



# Settler Colonialism, Policing and Racial Terror: The Police Shooting of Loreal Tsingine

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## Abstract

On 27 March 2014, Loreal Tsingine, a 27-year-old Navajo woman was shot and killed by Austin Shipley, a white male police officer, also 27 years old, who said he was trying to apprehend her for a suspected shoplifting. Shipley was never charged, and the Department of Justice declined to investigate the Winslow police on the matter. This article explores Shipley's killing of Loreal Tsingine and the police investigation of the shooting as quotidian events in settler colonial states. Police shootings of Indigenous people and the legal response to police use of force (along with everyday settler violence) are a part of the racial terror that is a central part of settler colonialism. Both the shooting and the official narratives of it as a justifiable use of force reveal the psychic and material underpinnings of a settler state, a state that continually imagines and consolidates itself as a community of whites imperiled by Indians among others. White settler violence directed at those imagined as threats lives just beneath the surface of everyday settler life, and importantly, flows through institutions such as policing, embedding itself in everyday professional routines. The extractive relations that are the basis of settler colonialism require and produce white subjects for whom Indigenous lands *and* bodies are the resource for white identity; policing is one site where white men and women (as well as those aspiring to whiteness), can enact racial hierarchy on behalf of the colonial state with impunity.

**Keywords** Indigenous women · Policing · Racial violence · Settler colonialism

On 27 March 2014, Loreal Tsingine, a 27-year-old Navajo woman was shot and killed by Austin Shipley, a white male police officer, also 27 years old, who said he was trying to apprehend her for a suspected shoplifting. In Shipley's account, Tsingine "came at me" with scissors, "I felt a fear and a threat" and "I did what I had to do" (Jacobs 2014a, 24–25). Since Shipley was never charged, and the Department

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of Justice declined to investigate the Winslow police on the matter, concluding that there was insufficient evidence to disprove Officer's Shipley claim that he shot Tsingine in self-defence, Shipley's three-step account became the scaffold of the official story (Felte Jr. 2017). A prototypical police narrative, and virtually identical to police accounts justifying the shootings of black men and women, Shipley's account depends upon Tsingine being reconstructed after the fact as an unstoppable force of nature, an animal provoked. Since police shooting encounters typically take place in less than a minute, and in the case of Tsingine, in under 22 seconds, police accounts legitimating the use of force emphasise threat and in ways that cast the person who is shot in both superhuman and subhuman terms. Inescapably racial, the scenario of a 100-pound young woman holding a pair of inch-long medical scissors, an object plainly visible to the 200-pound police officer gripping her wrists after he has wrestled her to the ground, is scripted as a story of a crazed woman wielding a lethal weapon, a force that only bullets can stop.

I propose to explore Shipley's killing of Loreal Tsingine and the ensuing police investigation as a violence that lies at the heart of settler colonialism. I maintain that police shootings of Indigenous people and the legal response to police use of force (along with everyday settler violence) are a part of the racial terror that is a central part of settler colonialism. Both the shooting and the official narratives of it as a justifiable use of force reveal the psychic and material underpinnings of a settler state, a state that continually imagines and consolidates itself as a community of whites imperiled by Indians among others. Following Taussig (1987), who reminds us that terror is the mediator of colonial hegemony, we can consider the scene in Winslow, Arizona where Loreal Tsingine was killed, as a space of death that sustains the colonial order. White settler violence directed at Indigenous peoples lies just beneath the surface of everyday settler life, and importantly, flows through institutions such as policing, embedding itself in everyday professional routines. The extractive relations that are the basis of settler colonialism require and produce white subjects for whom Indigenous lands *and* bodies are the resource for white identity; policing is one site where white men and women (as well as those aspiring to whiteness), can enact racial hierarchy on behalf of the colonial state with impunity.

To make the argument about the police shooting of Loreal Tsingine as illustrative of the racial terror that lies at the basis of settler colonialism, in Part One I emphasise that settler colonialism is an ongoing racial project of accumulation and one that is structured by Indigenous dispossession and slavery. Settler colonial regimes require the daily exercise of racial terror not only because dispossessed and enslaved peoples must be kept in line, their communities weakened, but also because the white settler subject is an anxious subject who is compelled to assert himself in his encounters with racial Others. Racial terror is productive, reassuring the settler subject that white entitlement is protected, the racial threat contained. Settler colonialism's economic processes require and produce subjects who understand their own racial superiority in gendered ways through violence, a process memorably described by Richard Slotkin (1973, 5) as "regeneration through violence." We see more readily the macro aspects of the colonial project, resource extraction, ongoing land theft, and so on, and pay less attention to these everyday extractive relationships, the ways, that is, in which Indigenous bodies (violated, neglected, annihilated)

become the raw material for the making of the settler subject and the settler state. In those spaces where settlers must manage daily encounters with Indians, as is the case in towns bordering reservations such as Winslow, Arizona where Tsingine was shot, settlers and police assert their right to the land through anti-Indigenous violence. If the extractive relations that are the basis of settler colonialism require and produce white subjects for whom Indigenous lands *and* bodies are the resource for white identity, policing is one site where white men and women (as well as those aspiring to whiteness), can enact and consolidate racial hierarchy on behalf of the colonial state with impunity.

In Part Two, attending to the microprocesses through which settlers “regenerate through violence,” I consider Shipley’s account of the shooting of Tsingine and the official response to it, examining the narratives “I felt a fear and a threat” and “I did what I had to do” the defence offered by Officer Shipley for the racial and colonial lines of force they construct and the masculine colonial subjectivity they reveal (Jacobs 2014a, 24–25). Notwithstanding the choreographed nature of the police narrative, I suggest that we take Officer Shipley at his word. The fear of Indians and the threat that they are imagined to pose underwrite a white colonial masculinity that seeks confirmation of dominance and that is easily unhinged in the hysteria of the colonial encounter. Policing the reservation border town sets the stage for such gendered colonial dramas to unfold and for their deadly consequences to ensue. Official investigations of such events confirm the racial logic embedded in the narratives “I felt a fear and a threat” and “I did what I had to do” institutionalising settler regeneration through violence. Racial violence, whether on the part of individual settlers or police is a feature of daily life in regimes based on white entitlement to land and property and is integral to white settler society. Thielen-Wilson (2018) reminds us of Fanon’s observation in the *Wretched of the Earth* that the settler’s violence lies just under the skin (499). Unpacking three Canadian cases where white men killed Indigenous people who were perceived as encroaching on white settler spaces, she argues that property produces “racialized feeling—and, perhaps, madness,” feelings that are at the heart of settler subjectivity (495). Drawing on my own theorisation of the relation between space, subjectivity, and violence, Thielen-Wilson emphasises the violence that settlers are driven to commit in order to announce and consolidate themselves as owners of the land. Ominously, both the settler’s coherence as a subject and white property interests are secured through violence. Police, entrusted with protecting the white property regime that is settler colonialism engage in an often lethal violence that is directed at Indigenous peoples, a violence that often meets with understanding in law. If it is censored at all, the violence is attributed to individual psychopathology (the poorly trained or inexperienced police officer) and is carefully disconnected from the racial and structural context of settler colonialism itself. In the case of the police, as I show in Part Two, legal and societal approbation for these acts of violence is easily secured given that the very definition of policing is to keep in line the natives, who are imagined as animalistic threats to the white property order.

Police killings of Indigenous people garner little attention in spite of the fact that proportionally, in the United States, more Native Americans and African Americans

are killed by police than any other groups.<sup>1</sup> Indigenous invisibility as racial targets suggests a settler colonial dynamic at play, where all the Indians are presumed dead or dying, and the land and resources considered already belonging to settlers and the settler state. Ghosted while still alive, Indigenous lives not only count for less, but are not even counted, an invisibility that is essential to the story of settlers as the presumed original citizens who have rightfully replaced the region's premodern inhabitants. The mythologised invisibility of Indigenous people requires considerable psychic and material effort. "When European Americans speak of Native Americans, they always use the language of ghostliness," writes Renee Bergland (2000, 1). The Indigenous must either have disappeared or be disappearing, for the settler to understand that he is the legitimate owner of the land, a mythology that structures the law both in land claims and in inquests and inquiries into deaths in custody (Razack 2015). Ghosts haunt, however. They are to be understood within a "dynamic of unsuccessful repression" (Bergland 2000, 5). She elaborates:

Ghosts are the things we try to bury, but that refuse to stay buried. They are our fears and our horrors, disembodied, but made inescapable by their very bodilessness. Ghostly Indians present us with the possibility of vanishing ourselves, being swallowed up into another's discourses, another's imagination. When ghostly Indian figures haunt the white American imagination, they serve as constant reminders of the fragility of national identity. (2000, 5)

What to do with fear, memory and desire, the very things that hegemonies and ghosts are made of, as Bergland suggests? How to contend with white feelings of fear and threat when these feelings constitute a circulating colonial affect that solidifies as a nationalism that is intrinsically white? How to deal with ghosts that refuse to stay buried?

Mythology notwithstanding, Indians have not disappeared and in places such as Winslow, Arizona, they are close to 25% of the population. Adjacent to a large Navajo reservation, Indigenous presence in Winslow is often greater than the Census figure indicates. Officer Shipley, as I suggest below, is a man haunted by Indians, a man whose masculinity gains a firm footing through violence against Indians, and

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<sup>1</sup> Statistics of police killings by race are notoriously complicated. In 2016, The Guardian reports that of the 2016 people killed by police, 24 were Native Americans and 266 were African American. When considered relative to percentage of the population, Native Americans who constitute 0.8 % of the population comprise 1.9% of police shootings while African Americans comprise 13% of the population and comprise 26% of police shootings. These figures suggest comparable rates of police shootings. An important issue to consider is who is counted as Native American or African American. A second important point is whether Native Americans are more likely to die in cells rather than in police shootings. Additionally, see: Mike Males, "Who are Police Killing", *Center on Juvenile and Criminal Justice* (August 26, 2014), <https://www.cjcj.org/news/8113> This study using data from the federal *Centers for Disease Control*, showed that over a 12-year period, Native Americans were statistically more likely to be killed by police than any other group, including African-Americans. John Swaine et al. "The Counted, 2015 and 2016 datasets", *The Guardian* (2017) <https://www.theguardian.com/us-news/ng-interactive/2015/jun/01/the-counted-police-killings-us-database> This study revealed that between 2015 and 2016, Native Americans were the only racial group to see their death toll due to police shootings go up, even as the number of officer-involved shootings across the country fell.

particularly against young Indian women. Violence dissolves the threat that both ghosts and live Indians pose; it serves to convince the settler of his legitimacy at the same time that Indigenous people are actually, and not only metaphorically, removed or made unsovereign. An Indian fighter turned cop, Shipley enjoyed the protection of the Winslow police force and the Department of Justice. His account of the shooting, one carefully choreographed by the police, contributes to a collective and sanctioned white terror.

## Part One

### Policing as Indian Fighting

It is useful to think of policing as racial infrastructure, that is, a part of the material systems that organise primitive accumulation and the racial hierarchy on which it depends. In this sense, colonial policing is state organised Indian fighting. In keeping with Yazzie's reminder that police in towns such as Winslow assist white settlers to contain the Indian threat (Yazzie 2014), we can consider policing in Winslow as a part of the infrastructural ground on which settlers' quest both for coherence *and* land are played out. What first marks the scene of the shooting as a fully colonial and racial encounter is the familiar signpost of colonial policing, namely that it is organised around maintaining the racial lines of force of the settler town. Patrolling the streets of the settler town, as I have shown elsewhere (Razack 2015), maintains public space for white inhabitants, producing Indigenous people as permanently out of place, herded, hunted, evicted, and marked for slow death. The police, it should be remembered, knew that they were looking for an "Indian woman shoplifter on a beer run" the category announced over the police radio and one that Shipley revealed as a part of his everyday lexicon when he unselfconsciously categorised Tsingine as "killing me for a beer run" (12). If we take Shipley at his word, that he felt a fear and a threat from a small, defiant young woman with a blunt pair of small scissors for a weapon, and put into context his repeated encounters with Indians, several of which seemed to be marked by the defiance of Indigenous youth, we can note the infrastructure of policing in which such scenarios of imperiled white masculinity are played out. The streets and the prison are two sites where the contours of the racial order are written on the bodies of Indigenous women and men, and in specific ways, on the bodies of Indigenous children and youth. In a reservation border town (a town that is adjacent to a reservation and not to the actual border) such as Winslow, Arizona, policing, barely altered from its nineteenth century form, has as its primary objective, the disciplining and surveillance of Indians, and their eviction from the settler town. Shipley's daily life as a police officer reveals as much, and the making of settler spaces through violence against Indigenous people confirms the systematised features of his activities and its connection to primitive accumulation on Indigenous land.

The ongoing theft of land and the racial terror that accompanies it are easily traced for Winslow and surrounding areas. In *Wasi'chu: The Continuing Indian Wars*, Bruce Johansen and Roberto Maestas (1979) write of "the theft of life, land

and resources from America's first inhabitants" (18). They recount in detail the institutional, cultural and physical violence directed against the Navajo people over centuries. *Wasi'chu*, explained in the foreword by John Redhouse as a Lakota word for "greedy one who takes the fat," (Redhouse 1979, 11) carefully documents the acres of land stolen by white settlers, and intensified resource extraction on Indian land of the late 1970s when coal and uranium formed the basis of an energy policy that required an even more vigorous pursuit of Indian land than in earlier decades. Putting the American Indian Movement (AIM) of the 1960s and 1970s in this context, Redhouse introduces the book's equally carefully mapping of the persecution of Indian leaders and activists and an escalating racial terror that accompanied what he called "a full scale anti-Indian movement" comprising agencies of the federal government as well as settlers (cited in Johansen and Maestas 1979, 13).

Between 1973 and 1974, the bodies of ten Navajo were discovered, among them the bodies of middle-aged men who were sexually mutilated and tortured. Three non-Indian juveniles were arrested for the crime, tried and sent to a juvenile reformatory for two years, the light sentence sparking an Indigenous protest movement. Describing the "mutilation murders" of the 1970s, Redhouse, then the associate director of the National Indian Youth Council of Albuquerque, New Mexico, notes that Indian activists understood clearly that the violence was not simply the acts of crazy kids but instead "part of a whole racist picture" (cited in Johansen and Maestas 1979, 62). The tapestry of racial violence Johansen and Maestas present in *Wasi'chu*, and that Redhouse references, includes the activities of the Bureau of Indian Affairs, the justice system, the Public Health Service, the multinational energy companies, and everyday encounters with white settlers. Johansen and Maestas meticulously document the removal of Indian children from their families, the sterilisation of Indian women, the denigration of Indian children in the school system and the insidious effects of a colonial police force dedicated to targeting activists and sowing the seeds of internal discord on reservations. The mechanisms that by the middle 1970s enabled 63% of Indian owned agricultural land to be cultivated by non-Indians complete the "whole racist picture," (82) leaving little doubt about the full-on colonial project in operation and the tremendous racial violence required to sustain it. The epicenter of such patterns of accumulation by dispossession is the border town, those spaces marked by a sustained and violent encounter between white settlers and Indians.

### **The Border Town: A Place Where You Can "Get Away With Anything" Against Indians**

Reminding us to attend to the materiality of colonialism, Daniel Nemser (2017) observes that "infrastructure can serve not only as a signal of identity or belonging ... but also as a condition of possibility for the emergence of groupness as such, engendering social relations and structures of feeling"(17). Along these lines, "the things on which the process depends" such as railroad lines, roads, surveys, museums, fences and so on, are the foundation for rule and racialisation (18). The reservation border town, a product of the confinement of Indigenous peoples to

reservations, offers a clear example of the racial infrastructure on which settler colonialism rests and the racial “groupness” that it requires and sustains. Diné historian Jennifer Nez Denetdale (2016), examining the historical and lived experiences of Indigenous people in towns that border the Navajo Nation (including the town of Winslow) and the tremendous racial violence reported to the Navajo Human Rights Commission, traces the emergence of reservation border towns as white settler centers that profited off Indian trade, and, early on, from ever expanding alcohol sales to Indians coming into town to purchase supplies. When continuous erosion of the Navajo land base drove many Indians off the reservation to seek work in the settler town, as a 1953 survey of reservation border towns confirmed, Indians began to settle in the settler town enduring the most abject conditions. Not surprisingly, alcohol abuse, homelessness and deep poverty continue to plague Indians in border towns and Indians remain confined to the edges and most marginal spaces of the settler town (Denetdale 2016). Then as now, the spatial arrangements of settler colonialism, arrangements that emerged with land dispossession and that Cheryl RedHorse Bennett (2018) describes as “predatory,” generate and require considerable racial violence (24). Lisa Donaldson (2006) has shown, for instance, that the practice of ‘Indian Rolling’, racially motivated assaults committed by white youth against Indians in Farmington, a border town, is a rite of passage for white youth, and a practice with deep historical roots. Donaldson suggests that this degree of racial violence (which she terms hate crime) results from the situation where whites have total economic and political power over Indians. Along the same lines, Barbara Perry (2008) has explored the extent of hate crime in reservation border towns, noting their connection to settler colonialism and to an ongoing genocide, an argument also supported by Cheryl Redhorse Bennett’s (2010) PhD dissertation on hate crimes in Farmington. As Perry (2009, 401) notes:

The very motive and intent of racialised violence is to protect carefully crafted boundaries, in the physical and social sense. It is a purposive process of policing the line between white/not white, between dominant and subordinate. It stands, then, as both punishment for those who dare to transgress, and those who are considering it.

Revealing for its generative features, namely its role in producing young white men as white and affirming settler power, Indian rolling is sufficiently practised as to have its own colloquial term, in much the same way as the term ‘Starlight tours’ is the label for the sometimes lethal Canadian police practice of driving Indigenous people outside of towns and leaving them to walk back into town in sub-zero temperatures, and often without shoes or coats (Razack 2015). Reservation border towns are places where an intense anti-Indian policing takes place, and where anti-Indigenous settler violence is considerable. Denetdale notes that anti-Indigenous violence in towns such as Winslow, Holbrook, Flagstaff and Page, Arizona, is nonetheless routinely attributed to the Navajo themselves and settlers are represented in law and society as the innocent and injured party.

Although research into border town violence is sparse, scholars and journalists have reported on the same features Denetdale and Donaldson describe, noting in particular that the gendered pattern of the violence has changed little for a century.

Anti-Indigenous violence in border towns retains its early colonial character in that it is white men's violence (both police and settler) directed at Indigenous men and women alike. Writing one of the few in depth explorations of 'The Police Killings No One is Talking About', journalist Stephanie Woodard (2016) notes that police killings of Native Americans is greatest in border towns such as in New Mexico near the Navajo reservation, in South Dakota near Sioux reservations and in Montana near the Crow and Northern Cheyenne reservations. Woodard chronicles the range of police killings of Indigenous men and women, from the shooting of a Suquamish woman, Jeanetta Riley, pregnant, homeless and mentally ill, who threatened suicide and who was shot when she refused to drop the knife she held to herself, to Sarah Lee Circle Bear who died in her cell after telling her jailors that she was in excruciating pain. Commenting that the deaths she investigated "sound like tales from the pre-civil rights deep South," (Woodard 2016) Woodard draws a grim picture of Indigenous deaths in custody that often occur in border towns. Importantly, police violence has generated strong resistance from Native people. Woodard describes the Puyallup tribe's efforts to support a Washington State ballot initiative that seeks greater police accountability for lethal use of force. The Tribe's spokesperson whom Woodard interviewed, tribal elder Ramona Bennett, outlined the historical and gendered features of the violence and their connection to white men's sense of entitlement. Offering the example of railroad deaths a century ago, Tribal Elder Bennett explained the phenomenon:

Fishing and trapping were outlawed so the men went out at night, making the cabins very dangerous. White men would come, kick the doors in, rape and murder the [women] and throw their bodies on the railroad tracks, where they'd be called 'railroad accident deaths'. We discovered in our tribal enrollment office a stack of 'railroad death' documents from 1912 to 1917 (Woodard 2016).

Racial violence that emerges in the context of white claims for land and resources has remained constant up to the present. For instance, Traci Brynne Voyles (2015) charts how sexual violence against Indian women skyrocket with the influx of white miners in reservation border towns.

American Indian women also have the highest rate of violence perpetrated against them, as Sarah Deer has shown, violence that is both internal and external, the latter at rates higher than it is for other groups of women (Deer 2015). Framing the violence of white men towards Indian women as 'hate crime', Cheryl Redhorse Bennett (2018) notes that there has been little attention paid to the specific space of the reservation border town as a place where you can "get away with anything" against Indians (24). Confirming this conclusion, Amnesty International (2007) has reported widespread police harassment, and shootings and young white men regularly targeting Indigenous women in border towns. Although less reported and examined than it is in the Canadian Indigenous context, missing and murdered Indigenous women are also a phenomenon in the US. Alleen Brown (2018) describes the legal and political structures that inhibit investigations into Indigenous women who have disappeared. Farley et al. (2011) reporting on sex trafficking and Native women, document the



tremendous violence that is aimed at Indigenous women in prostitution, a violence that Indigenous sex workers describe as specifically aimed at them *as* Indian women.

Although Native Americans account for 25% of Winslow's population, they averaged nearly 64% of arrests from 2012 to 2015, according to police filings (Newton 2017). Indigenous youth and women have a particular place in these statistics. If sexual violence from white men and police is not empirically validated for Winslow specifically, the Navajo community expresses tremendous fear for its girls and women when they venture into Winslow. (Indeed, one uncharitable commentator at a Navajo public forum at which I was present even blamed Tsingine for having gone to live in Winslow in the first place, knowing what the town is like for young Indian women, while another speculated that Tsingine might have been one of the women the police routinely take outside of the city to rape). Although it is hard in these informal conversations to confirm sexual violence and to delineate the role of the police from internal sexual violence, it is clear, as Shannon Speed (2016) has argued, that internal violence within Indigenous communities is linked to state violence in complex ways. Tsingine lived in Winslow and in that environment, she had a great deal of police contact, contact that sometimes occurred when she encountered sexual assaults from Indigenous and racialised men. Shipley, for example, was the police officer who responded to a call about domestic violence involving Tsingine, an event he claimed that he could not recall. He encountered a naked and evidently frightened Tsingine fleeing her abusive boyfriend, a man onlookers described as "Hispanic" (Rank Tribe 2017). Reading police reports of these events, one readily sees ongoing displacement and its consequences in Tsingine's life, the role of sexual violence and both Indigenous and police involvement in it. The violence in her life that came from all directions, and the sheer difficulty of surviving and thriving in a system premised on her destruction is evident in her short life. Her descent into drugs, for instance, her attempts to get help for mental illness, the sexual violence from Indigenous men, and her previous contacts with police all reveal the outlines of a life lived amidst considerable violence.

It is critical to consider the violence that is written on the Indigenous woman's body as a multiscalar imprinting of colonial power. In her analysis of Linda Hogan's novel *Solar Storms*, Mishuana Goeman (2017) emphasises that in order to understand the role of gender based violence in reproducing colonialism, it is essential that we consider the body as it journeys through temporalities and spaces. Hogan's protagonists are women whose individual bodies are linked to the social body of the Native community and the national bodies of the United States, Canada and Quebec. Thus extensive physical and sexual abuse at the hands of colonising men and the violence within their own communities that native women endure must be connected to the making of the settler collectivity, an unfolding of colonialism over time on land and on bodies. Interviewing Indigenous women asylum seekers in detention, Shannon Speed (2019) found confirmation that gang violence, drug violence, militarisation and state violence were all inextricably linked to intra familial violence ensuring that Indigenous women were consistently more likely than any other group of women to be victims of gender violence. Reporting that the US National Institute of Justice confirms that four out of five Native women experience violence in their

lifetime and that 97% of these crimes are committed by non-Indians (Rosay 2018, cited in Speed 2019, 16), Speed emphasises we should not lose sight of the mutually constitutive nature of most gender violence. Domestic violence, for example, is in part generated by state violence (2019, 30).

White men are an important link in the chain of events that culminate in excessive violence in the lives of Indigenous women. The asymmetrical intimacies of the border town reveal that what we know as the excessive use of force by police towards Indigenous peoples is a daily gendered enactment of colonial power on the part of white men. The police files detailing Shipley's encounters with Indians, record the traces of the fear, memory and desire to which Bergland refers when she describes the colonial subject attempting to bury what cannot be buried. An organised and continuing dispossession unfolds in everyday and institutional extractive relationships between white men and women, and Indians, a dispossession in which policing has a central role to play. Institutionally sustained and integral to the extractive economy and spatial arrangements of settler colonialism, Shipley's use of force is important to the circuit of ongoing dispossession, assuaging colonial fears and anxieties, and, simultaneously, consolidating dispossession.

## Part Two

### The Official Story: Imperiled White Masculinity

The colonial underpinnings of Shipley's encounter with Loreal Tsingine are visible from the outset. If Tsingine arrived at the encounter already scripted as "an Indian on a beer run," (Jacobs 2014b, 118) Shipley came to it as a white man drawn to guns and to Indians. He enters the scene as a prototypical Indian fighter at risk from a wild Indian. At first glance, it is tempting to attribute Shipley's relationship to Indians to white extremism. Photographed at an earlier event wearing a t-shirt of the Three Percenters, a movement organised around patriotism and the idea of a constitutional right to bear arms, Shipley can be seen as someone whose allegiances are to what Kathleen Belew (2018) has described as the white power movement and paramilitary America. Belew is careful to note the expansive and contradictory category denoted by the term white power movement, a movement that brings together "members of the Klan, militias, radical tax resisters, white supremacists, neo-Nazis, and proponents of white theologies such as Christian identity, Odinism, and Dualism between 1975 and 1995" (2018, ix). She advises that not all members of this group advocate white nationalism and cannot be easily pinned to the right of the political spectrum. Importantly, Shipley, as an insightful reviewer of this article pointed out, does not have to be a member of white nationalist/right wing groups in order to fulfil the colonial role I am suggesting he plays. His allegiance to the Three Percenters merely confirms the colonial features of his character. One has only to reflect on the historical origins of the right to bear arms and the concomitant movement against big government to note the colonial underpinnings of such beliefs. As Dunbar-Ortiz (2018) has shown, the right to bear arms gave settlers the right to attack Indians and take their land. Settler insistence on the right to overthrow oppressive governments

grew out of settler resistance to British authorities who sought to regulate the extent to which settlers could seize Indian land. The Three Percent movement insists that it is neither a militia nor white supremacist, merely nationalist. Yet, critics have pointed out that heavily armed three percenters have actively tried to infiltrate the US military and have provided armed security to white supremacist groups at rallies, including at the 2017 Charlottesville rally of white supremacist groups in which an anti-racist protester was killed. Although the group subsequently distanced itself from the rally and from related events, local affiliates are known to be involved in mosque bombings and other violent racial incidents (Sankin and Carless 2018). The Three Percenters have declared themselves solidly in favour of Donald Trump, and particularly so in the matter of stricter immigration controls and the building of a wall along the Mexico-US border. A land/race/arms nexus lies at the core of their white nationalism and there is little doubt that Shipley found himself comfortable with its chief tenets. If Shipley's affiliations announce his white supremacist leanings, it is also the case that his devotion to guns and his political position concerning protecting white America are foundational ideas in a settler society born of the dispossession of Indigenous populations. It is difficult to untangle the white extremist and white nationalist from an ordinary patriot and equally, to separate extremist anxieties and anger from the resentment that emanates from an ordinary white entitlement. Indeed, as Inderpal Grewal has argued in her discussion of mass shootings in America "the angry, white, Christian man who sees himself as dispossessed from his rightful place of power in the nation and exerting the sovereignty given to him by virtue of his gender and race," is now so familiar a figure that when mass murders occur, the killer is simply called a shooter, and not a killer, murderer or criminal (Grewal 2017, 185). Shipley, then, would seem to personify the unexceptional white subject for whom the Indian remains the archetype of all those (Black people, Brown people and racialised foreigners) who are imagined and experienced as a threat to white settler entitlement. Rather than extremist, the Indian fighter and the Indian fighter turned cop should be seen as foundational figures in the national imaginary, inhabiting and structuring the institution of policing among other places.

Shipley's record as a police officer offers glimpses of frustrated colonial desire and the violence it inspires, the figure Richard Slotkin describes as the subject for whom Indians lurk everywhere in society and in the recesses of one's own mind (Slotkin 1973, 564). Here one thinks of Shipley's service record, revealing his interest, if not obsession, in expressing power over Indigenous people, and Indigenous youth and girls in particular, groups that often refused to grant his authority. Equipped with extra guns, an illegal practice for which he was not sanctioned, Shipley could indulge himself with impunity in a twenty-first century version of Indian wars. Struggling to maintain his own coherence as colonial subject, fending off any intimacies that threaten colonial arrangements, Shipley can be seen to preserve coherence through violence. In his three years as a police officer, Shipley's service record hints at a volatility that easily led to an undue use of force particularly directed at young Indigenous people in whom he seemed to have inspired neither fear nor respect, responses that appear to have enraged him. As journalists reported, Shipley was first disciplined when the mother of a 15-year-old girl, complained that Shipley "slammed her daughter against a squad car and made a 'rude,

ugly comment...” (Farzan 2017). The girl apparently taunted Shipley by referring to him as a rookie. Shipley acknowledged responding harshly and was suspended, but the Department did not find evidence of excessive force. In another event, Shipley used a taser on a teenage girl, arguing that he felt threatened by her friends, and that she possibly had a weapon. The girl in question refused to obey his order to sit on the curb. Finding no evidence of a weapon in the video taken by the police body camera Shipley wore, and no evidence that the group in question behaved in an aggressive or hostile manner, the Department gave Shipley a one-day suspension. In this encounter recorded on the body camera, the youth in question can be heard calmly intervening on behalf of the young woman, one man admonishing Shipley, “Dude, she’s a girl” (Farzan 2017).

To place this imperiled whiteness and masculinity within a more collective context, we can consider what daily policing entails in Winslow, the relentless cycle of evicting Indigenous people from the town, and the making of white settler masculinity (and femininity) through these practices. If Shipley’s service record offers evidence that he was a haunted man, an aggressive police officer who was easily provoked and who had a particular interest in asserting his power over Indians, and young Indian women in particular, it also confirms that his violence was sanctioned. Shipley’s record of multiple incidents of use of force against Indians did not overly trouble the police department, inviting only minor rebukes. In 12 other instances Shipley was found to have used force on suspects, (including tasing an Indigenous man waiting on a hospital trolley for medical treatment) actions for which he faced few consequences. He was, however, required to complete diversity training, presumably because all these use of force incidents involved Indians (Jeong 2016). When the violence finally ended in the loss of life, the Department offered its assistance in constructing the legal basis for his exoneration. For example, Shipley carried extra, unauthorised guns in his car. The matter of his authorisation to carry the guns was quickly dispensed with during the investigation of Tsingine’s death. Sergeant Tolliver could not remember authorising any training in the use of these weapons but then later claimed he could have forgotten. Tellingly, Shipley’s personnel records begin with the fact that a supervisor recommended that he not be hired on the grounds that he was emotionally volatile and used force inappropriately. He was nevertheless hired and remained on the force in spite of this history. Protected to the end, in spite of documented irregularities, it should also be noted that it was Shipley’s superior officer, Sergeant Cano, who advised him not to bother with bandages for Tsingine and who backed up his story about a justified use of force. It is also his police Chief who advised him “don’t say anything” immediately after the shooting (Arizona Dept. of Public Safety 2016). Finally, it was the Department of Justice that refused to investigate the Winslow Police.

### **The Encounter and the Incident Review**

An aggrieved, anxiety ridden and colonial subject confronting an imagined ‘wild Indian’ is the narrative that gives coherence to Shipley’s shooting of Tsingine. Its intrinsic racial logic is evident both in Shipley’s behaviour at the scene and in the

account he gives during the interrogation where, with assistance from the police themselves, it becomes the story of record. The story rests on the idea that Shipley is a man guided by rational aims, acting professionally to confront a threat, manifest or latent in any Indian who crosses his path. The visual record of the shooting available from Shipley's body camera is enlisted to give substance to the story of fear and threat. The manner in which this occurs during the investigation of Shipley's actions reveals the structuring role of racial logic and offers hints of the racial fantasy and racial feelings that marked the encounter.

It was a mere 22 seconds from the time Officer Shipley made contact with Loreal Tsingine to the time he fired his gun five times and killed her. Police typically defend shootings with recourse to a codified narrative about use of force, one that typically invokes the phrases 'edged weapons' and 'the 21 foot rule', and a newly emerging discourse about 'persons in mental health crisis' in formulaic ways that frame the victim as a threat (emanating from the irrational behaviour of a mentally ill person), a threat that only deadly force could contain (Racial Violence Hub 2020). Scholars have noted the importance of race to the police narrative of containing deadly force through violence. For instance, the iconic moment when, twenty-five years ago the beating of Rodney King by ten police officers was captured on a bystander's video of the event, the Los Angeles police defended their actions as necessary to contain the threat that King posed. Addressing the problem of how King came to be seen on the videotape as the agent rather than the victim of violence, Judith Butler (1993) describes the visual field itself as a racial formation or episteme (as Fanon first argued) in which white paranoia transforms King's blows into the "blows he never delivered, but which he is, by virtue of his blackness, always about to deliver" (19). In his analysis of the video of the King beating, Feldman (1994) adds that increasing objectification increases our capacity to inflict pain and, crucially, to render the Other's pain as inadmissible. To achieve the transformation "where King's body could be processed as a racial, a disciplinary, and a legal object," his body had to be rendered pre-social. The police were merely taming and caging King, achieving "the neutering of the animalized body" (211). King is rendered bestial to the point that he could not feel. The police reenact their violence in court, performing King's body as a spectrum of aggressive movements.

It is easy to spot the police coding schemes that Butler and Feldman identify with respect to the beating of Rodney King, in the police narration of the videotape of the shooting of Loreal Tsingine. The 22 seconds that elapses between the time Shipley first encounters Tsingine and when he fires five bullets is narrated second by second and each second becomes an event that conveys professional action on the part of the police. Police language assists with this endeavour. Twenty-two seconds stretch much longer and it is easy to forget that such an abbreviated time span cannot contain the reasoned, professional practices itemised by the police. The police's narration begins with the note that the first thirty seconds of the recorded film contain no audio. Audio begins at the 30 second mark, a scant 8 seconds after the shooting has occurred. The Incident Review offers this fact in the passive voice, "At approximately thirty seconds, the audio was turned on," (Jacobs 2014c, 20) and we are not directed to the fact that Officer Shipley himself had to turn it on before it changed from buffering mode to event mode when audio begins, as the

User Manual instructs (TASER International 2014). The first ‘event’ of the shooting is of Shipley exiting his vehicle and approaching Tsingine who was walking on the sidewalk. The writer of the Review, Officer Aaron Jacobs, volunteers the following information: “Tsingine appeared to be a Native American female with black hair” (Jacobs 2014c, 17) - a racial categorisation that comes easily given that the police radio announced that the suspect was a Native American who “did a beer run” (Jacobs 2014a, 24). At the four second mark, Shipley is described as having reached Tsingine’s left side, and at the five second mark, he has moved to her back. At six seconds, he is described as attempting to gain control and by the ten second mark, Shipley has grabbed her collar and hood and pulled Loreal to the ground, standing over her by the 12 second mark. She spends the next three seconds, at the 15 second mark, attempting to stand and the Review notes that a “pair of silver scissors” is then visible (Jacobs 2014b, 121). At the 13 second mark, Officer Cano’s patrol SUV enters the frame. At 17 seconds, the Review records that “a plastic bag was visible in Tsingine’s right hand” (Jacobs 2014c, 18). Imputing motive and purpose to Shipley, the report notes: “Shipley pushed Tsingine away in an easterly direction in an attempt to create distance from her” ([Jacobs 2014c, 18), an action that resulted in items falling from her purse including the pill bottles that would later be used to emphasise her problems with mental illness. At 18 seconds, the Report notes that Tsingine got up and began walking toward Shipley. At 19 seconds, he draws his handgun. Cano has arrived at this point and was nearly directly behind Tsingine by a few feet. He is described as walking faster at this point. Shipley is described as walking backwards while Tsingine is described as “lunging” at him when he fires his weapon three times at the 22 second mark (Jacobs 2014c, 19). The video cannot easily confirm these descriptions of movement but the narration slows down a story frame by frame about a menacing, advancing threat that two police officers cannot contain except through shooting.

Even after she is shot five times, Tsingine continues to be described as advancing threat. As in the King video, where small movements are enlisted to tell a story of overwhelming threat, Tsingine is described as active and as “holding her body off the ground with her right hand, while her left hand was draped over her body,” a position she holds for two seconds (Jacobs 2014c, 19). The narration isolates each actor in the frame and the two seconds, from the 25 second point to the 27 second point is broken down by actor so that we have a sense that a great deal is going on:

At approximately twenty-seven seconds, Cano was still talking on the radio, and *Tsingine still held her body up*. Shipley’s weapon was still trained on Tsingine. Shipley could be seen removing his left hand from his weapon, and appeared to be bringing it back to the TASER camera “on” switch. (Jacobs 2014c, 20, emphasis added)

Rendered as a force that will not stop coming, even after five bullets, perhaps even a supernatural force, Tsingine remains the aggressor from whom Shipley is defending himself by moving backwards and even attempting to taser (something the evidence does not support). If Tsingine’s hand rises after she is shot, and she remains for an uncanny amount of time as someone who “still held her body up” (Jacobs 2014c, 20), this is not narrated as the involuntary movements that are the

response of someone suffering, someone who has been shot multiple times. It is, instead, a threat subsiding. If, as Butler argued with respect to Rodney King, the raising of his hand after suffering numerous blows was read as evidence that King was in control, it is the brutality that King was said to embody that transforms him into the author of his own misfortune. Rodney King, Butler (1993) suggests becomes in this moment “reduced to a phantasm of white racist aggression,” his body at once the site upon which white racist violence disavows itself and the place where desire is similarly disavowed through violence (20). Colonialism, Meyda Yegenoglu (1998) reminds us, is structured by unconscious, sexualised processes where fantasy and desire play a fundamental role. The colonial subject is constituted through an encounter with the racial/cultural Other, becoming through an active denial of the Other’s difference but nonetheless disturbed and haunted by masculine dreams of possession. Tsingine’s body is reduced to a phantasm and the desire that circulates and is disavowed, an amalgam of desiring and imperiled white masculinity, is apparent in Shipley’s own narrative below.

### **“I Felt a Fear and a Threat”**

Feeling both the fear that Tsingine refuses to recognise him as authority and the threat that is a projection of his own fear, Shipley narrates himself in the police interview as a professional confronted by a wild Indian, a thread enabled by the questions that are asked and those that are not asked by his interviewers (Jacobs 2014d). As above, in the official narration of the video, equipped with the stock arsenal of the 21-foot rule and related police concepts, Shipley presents himself, and is presented, as the police professional who utilised everything he had been taught about how to confront an overwhelming threat. The narrative is based on what Shipley is feeling, the feeling offering the basis on which we understand what he is doing. As the story of Shipley’s feelings, it is always defensible, and made more so by the historical storyline about the irrational savage, maddened with fury, and assaulting the white man. Its gendered dimensions are apparent in the sense that Tsingine does not belong to the feminine gender in the narrative. She is not a petite young woman in a ponytail but rather a near unstoppable force of nature, a force only bullets can contain.

As in the incident review, the narrative force of the interview derives from the presentation of Shipley’s professional behaviour, and Tsingine’s irrationality. As the video recorded, it took four seconds for Shipley to reach Tsingine once he parked his car and yelled “Police. Stop!” (Jacobs 2014d, 5) In six more seconds, he has positioned Tsingine on the ground, an action that one witness described as “slamming her to the ground” but which Shipley describes as a series of professional actions: “I gave verbal commands;” (Jacobs 2014d, 5) “I tried to put her arms behind her back; I tried to get her on her stomach; I used the ‘soft holds’ technique and did not apply my full force because I didn’t want to hurt her” (Jacobs 2014d, 13). As the seconds go by in slow motion, the next ten seconds also entail a series of professional

calculations. Shipley, for instance describes that he kept the 21-foot rule in mind when he assessed the level of threat. The situation is nevertheless so tense that he develops “tunnel vision” (Jacobs 2014d, 2)<sup>2</sup> and is not sure of where his partner is, his eyes focused on the threat in front of him. Solicitous of their interviewee, especially when he appears early on to be overcome with emotion, and sharing the same bank of professional knowledge, the police appear to bond over the shared language of edged weapons and the 21-foot rule.

There can be no other role for Tsingine but that of an out of control, irrational threat and Shipley’s account is shaped by a careful and judicious sprinkling of adjectives to describe Tsingine’s state of mind. Tsingine is in his view “actively resisting;” “making furtive movements”; “aggressively walking” (Jacobs 2014d, 6). Her demeanor is “blank” and she is silent (Jacobs 2014d, 9). Recalling her “blank” demeanor, Shipley remembers the prescription pill bottles falling out of her purse and we and the interviewers are left to connect the dots, lines that will explain Tsingine’s irrationality as due to mental illness. Impressing upon the interviewers Tsingine’s aggression and instability, Shipley recalls his own state of mind at the time: “What the hell, why is this lady resisting?” “Why did this have to happen? Why does this woman have scissors? Why was she trying to kill me?” (Jacobs 2014d, 12) Tsingine’s behaviour was incomprehensible, Shipley concludes, especially when he considered that this was only a misdemeanour crime (Jacobs 2014d, 12). She committed aggravated assault on a police officer, he concludes, and apparently for no reason. In the end, all he could have wished for, was that he didn’t come to work that day. Tsingine’s body, converted into threat and disposed of, generates Shipley, the police professional confronted with crazed and unruly Indians on a regular basis, people doing a beer run. Apparently traumatised by the encounter, it is Shipley, his narrative insists, for whom we should feel sorry. As with King, imagined, in Feldman’s (1994) words as a “resistant body without senses and without corresponding judgment” (213). Tsingine is narrated as an animalised body that feels no pain, a body that holds within it an intrinsic violence created by alcohol. What gives the story its appeal, as Feldman memorably observed with respect to King, is “unfinished history as mise-en-scene” (1994, 209). We might consider, then, the unfinished history in which Shipley, a white man and a police officer, and Tsingine, a Navajo woman, both feature, the ongoing extractive regimes and the racial terror on which they depend, and the colonial subjects whose anxieties are assuaged, and who regenerate, through violence.

<sup>2</sup> Police narratives frequently mention tunnel vision which suggests that it is a concept that police learn in training. See: Force Science Institute, “New Findings Expand Understanding of Tunnel Vision, Auditory Blocking and Lag Time,” *Police One*, Aug 1, 2005. <https://www.policeone.com/officer-shootings/articles/1247087-New-findings-expand-understanding-of-tunnel-vision-auditory-blocking-and-lag-time/> See also, David Montero, “‘Why Am I Going to Die Today?’: The Words of First Responders to Deadly Las Vegas Shooting,” *Los Angeles Times*, May 25, 2018. <https://www.latimes.com/nation/la-na-vegas-police-shooting-2018-story.html>.



## Conclusion

Colin Dayan (2011) has powerfully argued that white vulnerability to Black savagery is a baseline narrative in the law, whether with respect to police shootings or to cruel and unusual punishment. This is also the narrative that fuels gun culture and that gave rise to the second amendment's right to bear arms (Dunbar-Ortiz 2018). Commenting on Dayan's (2011) book *The Law is a White Dog*, discussing the legal rituals that transform prisoners into "unpersons" against whom all force is justified, Angela Davis observes that the logic of prisoners as less than human shows us "how the ghosts of slavery animate institutions" (cited in Dayan 2011, back cover). If we see the afterlives of slavery in prisons and in police shootings, both in their frequency and in police impunity, how might we understand the police shooting of a young Navajo woman and the legal narratives that justify it? Although it is certain that a justice system that is organised around the disposability of Black bodies sweeps up in its ambit all racialised persons, when the target is a young, Navajo woman, it is necessary to consider what settler colonialism has to do with the violence Shipley enacted and the legal and social approval of it. Settler colonialism is an ongoing project that preserves intact its colonial, spatial and legal structures. Dispossession continues apace with extraction as the engine that drives the racial project of accumulation. We can expect, then, that both the ghost of slavery and the ghost of settler colonialism animate institutions such as prisons and policing.

I have argued that, with its emphasis on extraction, a white settler society targets Indigenous land *and* Indigenous people. In this regard, police shootings of Indigenous people and the legal response to police use of force (along with everyday settler violence) are a part of the racial terror that is a central part of settler colonialism. As an ongoing racial project of accumulation, settler colonialism requires the enforcement of colonial lines of force. This is abundantly in evidence in the reservation border town where policing entails the eviction of the native from the settler town, a perpetual drawing of the lines of power between settlers and natives. The settler imagines himself or herself threatened at every turn by the native and obliged to use extreme force. A circulating colonial affect, threat narratives produce embattled colonisers who feel a fear and a threat and who do what they have to do, as Shipley did when he shot Loreal Tsingine. In the settler's psyche as in the streets of the border town, wild Indians are everywhere and can only be controlled through force. There is plenty to indicate that Officer Shipley undertook his daily duties within such a colonial imaginary. As Slotkin (1973) has shown, the Indian fighter remains a central figure in American national mythology, requiring settlers to bear arms and to defend white property through violence. As Indian fighter turned cop, Shipley is able to count on institutional support for his activities; indeed, Indian fighting is his job. The story in police shootings of "I did what I had to do" and "I felt a fear and a threat" (Jacobs 2014b, 24–25), official statements made by Officer Shipley in referring to his shooting of Loreal Tsingine is one that is powered by race, dependent as it is on the idea that Indians always pose a threat to the settler, a threat that only considerable force can dissolve. Scripting himself as imperiled,

and sustained institutionally for doing what he had to do in the wake of such a racial threat, Shipley can exercise force against Tsingine with impunity.

### The last word to Loreal Tsingine: Indigenous Refusal

In the 22 seconds of the police encounter captured on the police body camera, one of the first things I imagine I see in Tsingine's face is fear. The last thing I think I see of her is defiance. Perhaps even the blank stare Shipley describes is evidence of this defiance. Initially walking away from Shipley, who pursues her and throws her to the pavement, she stands up and walks towards him, apparent determination in her stride. I think of this moment as one that shares the sentiment of the hashtag *#Iftheygunmedownwhichpicturewouldtheyuse* (Stampler 2014). The inevitability of the moment, the end that those who are racially targeted anticipate, finally comes. Is this refusal, a final bringing to an end of a life of endless confrontation, a defiant inhabiting of the category of disposable? Even as I imagine refusal, I think about my own stakes in the story. The sources I mine for the police narratives discussed here do not easily give up insights either into Loreal Tsingine's humanity or her suffering. They do, however, reveal the contours of a colonial encounter, one structured by violence and terror. Yet I betray her if I don't find ways to resurrect the person who was killed, the person who struggled with racial terror and who may have found this last moment to confront it. Constructed by the police as animalistic threat who rises up after five bullets to confront a police officer seeking to apprehend her, I want to re-write this narrative, leaving an image not of superhuman aggression but of an insistence on being recognised and perhaps a taunt and despair: I am (still here).

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### References

- Amnesty International. 2007. *Maze of injustice: The Failure to Protect Indigenous Women from Sexual Violence in the USA*. <https://www.amnestyusa.org/pdfs/mazeofinjustice.pdf>. Accessed 11 Mar 2020.
- Arizona Dept. of Public Safety. 2016. *Body Camera Video of Austin Shipley*, March 27, 2016.
- Belew, Kathleen. 2018. *Bring The War Home. The White Power Movement and Paramilitary America*. Cambridge, Mass: Harvard University Press.
- Bennett, Cheryl RedHorse. 2010. Investigating Hate Crimes in Farmington, New Mexico. PhD Dissertation, University of Arizona.
- Bennett, Cheryl RedHorse. 2018. Another Type of Hate Crime: Violence Against American Indian Women in Reservation Border Towns. In *Crime and Social Justice in Indian Country*, ed. Marianne O. Nielsen and Karen Jarratt-Snider, 21–38. Tucson: University of Arizona Press.
- Bergland, Renee L. 2000. *The National Uncanny: Indian Ghosts and American Subjects*. Hanover: University Press of New England.
- Brown, Alleen. 2018. Indigenous Women Have Been Disappearing for Generations. Politicians Are Finally Starting to Notice. *The Intercept*, May 31. <https://theintercept.com/2018/05/31/missing-and-murdered-indigenous-women/>. Accessed 11 Mar 2020.

- Butler, Judith. 1993. Endangered/Endangering: Schematic Racism and White Paranoia. In *Reading Rodney King: Reading Urban Uprising*, ed. Robert Gooding-Williams, 15–22. New York and London: Routledge.
- Dayan, Colin. 2011. *The Law is a White Dog: How Legal Rituals Make and Unmake Persons*. Princeton: Princeton University Press.
- Deer, Sarah. 2015. *The Beginning and End of Rape: Confronting Sexual Violence in Native America*. Minneapolis: University of Minnesota Press.
- Denetdale, Jennifer Nez. 2016. No Explanation, No Resolution, and No Answers: Border Town Violence and Navajo Resistance to Settler Colonialism. *Wicazo Sa Review* 31 (1): 111–131.
- Donaldson, Lisa Weber. 2006. *'Indian Rolling': White Violence Against Native Americans in Farmington*. PhD Dissertation, University of New Mexico.
- Dunbar-Ortiz, Roxanne. 2018. *Loaded: A Disarming History of the Second Amendment*. San Francisco: City Lights Books.
- Farley, Melissa, Nicole Matthews, Sarah Deer, Christine Stark, and Eileen Hudon. 2011. Garden of Truth: The Prostitution and Trafficking of Native Women in Minnesota. *National Indigenous Women's Resource Center*. <https://www.niwrc.org/sites/default/files/documents/Resources/Garden-of-Truth.pds>. Accessed 11 Mar 2020.
- Farzan, Antonia Noori. 2017. The New Indian Massacre? Police Shootings of Native Americans on the Rise. *Phoenix News Times*, August 20. <https://www.phoenixnewtimes.com/news/navajo-woman-s-death-police-violence-against-native-americans-9595827>. Accessed 11 Mar 2020.
- Feldman, Allen. 1994. On Cultural Amnesia: From Desert Storm to Rodney King. *American Ethnologist* 21 (2): 404–418.
- Felte Jr, James F. 2017. To the Honorable Lorenzo Bates. *Letter from U.S. Dept. of Justice*. 23rd Navajo Nation Council, October 16.
- Force Science Institute. 2005. New Findings Expand Understanding of Tunnel Vision, Auditory Blocking and Lag Time. *Police One*, Aug 1. <https://www.policone.com/columnists/Force-Science/page-13/>. Accessed 11 Mar 2020.
- Goeman, Mishuana R. 2017. Ongoing Storms and Struggles. Gendered Violence and Resource Extraction. In *Critically Sovereign. Indigenous Gender, Sexuality and Feminist Studies*, ed. Joanne Barker, 99–126. Durham and London: Duke University Press.
- Grewal, Inderpal. 2017. *Saving the Security State: Exceptional Citizens in Twenty-First -Century America*. Durham and London: Duke University Press.
- Jacobs, Aaron. 2014a. Case Report. *Arizona Department of Public Safety*, File # C16001057. Winslow, AZ.
- Jacobs, Aaron. 2014b. *Case Summary*. Winslow, AZ: Arizona Department of Public Safety.
- Jacobs, Aaron. 2014c. General Report. *Arizona Department of Public Safety*, incident no. AZ1600004318.
- Jacobs, Aaron. 2014d. Interview Summary. *Arizona Department of Public Safety*, incident no. AZ1600004318.
- Jeong, Yihyun. 2016. Winslow Officer's File Details a History of Using Force. *The Republic*, April 12, 2016. <https://www.azcentral.com/story/news/local/arizona/2016/04/11/winslow-officers-file-details-history-using-force-before-loreal-tsingine-shooting/82888708/>. Accessed 11 Mar 2020.
- Johansen, Bruce, and Roberto Maestas. 1979. *Wasi'chu: The Continuing Indian Wars*. New York and London: Monthly Review Press.
- Montero, David. 2018. 'Why Am I Going to Die Today?': The Words of First Responders to Deadly Las Vegas Shooting. *Los Angeles Times*, May 25. <http://www.latimes.com/nation/la-na-vegas-police-shooting-2018-story.html>. Accessed 25 Mar 2020.
- Nemser, Daniel. 2017. *Infrastructures of race. Concentration and Biopolitics in Colonial Mexico*. Austin: University of Texas Press.
- Newton, Creede. 2017. Police Violence Against Native Americans in Arizona. *Al Jazeera*, 27 Apr 2017. <https://www.aljazeera.com/indepth/features/2017/01/police-violence-native-americans-arizona-170111083205542.html>. Accessed 11 Mar 2020.
- Perry, Barbara. 2008. *Silent Victims: Hate Crimes Against Native Americans*. Tucson: University of Arizona Press.
- Perry, Barbara. 2009. 'There's just places ya' don't wanna go': the segregating impact of hate crime against Native Americans. *Contemporary Justice Review* 12 (4): 401–418.
- Racial Violence Hub. 2020. Race and Deaths in Custody. [Racialviolencehub.com](http://racialviolencehub.com). <http://racialviolencehub.com>. Accessed 11 Mar 2020.

- Rank Tribe. 2017. A Navajo Woman's Death Highlights Increase of Police Violence Against Native Americans. *Black News*, August 17. <http://www.akh99.com/2017/08/17/a-navajo-womans-death-highlights-increase-of-police-violence-against-native-americans/>. Accessed 11 Mar 2020.
- Razack, Sherene H. 2015. *Dying from Improvement: Inquests and Inquiries into Indigenous Deaths in Custody*. Toronto: University of Toronto Press.
- Redhouse, John. 1979. Introduction. In *Wasi'chu: The Continuing Indian Wars*, eds. Johansen, Bruce, and Roberto Maestas, 11–13. New York and London: Monthly Review Press.
- Sankin, Aaron, and Will, Carless. 2018. The Hate Report: Get to know the Three Percenters. *Reveal*, March 16. <https://www.revealnews.org/blog/hate-report-get-to-know-the-three-percenters/>. Accessed 11 Mar 2020.
- Slotkin, Richard. 1973. *Regeneration Through Violence: The Mythology of the American Frontier, 1600–1860*. Middletown: Wesleyan University Press.
- Speed, Shannon. 2016. States of Violence: Indigenous Women Migrants in the Era of Neoliberal Multiracialism. *Critique of Anthropology* 36 (3): 280–301.
- Speed, Shannon. 2019. *Incarcerated Stories. Indigenous Women Migrants and Violence in the Settler-Capitalist State*. Chapel Hill: University of North Carolina Press.
- Stamper, Laura. 2014. Twitter Users Ask What Photo Media Would Use #IfTheyGunnedMeDown. *Time*, August 11. <https://time.com/3100975/iftheygunnedmedown-ferguson-missouri-michael-brown/>. Accessed 11 Mar 2020.
- TASER International. 2014. Axon Flex 2 User Manual, p. 15. <https://fccid.io/X4G-S00146/Users-Manual/Users-Manual-3252977>. Accessed 25 Mar 2020.
- Taussig, Michael. 1987. *Shamanism, Colonialism and the Wild Man: A Study in Terror and Healing*. Chicago: University of Chicago Press.
- Thielen-Wilson, Leslie. 2018. Feeling Property: Settler Violence in the Time of Reconciliation. *Canadian Journal of Women and the Law* 30: 494–521.
- Voyles, Traci Brynne. 2015. *Wastelanding: Legacies of Uranium in Navajo Country*. Minneapolis: University of Minnesota Press.
- What is the Three Percenters? n.d. *The Three Percenters—Original*. <https://www.thethreepercenters.org/about-us>. Accessed 11 Mar 2020.
- Woodard, Stephanie. 2016. The Police killings No one is Talking About: A Special Investigation. *In These Times*, October 17. [http://inthesetimes.com/features/native\\_american\\_police\\_killings\\_native\\_lives\\_matter.html](http://inthesetimes.com/features/native_american_police_killings_native_lives_matter.html). Accessed 11 Mar 2020.
- Yazzie, Melanie K. 2014. Brutal Violence in Border Towns Linked to Colonization. *Indian Country Today*, August 22. <https://www.indianz.com/News/2014/08/22/melanie-yazzie-border-town-vio.asp>. Accessed 11 Mar 2020.
- Yegenoglu, Meyda. 1998. *Colonial Fantasies: Towards a Feminist Reading of Orientalism*. Cambridge: Cambridge University Press.

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