gain infamy on the internet. Though sometimes the behavior of these women is innocuous and merely entitled, the pejorative nickname “Karen” has also become a term for white women engaging in racist behavior.¹ A typical scenario involves a white woman calling the police on a Black person or Person of Color for doing something harmless, such as asking a dog walker to put her dog on a leash², or barbecuing.³ These women are recorded, and subsequently called out on the internet, sometimes even resulting in their being fired from their jobs.⁴ Cutesy nicknames such as “Permit Patty” and “BBQ Becky” have also been given to these women with the requisite hashtags trending on Twitter. There is even a Twitter account dedicated to calling them out: @KarensGoneWild.⁵ Black Entertainment Television (BET) has an online “Karen Hall of Fame” documenting the most famous examples of this behavior.⁶

1. *Karen*, DICTIONARY.COM, (last visited Aug. 3, 2020), <https://www.dictionary.com/e/slang/karen/> [<https://perma.cc/CVQ9-V3UH>].

2. Tamar Lapin, *Video of White Woman Calling Cops on Black Man in Central Park Draws Outrage*, N.Y. POST (May 25, 2020), <https://nypost.com/2020/05/25/video-of-white-woman-calling-cops-on-black-man-in-central-park-draws-outrage/> [<https://perma.cc/DM9R-K9NA>].

3. Christina Zhao, ‘BBQ Becky,’ *White Woman Who Called Cops on Black BBQ, 911 Audio Released: ‘I’m Really Scared! Come Quick!’*, NEWSWEEK (Sept. 4, 2018), <https://www.newsweek.com/bbq-becky-white-woman-who-called-cops-black-bbq-911-audio-released-im-really-1103057> [<https://perma.cc/VK26-75ZL>].

4. *On the Media: Boiling Point*, WNYC STUDIOS (May 29, 2020) (downloaded using Apple Podcasts) [<https://perma.cc/ZWZ2-V9VV>].

5. Karens Gone Wild (@KarensGoneWild), TWITTER (last visited Aug. 3, 2020), <https://twitter.com/karensGoneWild?lang=en> [<https://perma.cc/CG9J-EWVN>].

6. Alexis Reese, *The ‘Karen’ Hall of Fame: Airplane Passengers Applaud as ‘No-Mask Karen’ Kicked off Flight*, BET (July 24, 2020), <https://www.bet.com/news/national/2020/06/16/karens-out-of-control-gone-wild-white-women-police.html> [<https://perma.cc/YT9K-CZUQ>].

This paper argues that the common thread in the behavior of these women is the weaponization of their specific white womanhood, and that the recent viral fame of “Karen” behavior is a continuance of ways that white women have historically weaponized our white womanhood in a racist manner. I will discuss some ways in which white women do this. In particular: i) The use of tears as a weapon, ii) the use of the fact that white women are believed over Black people and People of Color, iii) exhibiting racist fear and iv) calling in what will likely be violence against a Black person or Person of Color. In order to understand any of these phenomena we must understand the history of white women’s racism in this country, which undergirds these racist behaviors. I will discuss this particular history of gendered racism and argue that it must be addressed. I will discuss the idea that white women act in these ways to make up for a lack of power on the gender axis. I theorize that the racist actions that we see in viral incidents are taken when the intersection of whiteness and womanhood come together as a racist weapon.

I will discuss potential legal solutions to the weaponization of white womanhood. For example, the role of states and cities to pass laws and ordinances that make racially motivated 911 calls a hate crime (laws that are already emerging across the country). I will argue that the highest value of these laws is to send a message, and to help change the cultural narrative around white women from harmless victims to potential racist aggressors. I will also highlight the importance of non-legal solutions, including white women taking collective responsibility for our racism and education, as well as temporary non-legal solutions such as social media storms and employers firing those who exhibit racist behavior.

It is worth mentioning here that the recent prevalence of “Karen” memes on the internet might be seen as misogynistic. It could be seen that to focus on white women, and not men, is sexist, especially in light of the fact that white men are certainly being racist too. My response is that yes, there does seem to have been a recent disproportionate focus on women. However, the behavior of white men is not being ignored. In one incident, the husband of Lisa Alexander, the “Karen” who challenged a man of color stenciling “Black Lives Matter” outside of his home, chimed in on the harassment himself and was subsequently fired from his job.⁷ Another recent incident in California gained huge online traction when a white man, Michael Lofthouse, hurled racist abuse at an Asian American family in a restaurant by telling them to “go back to whatever f***ing Asian country

7. Brian Niemietz, *Husband of San Francisco ‘Karen’ Loses Job After Video of the Couple Harassing a Black Lives Matter Advocate Goes Viral*, DAILY NEWS (June 15, 2020), <https://www.nydailynews.com/news/national/ny-racist-karen-husband-black-lives-robert-larkin-20200615-qyupw2b2ajdohl6zshw6qkk4n4-story.html> [<https://perma.cc/VG6S-K9FK>].

you came from.”⁸ He has since resigned from his CEO position after the wave of backlash.⁹ In another incident, a white man, William Beasley, blocked a Latino man from gaining entrance to an apartment building garage and apparently threatened to shoot.¹⁰ He has since been fired from his job after the video was publicized online.¹¹ Although there may be less internet attention on men exhibiting this behavior, it is not completely ignored.

Furthermore, we should not respond to the prevalence of “Karen” memes by simply demanding that men ought to be called out too. Of course they ought to be, but as white women we should take responsibility for our actions regardless. It is somewhat unhelpful to respond to the calling out of racism by playing the misogynyn “card.” Put simply, it can hardly be misogynistic to call out racism. White women must still work to tackle our particularized racism, regardless of whether the focus on women is disproportionate.

HOW WHITE WOMEN WEAPONIZE WHITE WOMANHOOD

The most publicized recent example of a white woman weaponizing her white womanhood is that of the “Central Park Karen,” whose real name is Amy Cooper, who called 911 on a Black man in Central Park.¹² This incident came at the very beginning of a resurgence of the Black Lives Matter movement this year that has since been called the largest movement in U.S. history.¹³ The incident has drawn a great deal of attention online and in the media, with the original video of the incident having now been shared 222,000 times on Twitter.¹⁴ Amy Cooper’s behavior provides an on-point case-study of how white women weaponize white womanhood.

8. Alejandro Serrano, *Racist, Anti-Asian Rant at Carmel Valley Restaurant Inspires Praise for Server Who Came to the Rescue*, S.F. CHRON. (July 7, 2020), <https://www.sfchronicle.com/crime/article/Racist-anti-Asian-rant-at-Carmel-Valley-15392235.php> [https://perma.cc/G4M7-6URJ].

9. Elliott Almond, *Carmel Valley: Tech CEO Resigns After Racist Tirade Against Asian-American Family*, THE MERCURY NEWS (July 12, 2020), <https://www.mercurynews.com/2020/07/12/carmel-valley-startup-ceo-resigns-after-his-racist-tirade-against-asian-american-family/> [https://perma.cc/PHE4-QHTP].

10. Dion Lim, *VIDEO: Man Fired After Blocking Latino Man From Entering His Own Apartment Building*, ABC7 NEWS (June 25, 2020), <https://abc7news.com/apex-systems-william-beasley-parking-garage-confrontation-sf-fight/6268595/> [https://perma.cc/V5YF-X6BW].

11. *Id.*

12. Lapin, *supra* note 2.

13. Larry Buchanan, *Black Lives Matter May Be the Largest Movement in US History*, N.Y. TIMES (July 3, 2020), <https://www.nytimes.com/interactive/2020/07/03/us/george-floyd-protests-crowd-size.html> [https://perma.cc/NA83-PE4E].

14. Melody Cooper (@melodyMcooper), TWITTER (May 25, 2020), https://twitter.com/melodyMcooper/status/1264965252866641920?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1264965252866641920%7Ctwgr%5E&ref_url=https%3A

The “Central Park Karen” incident began after Christian Cooper, who was birdwatching in the Ramble, Central Park, asked Amy Cooper to put her dog on a leash per the rules of the area.¹⁵ After some reported back-and-forth, Christian Cooper began filming.¹⁶ In the video, Amy Cooper says “I’m taking a picture and calling the cops, I’m going to tell them there’s an African American man threatening my life.”¹⁷ Upon calling 911, she says “I’m in the Ramble and an African American man with a bicycle helmet, he is recording me and threatening my dog. . . I’m being threatened by a man in the Ramble, please send the cops immediately.”¹⁸ These are clear lies, as we can see in the video that Christian Cooper is posing no threat to her life.¹⁹ In this incident, Amy Cooper demonstrates the use of i) tears as weapons, ii) white women knowing they will be believed, iii) racist white fear and iv) calling in violence. I will unpack the example of Amy Cooper to illustrate these different elements. After describing each element, I will explore the history of white women in the U.S., which will provide explanation and background in order to theorize and understand this behavior.

Tears as Weapons

One of the most obvious tactics Amy Cooper leverages in this example is her tears and hysteria when she is calling 911, practically screaming at them to send the cops immediately. Whether these tears are real or fake, they are being used by Amy to help her call in the police to the incident. This method of tears as a weapon is a very typical method used by white women. As outlined below, many of the documented incidents involving white women in recent years have involved the use of tears and using a particular feminine fragility to act in a racist manner towards the people they are targeting. This may be to garner sympathy from others, increase the likelihood of the police coming to their aid (thus increasing the likelihood of violence upon the targeted person), or to flip the narrative if it appears that the spotlight is upon them. In a podcast addressing the issue of white women’s behavior, Apryl Williams, who theorizes about digital media as it converges with issues concerning race and gender, describes this behavior, saying that when white women realize they are being recorded, and “when there’s a calling of account of that racism, tears are

<https://www.nytimes.com/2020/05/25/video-of-white-woman-calling-cops-on-black-man-in-central-park-draws-outrage> [https://perma.cc/22PF-ZXNT].

15. Lapin, *supra* note 2.

16. *Id.*

17. *Id.*

18. *Id.*

19. *Id.*

often used to draw attention away from the harm that they're causing, and turn the attention back on them as the innocent."²⁰

In one recent incident, a white woman (since dubbed "Police Station Polly") reportedly called a Black woman the N-word during an encounter, and was then filmed attempting to make a report at a police station against the woman she had just hurled abuse at for no apparent reason other than that she believed the police would take her side.²¹ In the video, she visibly and audibly paints herself as the victim and appears to cry.²² Appearing flustered, she says "I'm sorry. I'm sorry for the looting. I'm sorry for everything. What do you want from me?" and she later says "I can't take this anymore. I'm trying to move out."²³ This incident is an example of a white woman flipping the narrative away from her initial racist behavior, to paint herself as the one who needs help from the police.

In another example, a woman later dubbed "Road Rage Karen" broke down in hysterical tears after she allegedly cut off Karlos Dillard, a Black man, in traffic, flipped him off, called him the N-word, and tailed his car.²⁴ When she noticed Dillard was filming her, she attempted to flee, and Dillard followed her in order to confront her behavior, which he did non-threateningly.²⁵ In the confrontation, the woman began crying hysterically, saying that she supports the Black Lives Matter movement and has a Black husband.²⁶ The noise attracted a good deal of attention, with a white man even coming to her aid, seemingly assuming that she is in trouble.²⁷ Whether intentional or not, the woman's tears drew people to her aid, after she began as the aggressor in this incident.

One of the most infamous examples of a racist white woman is that of "BBQ Becky," a nickname given to a white woman who called the police on Black people barbecuing in a public area at Lake Merritt, Oakland.²⁸ In a video of the incident, Jennifer Schulte (BBQ Becky's real name) is confronted about her choice to call the police, and remains steadfast until she is connected with a dispatcher, at which point she weaponizes her tears,

20. *On the Media: Boiling Point*, *supra* note 4.

21. Greg Evans, *Woman Attempts to File a Police Report on a Black Woman That She Had Just Called the 'N-Word'*, INDY100 (June 12, 2020), <https://www.indy100.com/article/woman-south-holland-illinois-racism-viral-video-9562616> [<https://perma.cc/M97D-2MA2>].

22. Evans, *supra* note 21.

23. *Id.*

24. Bryan Rolli, *Video Shows 'Road Rage Karen' Screaming 'I Have a Black Husband' After Being Accused of Using N-Word (Updated)*, DAILY DOT (June 23, 2020), <https://www.dailydot.com/irl/road-rage-karen-black-husband/> [<https://perma.cc/X5A6-M2WR>].

25. *Id.*

26. *Id.*

27. *Id.*

28. Zhao, *supra* note 3.

sounding visibly panic stricken.²⁹ In released audio of the call, the dispatcher says, “what’s the panic over a barbecue? I don’t understand.”³⁰ In the video, we see Schulte repeating that she has been waiting two hours for the police, and it seems as though she hopes to hurry them along by crying.³¹ She says “I want the police to come,” and says “I need help here,” while crying, even though it is clear from the video that she is not in danger.³² When she eventually makes contact with a police officer, she cries so much that she can barely begin telling them what happened.³³ The use of tears here is to draw attention to herself as the victim, and to ensure that the Black people she is targeting are punished.

Prominent feminist writer, bell hooks, writes of her own experiences: “Often in situations where white feminists aggressively attacked individual black women, they saw themselves as the ones who were under attack, who were the victims.”³⁴ She also writes that white women tend to promote a false image of being “. . . powerless, passive victims and deflect attention away from their aggressiveness, their power (however limited in a white supremacist, male-dominated state), their willingness to dominate and control others.”³⁵ Clearly, white women’s use of tears is strategic in this way, drawing attention away from their racism.

White Women Know They Will Be Believed

An aspect of Amy Cooper’s behavior that is linked to the use of tears as weapons is the fact that she knows white women will be believed when they make an accusation. Amy uses her tears to increase the likelihood that she will be believed, but clearly knows that in a situation involving a white woman and a Black man, she will be believed as the victim. She specifies Christian Cooper’s race in such a manner that a racist subtext is implied, and it is obvious that she hopes that stereotypes about the victimhood of white women like herself, will compel the dispatcher to send the police.

This knowledge that Amy Cooper holds is linked back to the history of white women in this country being believed when making accusations against Black men. I discuss this history below.³⁶ Only through an understanding of this history can we clearly see how white women today

29. Michelle Dione Snider, *White Woman Called Out for Racially Targeting Black Men Having BBQ in Oakland*, YOUTUBE (Apr. 29, 2018), https://www.youtube.com/watch?v=Fh9D_PUe7QI&t=198s [<https://perma.cc/4SJY-4JBV>].

30. Zhao, *supra* note 3.

31. Snider, *supra* note 30.

32. *Id.*

33. *Id.*

34. BELL HOOKS, *FEMINIST THEORY: FROM MARGIN TO CENTER* 13 (1984).

35. *Id.* at 14.

36. *See infra* text accompanying notes 67-93.

know that they will be believed when calling the police on Black people and People of Color.

Racist White Fear

It is a well-known phenomenon that white people hold a racist fear of Black people and People of Color, often assuming them to be engaging in criminal behavior.³⁷ Amy Cooper aptly demonstrates this white fear when she claims that Christian Cooper is attacking her when he is clearly not. As I have discussed, she weaponizes her white tears in order to bring in the police, but it does seem as though she may hold a genuine (but racist) fear.

In recent years, many white women have demonstrated white racist fear and assumption of criminal behavior by making 911 calls against Black people and People of Color. These calls have been well documented in the media, and I highlight here some of the most well-known incidents.

In San Francisco, a white woman was recorded having an altercation with a man of Color, James Juanillo, while he stenciled “Black Lives Matter” outside of his own home.³⁸ The woman, Lisa Alexander, is filmed talking to the man in a condescending manner, claiming to know the owner of the property.³⁹ Her husband chimes in, telling the man that what he is doing is illegal.⁴⁰ An interesting aspect of this incident is that Juanillo actually invites Alexander to call the police (which she ended up doing),⁴¹ perhaps in reference to the fact that so many white women have been filmed calling the police on People of Color for doing harmless activities. In an interview with CBS, Juanillo says that his first instinct was to think: “Again? This? Again? And she decided to call men with guns, because of my chalk mark.”⁴² At the end of the original video, Juanillo points the camera back to his stenciling, saying “and this, people, is why Black Lives Matter,” clearly making the point that Alexander’s confrontation was racist, and directly linked to reasons why the Black Lives Matter movement exists in the first place; Black people and People of Color are assumed to be criminals, and are harmed on account of this. The incident inspired many viral “memes” of Lisa Alexander, many using a snapshot from the video of her face in a particularly patronizing expression.⁴³ In this example, Lisa

37. L. J. Eberhardt, et al., *Seeing Black: Race, Crime, and Visual Processing*, 87 J. PERSONALITY AND SOC. PSYCHOL. 876 (2004).

38. *Woman Apologizes After “Karen”-Like Confrontation with Resident Goes Viral and Draws Backlash*, CBS NEWS (June 17, 2020), <https://www.cbsnews.com/news/lisa-alexander-karen-apologizes-james-juanillo-san-francisco/> [<https://perma.cc/24A5-Q7WZ>].

39. *Id.*

40. *Id.*

41. *Id.*

42. *Id.*

43. *San Francisco Karen*, KNOW YOUR MEME (Aug. 3, 2020), <https://knowyourmeme.com/memes/events/san-francisco-karen> [<https://perma.cc/KZW8-5AXC>].

Alexander and her husband assume that Juanillo is acting criminally. Their assumption is that he cannot be the homeowner in Pacific Heights, the wealthy area of San Francisco that the incident takes place in.

Even children are not immune from having the police called on them by white women who assume them to be acting criminally. In one incident, a woman dubbed “Permit Patty” called the police on an eight-year-old Black girl for, in her words, “illegally selling water without a permit,” outside of the girl’s own home.⁴⁴ A white woman also called the police on a twelve-year-old Black boy who she saw mowing part of her front lawn.⁴⁵ The boy had been mowing the neighboring garden to make some pocket money, and had not realized he had strayed into the caller’s garden.⁴⁶

Other examples of white women calling the police on Black people include: the police being called on a Black student who was taking a nap in a study room at Yale,⁴⁷ Black women leaving an Airbnb,⁴⁸ a Black woman who was simply smoking in a parking garage (the caller was later dubbed “Newport Nancy”),⁴⁹ a Black father walking his baby,⁵⁰ and on a Black real estate investor trying to inspect a home.⁵¹ The BBQ Becky incident that I have described above is also an example of a white woman fearing Black people as criminals.⁵² These types of incidents inspired the hashtag #LivingWhileBlack.⁵³

44. Morgan Gstalter, *Viral Video Shows White Woman Calling Police on Young Black Girl Selling Bottled Water*, THE HILL (June 23, 2018), <https://thehill.com/blogs/blog-briefing-room/news/393809-viral-video-shows-white-woman-calling-police-on-young-black> [<https://perma.cc/AX7V-J8XF>].

45. Cleve R. Wootson Jr., *A White Woman Called Police on a Black 12-Year-Old – For Mowing Grass*, WASH. POST (June 30, 2018), <https://www.washingtonpost.com/news/post-nation/wp/2018/06/30/a-white-woman-called-police-on-a-black-12-year-old-for-mowing-grass/> [<https://perma.cc/C89J-VMAY>].

46. *Id.*

47. Christina Caron, *A Black Yale Student Was Napping, and a White Student Called the Police*, N.Y. TIMES (May 9, 2018) <https://www.nytimes.com/2018/05/09/nyregion/yale-black-student-nap.html> [<https://perma.cc/3WBP-64DN>].

48. Daniel Victor, *A Woman Said She Saw Burglars. They Were Just Black Airbnb Guests.*, N.Y. TIMES (May 8, 2018), <https://www.nytimes.com/2018/05/08/us/airbnb-black-women-police.html> [<https://perma.cc/HU6P-QWSP>].

49. Monique Judge, *#NewportNancy Wants Black Neighbor Evicted for Smoking Cigarettes in the Parking Lot*, THE ROOT (July 3, 2018), <https://www.theroot.com/newport-nancy-wants-black-neighbor-evicted-for-smoking-1827320227> [<https://perma.cc/8E39-HL6H>].

50. Angela Helm, *White Woman Calls Security on ‘Suspicious Man with a Baby’ at Park in Washington, DC*, THE ROOT (May 16, 2018), <https://www.theroot.com/black-father-stopped-by-security-after-white-woman-call-1826082634> [<https://perma.cc/BY23-JET2>].

51. Joshua Rhett Miller, *Cops Shut Down White Woman Who Called 911 on Black Real Estate Investor*, N.Y. POST (May 16, 2018), <https://nypost.com/2018/05/16/cops-shut-down-white-woman-who-called-911-on-black-real-estate-investor/> [<https://perma.cc/DSP9-GSQ9>].

52. See Zhao, *supra* note 3; see also *supra* text accompanying notes 28-33.

53. #livingwhileblack, TWITTER (last visited Aug. 3, 2020), <https://twitter.com/hashtag/livingwhileblack?lang=en> [<https://perma.cc/W5ZU-4EKQ>].

This white racist fear of Black people and People of Color can indeed be genderless, held by white people of all genders. The reason I point it out here is that we have seen many white women exhibiting it recently, and it stems from a historical white fear of Black men victimizing white women. The reason this white fear is an instance of the weaponization of white womanhood is that the tropes of dangerous Black people and People of Color came about, at least in part, through the holding up of white women as helpless victims. I discuss this history below.⁵⁴

Calling in Violence

What is interesting about Amy Cooper's behavior is that she seems to know exactly what she is doing by calling in the police on a Black man: she knows that this is essentially a death threat, and she clearly hopes to scare Christian Cooper into leaving promptly. Apryl Williams points out that "Amy Cooper reacted to being told she was in the wrong by using an implicit threat of police violence to try to maintain her White supremacy and control over the situation."⁵⁵ Apryl Williams also makes the point that "if the police had come out, because of Central Park Karen, there may have been an altercation, who knows, this Black man could very well have ended up dead. And that's the scary part."⁵⁶

Indeed, when a white woman calls the police on a Black person or Person of Color, it may very well be a death sentence. It has recently been reported that the trend of racist fatal police shootings in the U.S. is increasing.⁵⁷ As of July 2020, 558 civilians in the U.S. have been shot, 111 of whom were Black.⁵⁸ The rate of fatal police shootings of Black Americans is much higher than that of any other race, and have made up 28% of those killed by police since 2013 despite being only 13% of the population.⁵⁹ People of Color were more likely to be the victims of police killings in 2019 than they were in 2014.⁶⁰ In 2019, 54% of those who died

54. See *infra* text accompanying notes 67-93.

55. Apryl Williams, *Ken and Karen are White Supremacists*, MEDIUM (July 4, 2020), <https://medium.com/berkman-klein-center/ken-and-karen-are-white-supremacists-eeb0b283be5d> [<https://perma.cc/2MLW-BUEF>].

56. *On the Media: Boiling Point*, *supra* note 4.

57. *Number of People Shot to Death by the Police in the United States from 2017 to 2020, by Race*, STATISTA (last visited Aug. 3, 2020), <https://www.statista.com/statistics/585152/people-shot-to-death-by-us-police-by-race/> [<https://perma.cc/6CQ2-X7BE>].

58. *Id.*

59. MAPPING POLICE VIOLENCE (last visited Aug. 3, 2020), <https://mappingpoliceviolence.org/> [<https://perma.cc/BLF5-CGN9>].

60. Deidre McPhillips, *Deaths from Police Harm Disproportionately Affect People of Color*, U.S. NEWS (June 3, 2020), <https://www.usnews.com/news/articles/2020-06-03/data-show-deaths-from-police-violence-disproportionately-affect-people-of-color>.

as a result of harm from police (whose race was identified) were People of Color, compared to 50% in 2014.⁶¹

The recent Black Lives Matter movement resurgence has been a reaction to police violence against Black people.⁶² There are too many instances of police killing innocent Black people to list here, but some recent instances include the killing of George Floyd,⁶³ Breonna Taylor,⁶⁴ and Elijah McClain.⁶⁵

I have listed above a number of recent incidents of white women calling the police on Black people and People of Color.⁶⁶ Each time a white woman does this, they call in potentially fatal violence from the police, and risk that person's life.

WHITE WOMEN'S RACIST HISTORY

When referring to the incident with Amy Cooper, Apryl Williams notes that "when a white woman in the past made an accusation about a Black man, it resulted in his death. Here, maybe it's a little bit harder for people of white backgrounds to see, but for the Black community we can see those dots connected very easily."⁶⁷ She is referring, no doubt, to the history of rape accusations made by white women against Black men. Indeed, the behavior of white women outlined above has deep historical roots in America. White women's tears, their knowledge that they will be believed when making accusations, their fear of People of Color and Black people, and their calling in of violence goes back a long way. It taps into the long history of white fears of Black male predators and the trope of the white woman victim.⁶⁸ In order to understand the behaviors and elements that I have listed above, we must understand this history, which lurks beneath the surface of each racist incident described above.

61. McPhillips, *supra* note 60.

62. See *Number of People Shot to Death by the Police in the United States from 2017 to 2020*, *supra* note 57.

63. Evan Hill, et al., *8 Minutes and 46 Seconds: How George Floyd Was Killed in Police Custody*, N.Y. TIMES (May 31, 2020), <https://www.nytimes.com/2020/05/31/us/george-floyd-investigation.html> [<https://perma.cc/HK6M-MB4B>].

64. Richard A. Oppel Jr., Derrick Bryson Taylor, & Nicholas Bogel-Burroughs, *What We Know About Breonna Taylor's Case and Death*, N.Y. TIMES (Oct. 2, 2020), <https://www.nytimes.com/article/breonna-taylor-police.html>.

65. Claire Lampen, *What We Know About the Killing of Elijah McClain*, THE CUT (July 29, 2020), <https://www.thecut.com/2020/07/the-killing-of-elijah-mcclain-everything-we-know.html> [<https://perma.cc/497F-GC3F>].

66. See *supra* text accompanying notes 38-53.

67. *On the Media: Boiling Point*, *supra* note 4.

68. Taja-Nia Y. Henderson & Jamila Jefferson-Jones, *#LivingWhileBlack: Blackness as Nuisance*, 69 AM. U. L. REV. 3, 863, 909-10 (2020).

Between 1882 and 1930, there were at least 4,761 reported deaths from lynching in the U.S., around three quarters of which were Black.⁶⁹ Journalist Ida B. Wells provides a record of lynching in the U.S., explaining its inextricable links to tropes of white women's purity. In *The Red Record*, she explains that one of the major justifications for lynching was to avenge supposed assaults upon white women by Black men.⁷⁰ The thought of this crime aroused mania and panic amongst white people, and it was described that nothing could so fill the souls of white people with horror, loathing and fury as the "outraging" of a white woman by a Black man.⁷¹ This idea of white women's purity was used to "defend" white women from Black men through lynching. Wells explains that the South shielded itself "behind the plausible screen of defending the honor of its [white] women."⁷²

However, the great lie of lynching was that these rapes were happening, when in reality they were not. In fact, this myth had to be created in order to keep justifying lynching, after old excuses no longer made sense.⁷³ The previous excuse for the killings had been to prevent the domination of Black people over white people; however, once Black people had been eliminated from participation in state and national elections, this no longer held water.⁷⁴

Many acts of lynching happened as a result of white women making false accusations, and Wells points out a number of these examples.⁷⁵ She explains that white women often felt forced to make accusations after consensual relations with Black men, compelled by threats and violence, and a wish to save their reputations.⁷⁶ It was deemed impossible for a white woman to have consented to sexual relations with a Black person, due to stereotypes of purity.⁷⁷ Because of the purity trope, white women had their words taken at face value.⁷⁸ White people would often excuse the lack of trial (and instead lynch the accused man) on the basis that white women and girls should be spared the mortification of testifying in court.⁷⁹

In perhaps the most famous example of a false accusation that led to lynching, a white woman, Carolyn Bryant, falsely accused 14-year-old

69. VRON WARE, *BEYOND THE PALE: WHITE WOMEN, RACISM, AND HISTORY* 187 (2015).

70. IDA B. WELLS, *THE RED RECORD* 11 (1895).

71. IDA B. WELLS, *SOUTHERN HORRORS: LYNCH LAW IN ALL ITS PHASES* 13 (1892); see also Jennifer Wriggins, *Rape, Racism, and the Law*, 6 *HARV. WOMEN'S L.J.* 103, 105 (1983).

72. WELLS, *supra* note 71 at 11-12.

73. WELLS, *supra* note 70, at 84.

74. *Id.* at 11.

75. See generally *id.*; see also WELLS, *supra* note 71, at 13.

76. WELLS, *supra* note 70 at 87.

77. *Id.* at 13.

78. WELLS, *supra* note 71 at 6.

79. *Id.* at 11-12.

Emmett Till of merely whistling at her. This led to Till's brutal kidnapping and murder by Bryant's husband and brother-in-law.⁸⁰

The history of lynching in the U.S. demonstrates how historically, an accusation made by a white woman against a Black man or boy led to his death, resulting from the idea of supposed purity of white women.

Furthermore, in what has been called "legal lynching,"⁸¹ the legal system itself has also upheld the narrative of the virtuous white female victim, specifically in cases of rape and sexual assault." From slavery to the present day, the legal system has consistently treated the rape of white women by Black men with more harshness than any other kind of rape."⁸² Historically, in many rape cases, if the accused was Black and the victim was white, the jury was allowed to draw the inference that he intended to rape her, based on race alone.⁸³ The "social conditions and customs" that the jury could consider "included . . . that a white woman would never consent to sex with a Black man."⁸⁴ This solidified within the legal system that white women were pure, virtuous victims.

In her work, Wells also gives examples of false accusations that led to consequences within the legal system. In one example, a wife of a minister in Ohio accused a Black man of raping her, claiming that he forced entry into their home.⁸⁵ At trial, her sworn testimony trumped his, and he was found guilty.⁸⁶ Later, she confessed that he was innocent, saying that she had hoped she could save her reputation through this lie.⁸⁷

In another famous example, a white 17-year-old girl named Norma Padgett told police that she was abducted and raped by four Black men, since called the "Groveland Four."⁸⁸ One of the accused men was hunted and killed by a mob of over 1,000 men.⁸⁹ Three accused men were charged, imprisoned and beaten.⁹⁰ One was later sentenced to life in prison by an all-

80. *The Murder of Emmett Till*, LIBR. OF CONG., (last visited Aug. 3, 2020), <https://www.loc.gov/collections/civil-rights-history-project/articles-and-essays/murder-of-emmett-till/> [<https://perma.cc/E4U9-TG47>].

81. Wriggins, *supra* note 71 at 109-10; *see also id.* at 107 ("[T]he use of the legal system as a functional equivalent of lynching, as illustrated by mob coercion of judicial proceedings, special doctrinal rules, the language of opinions, and the markedly disparate numbers of executions for rape between white and Black defendants").

82. *Id.* at 116.

83. *Id.* at 111.

84. *Id.*

85. WELLS, *supra* note 71 at 5.

86. *Id.*

87. *Id.*

88. Ian Stewart, *Accused of Florida Rape 70 Years Ago, 4 Black Men Get Posthumous Pardons*, NPR (Jan. 11, 2019, 5:45 PM), <https://www.npr.org/2019/01/11/684540515/accused-of-florida-rape-70-years-ago-4-black-men-get-posthumous-pardons> [<https://perma.cc/N5VU-T5SP>].

89. *Id.*

90. *Id.*

white jury, and two were sentenced to death.⁹¹ The men have since been issued posthumous pardons, but Padgett has not retracted her allegations.⁹²

The theme of white women being more likely to be believed continues to this day. In a survey of sexual assault cases involving no weapons, prosecutors were over four times as likely to file charges if the victim was white.⁹³ White women are thus more likely to be seen as worthy victims by the legal system.

There is, therefore, a deep connection between white women's behavior now, and white women's history. The idea of white women's purity and need to be defended that we see in the history of lynching, is played upon by women like Amy Cooper and Jennifer Schultz, when they use their tears. It is easy to see how tears are used as a weapon when we understand that historically, white women's tears led to lynching. It is also easy to see how white women today, like Amy Cooper, use the age-old trope of white women's victimhood, knowing they will be believed because of this history. We can see where the history of white fear comes from, as we can see that the myth of the Black criminal was created to protect white women's purity. We can also see how when white women call 911, or make false accusations, this is a calling in of violence against the person they make the accusation against, as this is what has happened historically.

EXPLAINING THE WEAPONIZATION OF WHITE WOMANHOOD

It is worth exploring why white women weaponize white womanhood. I argue that there are deep social reasons that lead to white women taking racist actions, that relate to our place within a patriarchal hierarchy. White women are used by white men as a reason for their racist actions. However, it is very important that we do not use these reasons as excuses for racist behavior. I also theorize here that it is important to discuss the specific intersection of whiteness and womanhood when talking about racism.

White Women's Exploitation by White Men

One explanation of white women's racist behavior is that white women have often been used as a scapegoat for the racist actions of white men. Ultimately, the myth of the white, pure innocent victim was not created by white women. It was created by white men, and it was white men who typically carried out acts of lynching, not white women. Ida B.

91. Stewart, *supra* note 88.

92. *Id.*

93. Cassia Spohn & David Holleran, *Prosecuting Sexual Assault: A Comparison of Charging Decisions in Sexual Assault Cases Involving Strangers, Acquaintances, and Intimate Partners*, 18 JUST. Q. 651, 680 (2001).

Wells, when analyzing rape as an example of how race and gender oppression are inseparable, observed that white men used their ownership of white women's bodies as a terrain on which to lynch Black men.⁹⁴ Wells theorized that rape laws were part of a patriarchal system, in which white men maintained their control over the bodies of all Black people.⁹⁵ Essentially, white men used white women to exert racist control. White women have been swept up in what white men created.

Furthermore, within patriarchy, tolerance of coerced sex has been the rule, and not the exception. Therefore, it is "clear that the rape of white women by Black men has been treated seriously not because it is coerced sex and thus damaging to women, but because it is threatening to white men's power over both 'their' women and Black men."⁹⁶ This means is that the protection of white women through painting us as innocent victims, is not truly for our own good. It is merely to continue white men's dominance over us.

With that said, excusing white women's actions does not necessarily help. White women must take responsibility for our part in the hierarchy of oppression. Indeed, the recent examples of white women's racist behavior that I have outlined, were taken at the hands of white women themselves, and not white men. In fact, throughout history, women *have* played an active role in racist violence, through making false accusations.⁹⁷ Wells speaks of stories where the white woman "victim" would actually join in with the act of lynching the accused man.⁹⁸ The reasons for these actions may be patriarchal, but they still come at the hands of white women, and we must still take accountability for them.

In sum, we must not use a racist narrative that comes from white men to justify our own racism. Furthermore, although we can explain why white women are racist, this does not help to end the racism unless we work against the narrative.

Axes of Advantage and Disadvantage

Joan Williams argues that marginalized people play off of their axis of advantage to make up for their axis of disadvantage.⁹⁹ This is called "compensatory subordination."¹⁰⁰ Williams uses the metaphor of crabs in a

94. Angela P. Harris, *Race and Essentialism in Feminist Legal Theory*, 42 STAN. L. REV. No.3, 581, 600 (1990).

95. *Id.*; see also WELLS, *supra* note 71, at 5.

96. Wriggins, *supra* note 71, at 116.

97. See *supra* text accompanying notes 67-93.

98. WELLS, *supra* note 70.

99. Joan C. Williams, *Fretting in the Force Fields: Why the Distribution of Social Power Has Proved So Hard to Change*, 71 UMKC L. REV. 493, 501-02 (2002).

100. *Id.* (citing Nancy Ehrenreich, *Subordination and Symbiosis: Mechanisms of Mutual Support Between Subordinating Systems*, 71 UMKC L. REV. 251, 303-16 (2002)).

bucket: “everybody is ultimately going to get boiled and eaten, but I will push you down to the bottom so you go first.”¹⁰¹ bell hooks also writes about the similarity between white women and Black men in terms of how they try to make up for their disadvantages. She writes:

White women and black men have it both ways. They can act as oppressor or be oppressed. Black men may be victimized by racism, but sexism allows them to act as exploiters and oppressors of women. White women may be victimized by sexism, but racism enables them to act as exploiters and oppressors of black people. Both groups have led liberation movements that favor their interests and support the continued oppression of other groups. Black male sexism has undermined struggles to eradicate racism just as white female racism undermines feminist struggle. As long as these two groups, or any group, defines liberation as gaining social equality with ruling-class white men, they have a vested interest in the continued exploitation and oppression of others.¹⁰²

When white women act with racism, they are doing so with a belief (whether conscious or otherwise) that doing so increases their power. White women in a patriarchal society are subjugated on the gender axis. By increasing their power through racist action, white women hope to gain equality with ruling-class white men.

Relating back to the types of behavior that I have laid out, it is fairly clear how white women are leveraging their element of power (whiteness) to make up for their element of subjugation (womanhood). When white women call the police, they do so because they think they will be believed over the Black person or Person of Color their actions are directed toward. They know that they are presumed innocent, and that they can use their tears to their advantage. White women have historically been protected by the legal system in terms of sexual violence.¹⁰³ Therefore, white women believe they can leverage these ideas, in order to feel more powerful.

This is not to say that white women’s behavior is excused. Certainly, the patriarchal system has lent itself toward desperate bids for power on the part of anyone below the white, straight, cisgender man. However, we must still own our actions, and fight against the idea that we should be working to gain equality with the white man in the first place, if gaining equality with the white man means trampling over everyone else on the way there.

101. Williams, *supra* note 99, at 502.

102. HOOKS, *supra* note 34, at 16.

103. See *supra* text accompanying notes 81-93.

The Intersection of Whiteness and Womanhood

I argue that the recent and historical behavior of white women that I have outlined, happens at the specific intersection of whiteness and womanhood. This behavior is not occurring due to “racism” as such or because of “gender” as such. It does not happen because of white women’s gender nor their race, but when their race and gender come together to produce a white womanhood, that is weaponized.

It was Kimberlé Crenshaw who coined the term “intersectionality” to discuss the intersection of Black identity and womanhood.¹⁰⁴ Crenshaw talks of the problematic nature of the tendency to treat race and gender as “mutually exclusive categories of experience and analysis.”¹⁰⁵ She argues that this single-axis framework distorts the multidimensionality of Black women’s experiences, which erases them, particularly in the field of discrimination law.¹⁰⁶ Crenshaw explains that sex discrimination law focuses on the experiences of white women, and theories of race discrimination law are based on the experiences of privileged Black people.¹⁰⁷ The discrimination of Black women is therefore left out.¹⁰⁸

Crenshaw’s theory focuses on centralizing Black women in discrimination analysis, but I use her general theory of intersectionality here to demonstrate that it is important to talk about white women’s racism in particular, rather than just racism as a whole, which is often assumed to be a masculine racism. Just as white women are centralized when talking about discrimination against women in general, they are left out when talking about discrimination against Black people in general. This is harmful because it leaves intact the trope of white women’s innocence. In order to work toward anti-racism, we must explore all aspects of racism, and not racism as homogeneously coming from white men. To be white and female is to occupy a social category that is racialized as well as gendered,¹⁰⁹ so we must talk about how that intersection is weaponized.

SOLUTIONS

There are a number of potential solutions to the weaponization of white womanhood. Legal solutions include criminal laws that make racist 911 calls a hate crime, tort laws that allow victims to sue for this behavior,

104. See Kimberlé Crenshaw, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics*, 1989 U. CHI. LEGAL F. 139 (1989).

105. *Id.* at 139.

106. *Id.* at 139-40.

107. Crenshaw, *supra* note 103, at 151.

108. *Id.*

109. WARE, *supra* note 69.

as well as non-legal solutions like social media call-outs and widespread education. Given that the history of white women's racism in this country is so deeply historical, these solutions will only go part-way to solving the issues I have outlined, and each solution would be inadequate on its own.

Criminal Laws

There have been various methods proposed to criminalize “white caller crime”, a term for white people who call the police on Black people and People of Color for merely existing.¹¹⁰

New criminal laws have been proposed that involve making it a hate crime to call 911 based on a person's race. One such bill has been proposed in New York, and has been dubbed the “Amy Cooper bill.”¹¹¹ Bill A03566 “is meant to further punish the falsely reporting of a crime if the motivation for reporting such crime is motivated by a perception or belief about their race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation.”¹¹² This bill was originally introduced in 2018 and was brought back in 2020 in light of the incident with Amy Cooper.¹¹³ The bill amends New York's existing laws against false reports, and provides for different levels of crime from misdemeanor to felony.¹¹⁴

Similarly, in California, a lawmaker plans to introduce legislation that would criminalize racially motivated 911 calls.¹¹⁵ In the city of San Francisco, Supervisor Shamann Walton has recently introduced an ordinance that would make racist calls for police illegal.¹¹⁶ The ordinance

110. The term “white caller crime” comes from work by Michael Harriot. See Michael Harriot, *White Caller Crime: The Worst Wypipo Police Calls of All Time*, ROOT (May 15, 2018), <https://www.theroot.com/white-caller-crime-the-worst-wypipo-police-calls-of-1826023382>; see also Chan T. McNamara, *White Caller Crime: Racialized Police Communication and Existing While Black*, 24 MICH. J. RACE & L. 335 (2019) (using the term to discuss the phenomenon and suggesting solutions).

111. Bernadette Hogan, *Cuomo Wants State Lawmakers to Pass ‘Amy Cooper’ 911 False Accusation Bill*, N.Y. POST (June 5, 2020), <https://nypost.com/2020/06/05/cuomo-wants-to-pass-amy-cooper-911-false-accusation-bill/> [<https://perma.cc/CT6R-LUYE>].

112. A03566, N.Y. STATE ASSEMBLY, (last visited Aug. 3, 2020), https://nyassembly.gov/leg/?default_fld=&leg_video=&bn=A03566&term=2019&Summary=Y&Actions=Y&Committee%26nbspVotes=Y&Floor%26nbspVotes=Y&Memo=Y [<https://perma.cc/M7JL-9U2J>].

113. Hogan, *supra* note 111.

114. N.Y. PENAL LAW § 240.50 – 240.60 (McKinney 2013).

115. Elizabeth Castillo, *Could Racially Motivated 911 Calls Become Hate Crimes?* CAL MATTERS (June 24, 2020, last updated July 1, 2020), <https://calmatters.org/politics/california-legislature/2020/06/criminalizing-911-calls-racial-hate-crimes/> [<https://perma.cc/CW9B-L7MU>].

116. Anna Bauman, *SF Supervisor's CAREN Act Would Make “False Racially Biased” Calls to Police Illegal*, S.F. CHRON. (July 8, 2020, 5:28 PM), <https://www.sfchronicle.com/bayarea/article/SF-supe-proposes-CAREN-Act-to-prohibit-false-15392969.php> [<https://perma.cc/9NM7-5CPM>].

has been called the CAREN Act (Caution Against Racially Exploitative Non-Emergencies), which is an apparent nod to “Karens” in popular culture.¹¹⁷ Like the “Amy Cooper bill” in New York, the ordinance is a direct response to incidents perpetrated by white women.

The upside of the implementation of these laws is that they show white women that it is not okay to leverage white womanhood by calling in violence from the police. As the laws gain publicity, particularly with catchy names like the “CAREN” act, they show what is deemed unacceptable in our society. With amplified media coverage, these types of initiatives might also increase policymakers’ awareness of issues around racist 911 calls.¹¹⁸

However, the effectiveness of these laws remains to be seen, and the laws do have downsides. One major downside is that when actually attempting to convict people of these crimes, intent is hard to prove. For an instance to count as a hate crime, there must be proof that the victim was targeted because they belonged to a protected group.¹¹⁹ Assemblyman Rob Bonta, the author of the bill, said that proving these calls are hate crimes “can definitely be a challenge.”¹²⁰ When it comes to white women who perpetrate these types of incidents, they already downplay the racial aspect of their actions. For example, when “BBQ Becky” was asked her race when on the phone to the 911 dispatcher, she said, exasperated, “my race doesn’t matter!”¹²¹ It has been pointed out that the “perniciousness of implicit bias” means that we will never know for certain what motivated someone to make a 911 call.¹²² “This inability to confirm, except in the rarest of circumstances, will leave triers of fact to rely on their own beliefs and assumptions—their own implicit biases—to resolve such disputes.”¹²³ Furthermore, it has been pointed out that while laws such as the CAREN act are likely to raise awareness about these issues, they are unlikely to actually change human behavior.¹²⁴

Another criminal law route is to use murder laws for addressing racially motivated 911 calls that end in the victim’s loss of life.¹²⁵ The challenge here is that it would be difficult to prove the existence of criminal intent, “because it is a rare case in which someone will admit that they summoned the police because of the race of the victim, or out of an

117. Bauman, *supra* note 116.

118. Henderson & Jefferson-Jones, *supra* note 68, at 863.

119. *Hate Crimes*, STATE OF CAL. DEPT. JUST. (last visited Aug. 3, 2020), <https://oag.ca.gov/hatecrimes> [<https://perma.cc/GJ6Y-7BFM>].

120. Castillo, *supra* note 115.

121. Zhao, *supra* note 3.

122. Henderson & Jefferson-Jones, *supra* note 68, at 912.

123. *Id.*

124. *Id.* For a discussion on statistics of 911 calls and suggestions of some alternate strategies, for example training 911 dispatchers, *see Id.*

125. McNamarah, *supra* note 110, at 388.

intention to cause the victim's death."¹²⁶ To get around the criminal intent requirement typical of murder statutes, "depraved heart murder" could be used, which punishes death caused under callous or reckless circumstances.¹²⁷ Ultimately, this would not be the most fruitful route for most of the types of incidents that we have seen publicized.

A third criminal law route is to use false reporting laws. Several states already criminalize false reports as a misdemeanor, including California, New York and Texas.¹²⁸ Of these states, New York is amending their false reporting law to include racially motivated calls, and California may do so as well.

Typically, these laws have an element of knowledge that the report was false. Because this is hard to prove, "in all but the most clear cases, reporters will be able to escape sanction."¹²⁹ On the other hand, even if there are not many successful convictions, a few publicized convictions could go a long way. For example, Amy Cooper herself has been charged with falsely reporting an incident in the third degree.¹³⁰ This could send her to jail for up to one year.¹³¹ If she is ultimately convicted of falsely reporting, given that the case is so public, this will send a chilling message to white women who are ever tempted to use their white womanhood against a Black person or Person of Color.

In general, the use of criminal laws to tackle white women's racist 911 calls expresses "condemnation and rebuke. . . convey[s] that racialized police reports are unacceptable in modern society, and arguably more importantly, demonstrate a commitment to the equality of all citizens."¹³² Criminal retribution against the women who act in these ways shows them that they are not exempt from the rules.

A downside of using criminal law is that criminal laws aren't necessarily the ideal framework to deal with racism. Recently, calls to defund the police and abolish prisons, replacing criminalization with a

126. McNamarah, *supra* note 110.

127. *Id.*

128. *Id.* at 389 (citing CAL. PENAL CODE § 148.5(a) ("Every person who reports to any peace officer . . . that a felony or misdemeanor has been committed, knowing the report to be false, is guilty of a misdemeanor."); N.Y. PENAL LAW § 240.50 (McKinney 2013) ("A person is guilty of falsely reporting an incident in the third degree when, knowing the information reported, conveyed or circulated to be false or baseless . . ."); TEX. PENAL CODE ANN. § 37.08(a) (West 2019) ("A person commits an offense if, with intent to deceive, he knowingly makes a false statement that is material to a criminal investigation . . .").

129. McNamarah, *supra* note 110, at 390.

130. Rebecca Rosenberg, *Manhattan DA Charges Amy Cooper Over Viral Central Park 911 Call*, N.Y. POST (July 6, 2020, 2:34 PM), <https://nypost.com/2020/07/06/manhattan-da-charges-amy-cooper-over-viral-central-park-911-call/> [<https://perma.cc/9SZ3-WH78>].

131. McNamarah, *supra* note 110, at 390.

132. *Id.* at 387.

different system of restorative justice, have gained traction.¹³³ With this in mind, criminalization and punishment, which utilizes police and prisons, may not be the answer for dealing with the ways white women weaponize their white womanhood.

On the other hand, criminalizing racially motivated 911 calls would not be part of a racist criminal system. In fact, these laws may make the criminal system more “equitable” by criminalizing racism itself. Perhaps, in line with calls for police and prison abolition, these laws could include measures for restorative justice rather than retributive justice.

Tort Laws

An alternative to criminal laws addressing racist 911 calls is the tort route. In Oregon, HB3216 passed in 2019, which allows victims of racist police calls to sue the caller for up to \$250.¹³⁴ Representative Janelle Bynum proposed this legislation after she was on the receiving end of a racially motivated 911 call.¹³⁵ She was canvassing door-to-door for her re-election campaign when a woman called 911 because Bynum apparently looked “suspicious.”¹³⁶

The upside of these laws is that victims of racist calls can pursue a monetary remedy. It provides an alternative to the criminal justice system, which is built on racist foundations. The passing of laws like these also show racist callers that their actions are wrong. However, with this particular Oregon law, suing for \$250 seems woefully inadequate. If these laws are to be introduced in more states, there should be a larger monetary sum available.

Another tort route is infliction of emotional distress, since racism may be sufficiently extreme conduct to warrant an infliction of emotional distress claim.¹³⁷ Claims like these may address the intangible harms of racialized police communication.¹³⁸ However, “[e]motional distress claims made by Blacks who suffer racial discrimination have been overwhelmingly unsuccessful.”¹³⁹ This may be because majority-white

133. Leila Fadel, *Protesters Call for Police to be Defunded. But What Does That Mean?*, NPR (June 22, 2020, 5:01 AM), <https://www.npr.org/2020/06/22/881559687/protesters-call-for-police-to-be-defunded-but-what-does-that-mean> [<https://perma.cc/GZ3W-AAQQ>]. Calls for police and prison abolition are not new, see generally ANGELA DAVIS, *ARE PRISONS OBSOLETE?* (Greg Ruggiero ed., 2003).

134. H.B. 3216, 2019 Reg. Sess. (Or. 2019) (enacted).

135. The Associated Press, *Oregon Bill Cracks Down on Racially Motivated 911 Calls*, NBC NEWS (June 4, 2019, 4:05 PM), <https://www.nbcnews.com/news/nbcblk/oregon-bill-cracks-down-racially-motivated-911-calls-n1013721> [<https://perma.cc/QZ6Y-QPSE>].

136. *Id.*

137. McNamarah, *supra* note 110, at 390.

138. *Id.*

139. *Id.* at 391.

judiciaries fail to understand the impact of racial discrimination.¹⁴⁰ Unlike new laws that specifically target white women's racism, attempts to use infliction of emotional distress are unlikely to gain much public attention and therefore are unlikely to cause any shift in white women's behavior.

Non-Legal Solutions

Social media has played a huge role in publicizing the racist behavior of white women in recent years. It has shifted from merely a platform for expressing opinions and sharing experiences about injustice, to a "mechanism for demanding accountability and imposing penalties."¹⁴¹ It has called attention to incidents of white women weaponizing their white womanhood, through the uploading of videos, which are then created into memes. These videos and memes lead to public backlash and the aggressor apologizing and being fired from their jobs.¹⁴² The most recent example of this is Amy Cooper, who was subsequently fired from her job after the infamous incident in Central Park.¹⁴³ Another example is Lisa Alexander.¹⁴⁴ Her skincare company has taken its website offline after public backlash.¹⁴⁵ Her husband, who chimed in during the confrontation, was later fired from his job.¹⁴⁶

There are some obvious down-sides to the use of social media. For example, there are serious privacy concerns that come with social media users demanding accountability. Social media users have been known to find aggressors' contact information, leading to the aggressor being

140. *Id.* (citing Pat K. Chew & Robert E. Kelley, *Myth of the Color-Blind Judge: An Empirical Analysis of Racial Harassment Cases*, 86 WASH. U. L. REV. 1117, 1134 (2009) (finding in racial discrimination cases African Americans are more than twice as likely to lose than their White counterparts if the judge is White) and Pat K. Chew & Robert E. Kelley, *The Realism of Race in Judicial Decision Making: An Empirical Analysis of Plaintiffs' Race and Judges' Race*, 28 HARV. J. RACIAL & ETHNIC JUST. 91, 110–13 (2012) (finding that in racial harassment suits the alignment of plaintiff race and race of the judge is the strongest predictor of success, with White judges being most likely to hold for White plaintiffs, and the same relationship for judges who are Black)).

141. McNamarah, *supra* note 110, at 395; *see also On the Media: Boiling Point*, *supra* note 4.

142. McNamarah, *supra* note 110, at 395.

143. Amir Vera & Laura Ly, *White Woman Who Called Police on Black Man Bird-Watching in Central Park Has Been Fired*, CNN (May 26, 2020, 4:21 PM), <https://www.cnn.com/2020/05/26/us/central-park-video-dog-video-african-american-trnd/index.html> [<https://perma.cc/TU5E-GY3C>].

144. *Woman Apologizes After "Karen"-Like Confrontation With Resident Goes Viral and Draws Backlash*, *supra* note 38.

145. *Id.*

146. Niemietz, *supra* note 7.

bombarded by threats.¹⁴⁷ There are also misidentification issues: Innocent victims may lose jobs.¹⁴⁸

There are, I argue, major upsides to the use of social media. When the law fails, the people take matters into their own hands. It seems that “in the wake of inadequate reaction from the legal system, social media users have already begun to harness these platforms to combat racialized police communication.”¹⁴⁹ Although the way social media is being used around these incidents may seem extreme, with white women being fired from their jobs after exhibiting racism, it is nonetheless an excellent example of community-based action that does not involve the law. Employers taking a no-tolerance stance against the racist actions of their employees (at least when those actions have been seen by thousands of people online) is a step toward anti-racism in the U.S. Ultimately, there are very few women who actually end up being fired for their racist actions, because the majority are not filmed. The women who *are* fired may stand as a warning to other white women. Though at times extreme, the demand for accountability from social media is sure to make white women think twice before confronting a Black person or Person of Color in a racist manner.

The specific use of memes and cutesy nicknames also plays an important role. Apryl Williams notes that if people were not making memes about the racism of white women, it might not gain the same level of notoriety. “[The memes] help white people to laugh at themselves, and they also help them to understand that what’s happening in the meme is wrong . . . [They] help to have those cultural conversations that are difficult to have.”¹⁵⁰ In this way, social media plays a key role in tackling racism.

McNamarah argues that ideally the ability of social media to impose a real world shaming punishment will remain a temporary solution until the legal system becomes more fully equipped to deal with these situations.¹⁵¹ However, it is unlikely we will see a large enough change in the legal system, or enough states implement laws like those in New York, California and Oregon, to rely on this as the be-all-and-end-all solution. Social media, indeed, should not need to be relied on as a single permanent solution. Social media usage should happen in *tandem* with legal solutions.

Even with social media and legal change, these methods can only go so far, in that they only solve specific types of incidents. For example, social media backlash only pinpoints the types of incidents that are filmed, and not more insidious, covert types of racism from white women such as microaggressions. Laws such as those being introduced in New York and California also only solve specific types of behavior, namely racist 911

147. McNamarah, *supra* note 110, at 396.

148. *Id.*

149. *Id.* at 395-96.

150. *On the Media: Boiling Point*, *supra* note 4.

151. *Id.*

calls. We also need a huge push for culture change through education. Many white women are clueless as to their own power. As bell hooks writes, “[w]hite women who dominate feminist discourse, who for the most part make and articulate feminist theory, have little or no understanding of white supremacy as a racial politic, of the psychological impact of class, of their political status within a racist, sexist, capitalist state.”¹⁵² She also writes that “[t]hese unacknowledged aspects of the social status of many white women prevent them from transcending racism and limit the scope of their understanding of women’s overall social status in the United States.”¹⁵³ Although hooks was speaking to white feminist thinkers and writers, I believe this applies also to white women generally. Ultimately, it is the responsibility of white people to change our own culture and to change this cluelessness.

In particular, as white women we have a responsibility to educate ourselves on our specific history of racism. In the podcast “Boiling Point”, Jesse Daniels says: “We white women have a specific cultural history in this country, and we have a real responsibility to not do more harm as white women, not to continue to do harm. We’ve got to do better.”¹⁵⁴

CONCLUSION

My proposal for tackling the weaponization of white womanhood is multifaceted. I propose the implementation of criminal laws, making false 911 calls based on race a hate crime. Laws similar to these should be enacted country-wide, both as state laws and city ordinances, following New York, California and San Francisco. For laws that criminalize racially motivated 911 calls, instead of fines and/or jail time as punishment, a restorative justice practice could be put in place whereby people who make these calls speak to their victim and learn about the effects of their racism. Ultimately, the potential best aspect of implementing these laws is not that they will *actually* be utilized successfully, but rather the passing of the laws sends a message that white women are not exempt from the law, and that racist 911 calls are wrong.

I also suggest that already existing false reporting laws should be utilized against white women who exhibit behavior like Amy Cooper’s. The current legal action against Amy Cooper will provide an interesting case study as to the legal effectiveness of this, but already the publicizing of her case shows white women that this behavior is unacceptable.

Tort laws, like Oregon’s, should also be implemented by states, allowing victims of racist 911 calls to sue the caller. Again, the potential

152. HOOKS, *supra* note 34, at 4.

153. *Id.* at 14.

154. *On the Media: Boiling Point*, *supra* note 4.

best aspect of these laws is to send a message about what behavior is deemed unacceptable.

Non-legal solutions must also be used to address the weaponization of white womanhood. For example, social media provides a strong source of community backlash when white women are filmed being racist. The creation of memes creates a cultural conversation that has not been had in the same way before.

White women also need to educate one another on our shared racist history and take collective responsibility against the phenomenon of the weaponization of white womanhood. We must rid ourselves of the idea that we should pursue equality with white men, as this leads to participating in the oppression of Black people and People of Color. Society in general needs to undo the myth of white feminine victimhood. "Karen" memes are part of the way this is being done: we are being shown how white women can be serious racist aggressors, and not innocent victims. Apryl Williams points out that "Karens" express a dangerous kind of white supremacy, and if we are not working toward being antiracist, we are dangerous too.¹⁵⁵

155. Williams, *supra* note 55.