Abstract

Surveillance, privacy and security are of paramount concern to technology users. One of the implications of these new forms of technologized surveillance that has received little attention is their implications for women fleeing violent situations. This article seeks to place questions of surveillance technologies into a theoretical framework that foregrounds the challenges that new surveillance technologies pose to anti-violence movements. Specifically we address the impact of surveillance technologies in the practice of violence and some proposed solutions, and consider the ways that surveillance technologies are used disproportionately in the criminalization of marginalized groups. By placing violence against women at the centre of our analysis we aim to complicate concerns related to surveillance technologies.

Introduction

In April of 2011, Apple came under media fire for invading user privacy. Apple smartphones and their myriad applications—including their ability to track geographical location and sell personal information to third party advertisers—attracted the notice of both U.S. federal prosecutors and Congress (Yahoo News 2011; Chen 2011). At the centre of this controversy is the iPhone’s ability to transmit information assumed by consumers to be private. According to a series of articles entitled ‘What they know’ in The Wall Street Journal (2011), out of 101 applications tested, 56 transmitted the phone’s unique device identifier (UDID). According to the Electronic Privacy Information Center (EPIC), a privacy advocacy organization located in the U.S., Apple devices also record detailed location data from iPhones and iPads (2011). Both latitudinal and longitudinal information, as well as a time-stamp, is captured by the device and then transferred to the user’s computer. In addition, screen shots of users’ iPhones and iPads may be taken regularly and never permanently deleted. According to Apple’s (2011) privacy policy, they collect consumer information in order to better understand customer behaviour and to help improve their products.

Consumers expressed shock following the discovery that they could be so easily tracked by a major U.S. company (Yahoo News 2011). Clearly, the attention that this story received in popular news media and technology-focused websites (Chen 2011; The Wall Street Journal 2011; Yahoo News 2011; Aamoth 2011) suggests that questions of surveillance, privacy and security are of paramount concern to technology users. And yet, some of the implications of these new forms of technologized surveillance that have received little attention are those for women fleeing violent relationships. The methods that Apple adopted to place their consumers under surveillance are identical to some of the new technological strategies that abusers use to stalk their intimate partners, including screen shots and the use of GPS technology to track...
individual location. Despite the obvious overlap between strategies of consumer surveillance and stalking, conversations about violence against women are rarely referenced in the increasingly ubiquitous discussions about the decline of consumer privacy. If they are, they tend to be limited to a footnote. In this article, we excavate the volumes left unsaid by these footnotes and foreground the implications of technological surveillance practices for violence against women.

In doing so, this article seeks to place questions of surveillance technologies into a theoretical framework that foregrounds the challenges that new surveillance technologies pose to anti-violence movements. Specifically, we address the relationship of new surveillance technologies to violence against women (VAW); how they are, and are imagined to be, useful in the resistance against violence practices; and how some technologies may help women find safety from abusers. Furthermore, we consider the implications of surveillance technologies on the further criminalization of anti-violence strategies. By conceptualizing VAW as inclusive of interpersonal and systemic violence, we focus on the ways that surveillance technologies are used disproportionately in the criminalization of people of colour, queer and non-gender conforming individuals, as well as sex workers. By placing violence against women at the centre of our analysis we aim to complicate concerns related to surveillance technologies.

**Violence Against Women: A Note on Terminology**

We employ the term ‘violence against women’ (VAW) instead of domestic violence, intimate partner violence, partner abuse, or any other term popular in the mainstream anti-violence field in order to denote the connection between acts of violence and systemic oppressions. Following bell hooks (2000), we understand VAW as occurring both inside and outside the home, as well as an issue that is connected to enduring structures of patriarchy and misogyny (2000: 61). Following intersectional feminist theorists including bell hooks, as well as Sherene Razack and the INCITE! Women of Color Against Violence Collective, we understand practices of violence to be intimately linked with and sustained by other axioms of dominations including institutional racism, homophobia/transphobia, classism, ableism, and (neo)colonialism(s) (hooks 2000; Razack 2004; INCITE! 2006). Here, we use the term ‘victim’ when identifying individuals who have experienced various forms of violence. While we want to be clear that our use of this term does not mean that victims have no agency or should be blamed, we also want to be clear that although ‘survivor’ is an often-used term in North American anti-violence scholarship, we want to explicitly include those violent acts that have resulted in death. In doing so, we want to highlight that violence against women is an international phenomenon of epidemic proportions, and one that has consequences as severe in the Global North as in the Global South. In doing so, we reference Uma Narayan’s (1997) assertion that although violence against women in the Global North is often represented as both less extreme and more exceptional in comparison to the Global South, this is not the case. It is our intention to utilize this thorough the conception of violence against women to think critically and broadly about the impacts of surveillance technologies on anti-violence organizing.

**Feminist Surveillance Studies and Violence Against Women**

Surveillance practices and their relationship to inequality have a long history, from the surveillance of slaves through a reliance on identity documents (Parenti 2003) to the scrutiny of those receiving certain forms of aid from the state (Eubanks 2006; Monahan 2010). As contemporary scholarship within surveillance studies documents (Doyle et al. 2012; Lyon 2009; Lyon 2006; Andrejevic 2007; Kohler-Hausmann 2007), the surveillance of consumers by companies and of citizens by the state intensified

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1For example, recipients of AFDC (Aid to Families with Dependent Children) and TANF (Temporary Assistance to Needy Families) historically have been scrutinized closely, as is well documented by welfare historians (Smith 2007; Kohler-Hausmann 2007), whereas other forms of aid from the state, including tax breaks on second homes and corporate welfare, have not been placed under surveillance with the same intensity.
dramatically since the late 1970s. This rise in surveillance practices is productive and has resulted in the birth of a new range of surveillance technologies, from computer programs able to track the exact number of minutes that an employee spends on the phone (Head 2003) to personal digital assistants (PDAs) that transmit the user’s exact geographic location. Scholarship within surveillance studies notes the relationship of surveillance to inequality, whether it is the scrutiny of immigrants and refugees (Zureik and Salter 2005) or the policing of folks living in low-income neighbourhoods (Gates 2011). Less attention has been concentrated on intersectional feminist approaches to surveillance that examine its relationship to racisms, sexisms, ableisms, and homo- and trans- phobias. That is, while inequalities have been paid serious attention in the field, axioms of oppression are rarely analysed simultaneously. Moreover, surveillance practices are intimately connected to stalking and have had tremendous consequences for violence against women, and yet the implications of the rise of surveillance for VAW are less studied in the field of surveillance studies, with a few excellent exceptions (Eubanks 2006; Römkens 2006; Southworth et al. 2005).

An upcoming volume titled Feminist Surveillance Studies notes in its introduction that studies on the surveillance of women have a long history, even if they are not explicitly named as such (Magnet and Dubrofsky, under contract). From Laura Mulvey’s article ‘Visual Practices and Narrative Cinema’ (1975) on practices of looking at women in film to bell hooks’ foundational work on the power of the white supremacist gaze (1992), violent ways of visually dismembering and reconstituting women’s bodies using new visualization technologies are not new. Nor is the institutional scrutiny and regulation of women’s bodies a new phenomenon. Including the sterilization of women of colour and women with disabilities as part of neo-eugenics programmes in the U.S., as well as the scrutiny of women receiving particular forms of aid from the state, women have long been policed by state institutions (Smith 2007; Smith 2008; Eubanks 2006; Kohler-Hausmann 2007). Unsurprisingly, the state is not the only actor capable of violently surveying women’s bodies and behaviours. Surveillance practices, in some cases ones that were explicitly developed by the state such as welfare registries and emergency hotlines to report welfare or immigration violations, are now being adopted by abusers in order to violently control the women in their lives. In examining the connection of new surveillance technologies to violence against women, we ask the following questions: How does violence against women inform the development of new technologies? And how do new technologies inform violence against women?

Technologies of Violence

The relationship between new technologies and stalking is the primary focus of anti-violence advocacy. Stalking is not a new phenomenon. And yet, new technologies complicate how women experience violence as well as how they are able to protect themselves. Stalking can be defined as ‘obsessive behaviour directed toward another person...[that can]involve persistent, malicious and unwanted surveillance and the invasion of privacy that is a constant threat to the victim’s personal security’ (Johnson 2006). Telephone and computer technologies used by abusers to monitor the actions and movements of victims, such as global positioning systems, electronic records, web search engines, text messaging (Southworth et al. 2005) as well as social media tools such as Facebook and MySpace, allow perpetrators to harass and track their intimate partners in new ways. Survivors report that they are increasingly experiencing stalking through ‘high tech’ means (Southworth et al. 2005: 2). For anti-violence advocates, the sophistication of stalking and harassing techniques is important to understand since women stalked by former boyfriends, husbands or cohabitating partners are very likely to be physically, emotionally, and/or sexually assaulted by the same person (Southworth et al. 2005). Of women murdered in the U.S., 76 per cent were previously stalked by the perpetrator (McFarlane et al.1999).

Stalking technologies complicate the ways that abusers violate victims. Global Positioning Systems (GPS) that use satellite receivers to provide real-time positioning are often used to locate and follow victims (Southworth 2005: 6-7). For example, in Wisconsin in 2002, a man secretly installed a GPS device under
the hood of his ex-girlfriend’s car. This allowed him to track his ex-partner’s exact location. One woman was followed by her ex-partner as she drove to work or ran errands. Once, she noted that her abuser tried to run her off the highway (CBC News cited in Southworth et al. 2005). These examples continue to proliferate. In 2009, CBC news covered a high-tech stalking incident after a football player for the Giants who suspected his girlfriend was cheating on him installed a tracking device in her car on two separate occasions. Other examples include cell phones planted in cars that are set to auto-answer, but where the ringer is turned to silent. That is, users will not hear their phone ring, but if they happen to speak while the phone is being called, they will activate their cell phone and, unbeknownst to them, take the call. Many documented cases show abusers calling phones planted in cars hundreds of times in the hopes of gleaning information if their victims happen to inadvertently ‘answer’ their phones by speaking to someone else in the car while it is ‘ringing’ on silent. This type of silent call answer is a cell phone feature that Cindy Southworth of the National Network for Ending Domestic Violence asserts is one that would only ever be used to for the purposes of stalking, since no one wants to answer their cell phone inadvertently without ever realizing if it has rung (National Network for Ending Domestic Violence 2008).

While planted GPS and cell phone systems might be more complex and expensive, simple tracking systems used in Facebook and Twitter are highly accessible to computer users. Facebook privacy settings are often changed without warning from the company, and new applications are constantly added to the repertoire of this social media tool. Currently, Facebook allows the user and their friends to ‘check in’ at locations through Google maps. Unless a user actively changes their privacy settings, individuals can easily check in their friends in real-time at restaurants, theatres, and other public locations. Through this application, an individual’s real-time location is visible to all their online friends. Abusers—from family members and former friends to significant others—can easily access this material through the victim’s online friends. Information regarding a person’s whereabouts obviously may increase the risk to their personal wellbeing. Furthermore, access to information such as email, phone numbers, and workplace information, the ability to read Facebook wall posts, to check out online friends lists, to find out the pages one ‘likes’ and ‘group’ pages one belongs to are tools that abusers can and do use. For example, an individual’s friends list, their relationship status, as well as uploaded photos can anger abusers who may threaten or enact violence resulting from their desire to control the victim’s communications and friendships. According to the National Network to End Violence Against Women’s (2010) tip sheet, domestic violence and sexual assault organizations need be aware of the risks of using social networking sites in order to develop better safety plans for victims of violence.

Abusers also use SpyWare to facilitate stalking. Originally developed by companies to track consumer preferences (Barnes 2005-2006), and then repackaged for individual users in order to monitor their children’s internet use, abusers have developed SpyWare to monitor the online activities of their victims. SpyWare allows abusers to easily find out any attempts made by their victims to access information on, for example, rape crisis centres or shelters. ‘Scrubber’ and ‘Washer’ programs that claim to clear computer histories are ineffective if SpyWare is in use (Southworth et al. 2005). Moreover, even if a victim installs a scrubber program or attempts to clear all their computer trails, this can jeopardize their safety as it can arouse suspicion. There are numerous examples of SpyWare used in stalking. For example, in September 2001, a Michigan man was charged with installing spy software on the computer of his estranged wife. The SpyWare program sent him regular emails reporting all of her computer activity, including all emails sent and received and all web sites visited (Southworth et al. 2005; Wendland 2001). SpyWare and other monitoring programs were originally developed for the purposes of consumer surveillance. The use of Spyware for stalking is unsurprising. Surveillance technologies, regardless of their original intention, always emerge in a specific context amid social inequalities. The twin fields of feminist science studies and the history of science clearly demonstrate that new technologies are not objective nor do they spring forth in a cultural vacuum (Treicher 1999; Haraway 2004; Hammonds 1999). Consider the history of fingerprinting. Fingerprinting was originally developed by Sir Francis Galton as part of a eugenics project in which he believed that fingerprinting could be used to definitively...
demonstrate white racial supremacy. As science and technology scholar Simon Cole shows in his brilliant history of fingerprinting (2001), it is no accident that this identification technology—a technology which has its origins in eugenics—is now used to police, surveil and track criminalized individuals in the contemporary prison system, one that has been described as the system par excellence demonstrating U.S. racial apartheid (Smith 2008). From bertillonage and photography to digital biometric technologies including facial recognition and iris scanning technologies, the history of surveillance technologies reveals that they also were developed in a cultural code rife with inequalities, and thus reflect those same inequities. For example, digital biometric technologies rely on soft biometrics in order to quickly sort people into categories. Soft biometrics explicitly refer to race and gender, and contemporary biometric technologies sort people according to their presumed racial and gender identities. This is a deeply problematic process given that thirty years of scholarly research, from scientific research (Hammonds 1999; Gould 1996) to cultural theory (Haraway 2004; Fausto-Sterling 2000) has definitively shown race and gender to be culturally constructed rather than biological. Thus, in codifying biological assumptions about race and gender, digital biometric technologies facilitate hi-tech forms of racial and gender profiling (Magnet and Dubrofsky, under contract). Similarly, given that SpyWare and other types of computer monitoring programs were developed for the purposes of consumer surveillance, their extension to other types of stalking are unsurprising. Moreover, of course, as these computing technologies were developed in a cultural context of the persistent and widespread occurrence of violence against women, it is expected that these new technologies reflect these old inequalities and have resulted in the intensification of the surveillance and stalking of victims of violence.

Using Technology to Resist Violence

Communicating with survivors about surveillance technologies is extremely important to anti-violence advocates. In order to increase the safety of women and children seeking their services, women’s shelters have begun to take action against surveillance technologies by communicating their potential dangers (National Center for Victims of Crime 2011; National Network for Ending Domestic Violence 2010). Moreover, some anti-violence advocates are beginning to explore the potential of using surveillance technologies to help victims find safety from abusers and have partnered with large corporations involved in surveillance technologies such as Google. For example, in Canada, the not-for-profit online organization Shelternet recognized that women seeking shelter information and other resources often look for resources online. The organization argues that they recognized that the internet was the best tool for providing information to anti-violence advocates and women needing these resources as a majority of computer-literate Canadians living in cities are more likely to search the internet than paper-based phonebooks (Shelternet 2009). Shelternet provides online links to Canadian shelters at no cost to the shelters themselves. It is important for Shelternet to provide free information and technological resources since keeping up with new technologies of violence may be out of the financial reach of many shelters. Cuts in government expenditures during the 1990s, especially in the area of social services, were particularly brutal for the shelter movement. Ontario’s provincial Conservative government, led by Mike Harris, made drastic cuts to social service provision. For shelters, the cuts made provincially in 1995 by the Ministry of Community and Social Services were particularly devastating. Funding was cut from counselling programmes in second stage houses; from anti-violence education; from culturally specific services as well as from anti-racism and anti-discrimination training and programming (Timothy 2007: 45-46). In addition, federal government cuts to shelters under Prime Minister Stephen Harper’s Conservative have had a considerable impact on shelter work. For example, the Native Women’s Shelter of Montreal experienced cuts so drastic that they questioned whether or not they would be able to continue their work (CBC 2010). Given the history of the colonization of Aboriginal and First Nations peoples by the Canadian state, funding cuts represent the continued disregard and lack of care for Aboriginal communities. As colonial violence was taught to Aboriginal communities by the state through policies including residential schools, the removal of Indigenous children and their placement in white families through foster care, as well as through the disproportionate policing and surveillance of Aboriginal
peoples by the police, to remove any care for the impact of this cycle of violence must be understood as a form of neo-colonialism. In this context, the work of Shelternet—as a not-for-profit organization communicating with shelters about high-tech violent practices and safety measures—is extremely important.

Given the strained funding of Canadian shelters, Shelternet is heavily employed by Canadian women’s shelters. Importantly, Shelternet’s services include a visible link allowing users to immediately exit the webpage of women’s shelters. This link allows service seekers a quick and untraceable way to close web-browsing activities. Additionally, Shelternet provides step-by-step information on how to use the internet, email, and instant messaging more safely in ten different languages. And yet, many tracking activities are very difficult to prevent. Abusers may know sophisticated stalking techniques that shelters do not. Moreover, deleting caches or web histories might make abusers suspicious if they use the same computer. However, the ‘get out quick’ link that Shelternet provides is an important step in creating safer ways for victims to seek help.

At the same time as anti-violence advocates warn of the dangers of surveillance technologies, many anti-violence organization are beginning to partner with major companies included Google and Verizon to better serve victims of violence (NNEDV 2010). In partnership with the National Network to End Domestic Violence (NNEDV) and Jane Doe Inc., Google and Verizon have begun a nationwide initiative to promote safe technological practices. Cindy Southworth, the founder of NNEDV’s Safety Net Project, claims that technologies afford victims of violence greater opportunities to get help. In particular, the accessibility of information on fleeing violent situations on the internet and the use of cellphones for safety measures are important resources for victims of violence. However, Southworth maintains that perpetrators can use ‘technology to monitor their victims’ activities and further their abusive behavior’ (NNEDV 2010).

Recognizing the impact of technologies on violent practices, NNEDV (2010) has advocated for increased safety measures with large technology corporations. Partnering with NNEDV, Google has begun to create user privacy and notification options for location-based services and worked closely with Google when the company launched ‘Street View’ to ensure that no undisclosed shelter appeared in Google Maps or Google Street View. NNEDV has also partnered with Verizon Wireless to provide cell phones and services to victims of violence. According to NNEDV, Verizon has been a corporate leader in domestic violence awareness and prevention for 15 years. Through Verizon Wireless’ national HopeLine phone recycling programme, more than 90,000 wireless phones with the equivalent of 300 million minutes of free wireless service have been distributed to survivors across the country. Additionally, since 1995, more than $7.9 million in cash grants have been awarded to domestic violence agencies and organizations nationwide. Also, Verizon is working with NNEDV to develop greater public awareness around victim safety and technology. For example, the company has begun to work with NNEDV in reviewing products to make certain that they are tools to increase, not compromise, survivors’ safety. However, as we note below, we must remain critical of these links between anti-violence organizations and large companies. Although they can be helpful for individual women, we will see that these partnerships remain limited strategies for protecting women’s safety, as companies are primarily concerned with developing tools that consumers will purchase rather than with women’s safety.

Most recently, the U.S. Department of Health and Human Services, the White House Office of Science and Technology Policy (challenge.gov 2011) and the Office of the Vice President are collaborating on a ‘challenge that encourages the development of applications that provide college students and young adults with the tools to help prevent dating violence and sexual assault’ (challenge.gov 2011). Entitled ‘Apps against Abuse’ the government is seeking smart phone applications that allow students on college campuses to connect with friends in real-time in order to prevent abuse by keeping track of each other’s whereabouts. Bystanders are encouraged by the challenge to step up and prevent violent circumstances,
but like many anti-violence initiatives, women are targeted in prevention efforts. Problematically, such applications are aimed at women as needing to be responsible for violence, rather than, for example, education initiatives that would target perpetrators of violence. That is, women are problematically expected to change their behaviour by tracking their whereabouts and ‘checking in’ with friends to prevent violence. While the nationwide call for these types of ‘apps’ encourages community support, it does not remunerate communities nor does it provide adequate resources to help. Moreover, it asks women to give up personal information to third parties for their own self-protection. Although the challenge encourages creators of the ‘Apps against Abuse’ to consider ways of disguising their usage in order to protect victims from abusers, it is unclear how internal surveillance features on smart phones, such as the ‘screen shot’ and location tracking ability of iPhones and iPads, will work with such anti-violence applications.

**Surveillance and Criminalization**

While individual privacy concerns mount, the prison system has found new surveillance technologies advantageous. In fact, the development of new technologies in North America historically has been due to, as well as has benefited, the prison industrial complex. From fingerprinting to bertillonage (Cole 2001), photography (Lalvani 1996) and biometrics (Murray 2007; Gates 2011; Pugliese 2005; Magnet and Dubrofsky, under contract), the organization of information on criminalized individuals through complex data control systems have critically shaped police surveillance practices historically (Magnet and Gates 2009: 5; Laudon 1986). More recently, the inclusion of social media tools such as Facebook and MySpace are increasingly incorporated into police surveillance practices. Police now ask the public to upload photos and videos taken with personal cameras, smartphones and cellular phones and then use these documents to arrest citizens. One example is found in the case of the Stanley Cup looting in Vancouver, British Columbia in 2011. Following the riot, videos and photos taken by ordinary citizens on their cell phones were used to make arrests (CBC 2011). Videos uploaded onto YouTube have also been used by the police to arrest individuals who have taken part in criminalized activities (Telegraph 2009).

Of course, the development of these new surveillance technologies—many of which were refined in the prison system and then expanded for use on non-criminalized consumers (Cole 2001; Magnet and Dubrofsky, under contract) must be grounded in the expansion in the prison industrial complex (Sudbury 2005). The increase in the U.S. prison system is well documented (Davis 1981; David and James 1998; Davis 2003, 2005; Garland 2001a, 2001b; Sudbury 2005; Gilmore 2007). Including the transformation of rehabilitation programmes to punishment in the 1970s (Gilmore 2007) and additionally resulting from 3 strikes laws, truth in sentencing initiatives, the war on drugs (Cole 2007, Roberts 2001), and the

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2Although the trends in Canada are less dramatic, there still remains more than an echo of stateside approaches to prison building. Certainly, the rates of incarceration are not comparable. Canada imprisons people at only one sixth the rate of the United States (Sudbury 2004). Yet, some disturbing resonances are beginning to appear. For example, Ontario has embarked on an ambitious prison construction program, including the use of a private U.S. prison corporation to construct a superjail (Sudbury 2004). Although the rates of the incarceration of people of colour are not as dramatic in Canada as they are in the U.S., they remain significant. One of the most dramatic examples of the inequalities yielded by a history of colonialism is Canada’s overincarceration of both Aboriginal men and Aboriginal women. Although Aboriginal peoples are roughly 3 per cent of Canada’s population, they make up 18 per cent of the men, and 23 per cent of the women, incarcerated in Canadian prisons (Sudbury 2004). 75 per cent of women in Canadian prisons are there for small offenses such as shoplifting or fraud, with over one third of women in prison for drug offences (CAEFS 2004). Moreover, 90 per cent of Aboriginal women serving time in federal prisons have a history of physical and/or sexual abuse (CAEFS 2004). More generally, the disproportionate incarceration of Aboriginal peoples in Canada can be linked to conditions of poverty and deprivation. Thus, 21.1 per cent of Aboriginal women and 26.5 per cent of Aboriginal men are unemployed, in comparison to 9.7 per cent and 9.9 per cent of non-Aboriginal women and men respectively (CAEFS 2004). There has been too little attention paid to the incarceration rates of African Canadians and immigrant groups to Canada, whose penal warehousing far exceeds the rates of white Canadians” (Magnet and Dubrofsky, under contract).
criminalization of immigration (‘crimmigration’), the swelling of prison populations is a shocking example of the warehousing of the poor. Prison populations have grown from 200,000 in the late 1960s to more than 2 million (Davis 2003). As many have argued, the prison industrial complex is an engine of inequality through the disproportionate incarceration of both poor people and people of colour (Cole 2001; Smith 2008; Davis 2003; Razack 2002). Prison abolitionist Julia Sudbury reminds us that, in the United States, 1 million African Americans are behind bars (Sudbury 2004). When one looks to the war on drugs, despite the fact that studies find little difference between drug use in people of colour and white people (Webb 2009), over two thirds of those in prison or jail for drugs are people of colour (Cole 2007). Nor can we disregard gender in theorizing inequality in the prison system. In keeping with worldwide trends in which poor racialized women and women with mental health disabilities are the fastest growing groups to be incarcerated (CAEFS 2004), in the U.S., African American women are now the fastest growing prison population, having outpaced African American men (Davis 2003).3 The incarceration of poor women must be placed alongside the dismantling of the welfare state. The elimination of welfare programmes like Aid to Families with Dependent Children (AFDC) causes women to seek out criminalized forms of employment so that they can afford food and housing. Particularly relevant for this article is the ways in which sexual, emotional, and physical violence also propel women into the prison system (CAEFS 2004). As women flee abusive situations, the lack of a social safety net means they may turn to criminalized behaviour such as sex work and the drug trade in order to meet their most basic subsistence needs (Sudbury 2005; Davis 2003). Queer people fleeing homophobic abuse and harassment in their homes, schools, and workplaces render LGBTQ folks vulnerable to the prison industrial complex. As Beth Richie’s study of young, black lesbians shows, the relationship between homophobia and sexual harassment places queer women at increased risk of violence (2005), and violence is a well-known factor that leads to women’s engagement in activities deemed illegal by the state.4

Surveillance technologies are both produced by as well as part of the expansion of the prison industrial complex. New surveillance features including the time and date stamps we described above can be used to make arrests. Technology producers and marketers assert that surveillance features like those found on the iPhone are important security measures. If they reference violence against women at all, companies selling these products argue that these surveillance features will help institutions like the police to catch perpetrators of violent crimes. For example, according to iPhone hacker and data-forensics expert Jonathan Zdziarski, the iPhone’s ability to take a screen snapshot and save it is a personal privacy ‘flaw’. However, he and others argue that this in fact can become useful to the prison system since users cannot permanently delete information, and, as a result, storage forensics experts have used the ‘flaw’ to gather evidence against criminals convicted of rape, murder or drug deals’ (Chen 2008).

In this way, although mainstream media represent surveillance technologies as carrying risks for consumers, they are simultaneously represented as necessary evils. For example, in the popular crime show Criminal Minds, the dangers of surveillance to individual privacy are referenced, but the overall message remains that these technologies help to keep us safer. In a two-part episode entitled ‘The Big Game’ and ‘Revelations’ (2007), a techie-turned-murderer accesses computers remotely to fix issues such as sound control, but then maintains access to internal webcams after the service is completed using a Trojan horse virus. Watching women in particular, the murderer observes his victims through the webcam and then allows the videos of his murders to ‘go viral’. While the surveillance of victims is depicted as a breach of their privacy, it is the videos captured through webcams that lead the FBI to the murderer’s capture and arrest. This fictional show parallels a case in Toronto, Canada in which a young woman

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3 For example, between 1985 and 1995, the number of incarcerated men doubled. During this same time period, the number of women, women who are disproportionately Black, tripled (Isaac, Lockhart and Williams 2001; Bureau of Justice Statistics 1997 [1996]) (Magnet and Dubrofsky, under contract).

attending York University was killed while her boyfriend in China watched part of the women’s struggle with her assaulter via a webcam (Sympatico News 2011). In online commentary on Sympatico News, a user claimed that this was ‘life imitating art’ since an episode of crime show *CSI: New York* followed a similar story line. The police began their investigation by attempting to uncover the streamed video and ultimately charged a York University student with her murder (Rush 2011). Of course, these technologies did not help to save this young woman’s life. Nor did they help to address the ongoing systemic issue of violence against women. Instead, they became the vehicle by which the police could assert that violence on campus had been addressed since this one ‘bad apple’ violent student was caught.

The approach to perpetrators of violence as ‘bad apples’ is a familiar strategy: one that helps to distract attention from solutions aimed at addressing the systemic nature of violence as well as its gendered and racialized nature. In suggesting that these new technologies saved the day by helping to catch one perpetrator, the media offers limited critiques of new surveillance technologies while simultaneously ‘naturalizing their expansion’ (Magnet and Gates 2009: 7). That is, in popular TV shows and news media, surveillance technologies are understood as producing privacy breaches that are justified as a result of their helpfulness in police investigations. This is well captured in the commentary of forensics expert Jonathan Zdziarski. Arguing that these technologies do produce ‘significant privacy leak[s]’, he asserts that they remain important tools since ‘at the same time [they’ve] been useful for investigating criminals’ (Chen 2008). For feminist surveillance studies scholars, surveillance technologies pose more complex questions than ‘are they good or bad?’ We argue that the relationship of surveillance technologies to their social context and the ways that technologies reproduce and exacerbate social inequalities must be examined. In particular, while surveillance technologies may be useful to police enforcement, more policing practices results in the strengthening of a prison system that continues to overincarcerate women who are victims of violence—and particularly targets women of colour, women with disabilities and queer women for incarceration. Given the role of the prison system as an engine of inequality, we must call into question the assertion that improving intensifying existing connection between anti-violence movements, surveillance technologies, and the police is necessarily positive. Rather, we must ask: what is the impact of deepening connections between anti-violence advocacy, new technologies of surveillance and the prison industrial complex?

Connections between anti-violence movements and the prison system have historically been and remain deeply problematic. For anti-violence advocates, the ‘criminalization of violence against women’ has impacted individual safety tactics and community organizing. According to the INCITE! Women of Color Against Violence collective (2006), the movement from grassroots organizing to ‘professional’ shelters has meant that the mainstream anti-violence movement is reluctant to challenge institutionalized violence (Smith et al. 2006: 1). The move to government funding regimes in the U.S. and Canada are coupled to an increased reliance on the prison system. According to Smith et al. (2006), the anti-violence movement is ‘working with the state, instead of against state violence’ (1). The criminal justice system often simply brings many survivors of violence into conflict with the law (INCITE! 2006). In addition to those noted above, mandatory arrest laws in the U.S. and Canada have meant that women who call police for protection are often also arrested. A New York-based study complied in 2001 found that a majority (66 per cent) of domestic violence survivors who were arrested alongside their abuser, or arrested as a result of a complaint lodged by their abuser, were African American or Latina/o, 43 per cent were living below the poverty line and 19 per cent were receiving public assistance. Lesbian survivors are also frequently arrested alongside their abuser since law enforcement officers frame violence within same-sex relationships as ‘mutual combat’ (Ritchie 2006: 140). Individuals perceived to be transgressing gender

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5 For further reading, see Sherene Razack’s (2004) excellent examination of the ways that Canadian peacekeepers participating in the torture and murder of Somali civilians were described by the Canadian state simply as ‘bad apples’, rather than individuals participating in a system of regulated and regular imperial violence perpetrated by the Canadian state against othered bodies (117).
norms are often subject to excessive force upon arrest (Ritchie 2006: 143). Furthermore, undocumented women who have reported violence have often found themselves deported (Ritchie 2006: 151). To be sure, Canadian women’s shelters have been raided by the Canadian Border Services Agency in order to deport ‘illegal’ immigrants (No One Is Illegal 2011).

Given the complex relationship of women of colour, indigenous women, poor women, queer folks, immigrants, sex workers and other women vulnerable to being criminalized by the justice system, the assumption that surveillance measures can provide protection to VAW victims is problematic. In particular, surveillance technologies that deepen existing links to the prison industrial complex pose problems for victims and anti-violence advocates. While anti-violence advocates may see potential in surveillance technologies such as home security and surveillance systems, reliance on the criminal justice system for both funding and protection can impact their utility for survivors of violence.

According to Römkens’ (2006) research on a surveillance project entitled AWARE (Abused Women’s Active Response Emergency) implemented in the Netherlands, U.S. and Canada, the reliance on the criminal justice system can adversely affect its usefulness for victims. For example, the AWARE programme aims to protect and support victims of stalking, as well as restrain perpetrators through arrest using electronic safety technologies. If an abuser threatens an individual, the victim can set off an alarm by pushing a button in the house or on a pendant that the victim wears. By pushing the button, the police are immediately notified and sent to the house. However, a victim only met the criteria for the programme if she had previously asked the police for help (for example, by obtaining a protection order) or if she was willing to press charges (Römkens 2006: 116). Given the reliance on the criminalization of abusers to enter the programme, it is clear that the AWARE programme is geared towards meeting the needs of the police rather than solely preoccupied with women’s safety.

Pro-arrest policies and mandatory arrest laws beginning in the 1980s in the U.S. clearly demonstrate that the prison system can often undermine women’s autonomy and actively disempowers them from choosing a trajectory for justice based on their own interests and wishes (Römkens 2006: 166). In her case study on AWARE in the Netherlands, Römkens found that women were reluctant to use the alarm, especially when it was an ex-partner that they would be involving in the criminal justice system. The women she interviewed suggested that they could not control the amount of punishment that police would inflict on their abuser. For one woman, the fact that one had to make a swift decision to press the button when an abuser appeared proved to be very difficult (174-75). Moreover, many women were afraid to press the button due to fear that the police would not take them seriously if their abuser was ‘just there’ and was not ‘doing anything’ (175). In the Dutch study, and a pilot study in Brooklyn, New York, Römkens found that victims avoided the direct use of surveillance systems in order to avoid a ‘criminal justice outcome’ (178).

Although surveillance technologies may have the potential to provide safety for victims of violence, a complicated relationship between VAW and surveillance arises when technologies of protection are directly linked into the prison system. While mainstream anti-violence advocates continue to rely on government funding and state-based responses to violence, alternative tactics around ending violence must consider the ways that particular bodies are already entangled in systems of surveillance.

Broadening the definition of violence to include surveillance

It is a difficult task to critique surveillance technologies aimed at ensuring women’s safety against abusers. When made visible as anti-violence tools, technologies of surveillance appear to be uncontroversial to a range of actors. Certainly, women’s safety is a priority for feminists, as is ending violence practices. Yet, the widespread promotion of surveillance tools for anti-violence means must be challenged. By overlooking the complex ways that surveillance practices and technologies are entrenched within the prison industrial complex, one might miss key challenges that surveillance technologies pose to
anti-violence strategies. Whether it is smartphones, iPhone applications, Google maps, or home surveillance, feminist surveillance studies scholars must investigate the ways that existing inequalities may be exacerbated by their use.

The surveillance technologies that are offered to women as safety measures, such as cell phones, smartphone applications, internet-browsing safety and home security systems, are all targeted toward interpersonal violence. Mainstream and criminalized understandings of VAW wrongfully assume that violence is perpetrated by individual abusers who must be incarcerated. Anti-violence advocates including Andrea Smith (2008) and Angela Davis (2003, 2005) remind us that the prison industrial complex has done little to promote anti-violence strategies. Rather than examining the widespread, systemic nature of violence against women, instead, the prison industrial complex has simply incarcerated ever-growing numbers of people—particularly indigenous people and people of colour. Moreover, it is well studied that violence in the prison system only continues the cycle of violence, as abusers are incarcerated, treated violently in the prison system, and then released (Gilligan 2000). In fact, radical anti-violence activists argue that prison abolition must be a part of any violence strategy in order to interrupt this cycle of violence, a conclusion with which we heartily concur. Practices of violence must always be connected to systems of power and domination, including state-perpetrated racist and sexist violence. Unfortunately, much of the literature on surveillance technologies has focused on individual acts of stalking and control. Of course, feminist literature on the subject of technology and stalking is important. However, in order to understand how surveillance affects the perpetration of violence and influences tactics to end violence practices, feminists must think more broadly and intersectionally about VAW and the connections between surveillance, sexism, racism, and the prison system.

Importantly, the surveillance of vulnerable bodies by the state, policing services and even social service providers disproportionately target marginalized and exploited communities. In recent years, feminist and critical race explorations of policing and surveillance have necessarily included the experiences of Arab, Middle Eastern, South Asian and Muslim men and women. While such racialized bodies have always been targeted in white supremacist nations, post-9/11 security rhetoric around national security has helped to shore up surveillance measures. While honour killings, forced marriages, polygamy and dowry-related murders have received increased and disproportionate media attention in the U.S. and Canadian media since 9/11, mainstream conceptions of violence against women of colour are rarely inclusive of harassment, racist violence and sexual abuse at home and abroad at the hands of military and law enforcement agencies (Ritchie 2006: 139). Such violent crimes against women are insufficiently attended to in mainstream anti-violence strategies, and technologies aimed at women’s safety may intensify the surveillance and further criminalization of particular communities. Surveillance ‘flaws’ such as those found in iPhones and iPads are used by the criminal justice system as tools to help them make arrests (Chen 2008). For those already criminalized and stigmatized, including indigenous people and people of colour, especially Arab, Middle Eastern and Muslim individuals post-9/11, surveillance ‘flaws’ will have a disproportionate effect. Placing marginalized, stigmatized and often criminalized women at the centre of feminist surveillance studies reveals that technologies aimed at the protection from individual abusers, and the arrest of perpetrators, does not work for all cases of violent practices.

To be sure, it is a step in the right direction for Google maps and Google Street View to ensure that the addresses of women’s shelters are not exposed to the public (National Network to End Violence Against Women 2010). However, feminists should also be concerned with the impact of Google maps and Google Street View for the surveillance of street level sex workers. Problematically, Google maps has allowed street view pictures of women to be visible and circulated widely over the internet. Moreover, the feminist blog Jezebel (2011) noted that, as a result of Google pictures of sex workers, a book titled ‘Roadside Prostitutes’ has now been published in which women are objectified for the viewing pleasure of others, and without remuneration. The distribution of images reveals pictures of workers who often work anonymously, in illegal bawdy houses, or on the street, and require protection from both unsafe clients and
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law enforcement where their work is criminalized. For indigenous women, people of colour, queer, and non-gender conforming folks taking part in sex work, the visibilization of their bodies and workplaces put them at an even greater risk of violence. Given that these communities are already heavily surveilled by law enforcement, especially those working at street level, the public access to these images compounds safety issues. Sex workers have pointed out that violence is practiced by unsafe clients, but is also experienced at the hands of policing services. For example, due to the criminalization of sex work in Canada, workers are unable to lawfully unionize or assemble for protection, unable to work indoors, and often cannot call on police for help because they risk arrest (Power 2011). The distribution of Google map and Google Street View photos of sex workers and their work places puts women at risk of violence and should be considered alongside protecting shelter addresses when anti-violence advocates work with Google. Yet, sex workers and other marginalized communities have been left out of the mainstream discussions about surveillance technologies and VAW.

Conclusion

We began this paper by describing the surveillance capabilities of new technologies, including time and date stamps on personal digital assistants as well as video imaging technology that can randomly capture images of individual users and then store them where they cannot be deleted. Although much important surveillance studies scholarship has focused on the risks that these technologies pose to consumer privacy, the implications of surveillance technologies for violence against women has received too little attention. We use an intersectional feminist framework to argue for a feminist surveillance studies that examines the implications of surveillance for victims of violence. In particular, we argue that surveillance technologies easily strengthen existing connections between anti-violence movements and the prison industrial complex. Examining the devastating impact that the prison system has on vulnerable communities, including the disproportionate criminalization of the intersection of victims of violence, sex workers, and women of colour and indigenous women, we argue that assertions that surveillance technologies keep us safer from violence as they help police to arrest perpetrators is deeply problematic. Rather, they may only further the criminalization of victims of violence through mandatory arrest policies for women, or women may avoid even those technologies explicitly designed to help enable police surveillance of their abusers for fear of a criminal justice outcome. Rather than suggesting that surveillance technologies are objective or neutral technologies which can be used either for good or for evil, we instead show that they reflect their cultural context, a context rife with persistent inequalities and the continuing epidemic of violence against women. As a result, it is unsurprising that new technologies are more frequently used by abusers to stalk victims of violence than they are to keep these women safe. We applaud those feminist organizations and anti-violence advocates who are strategizing how surveillance technologies might keep women safer, even as we argue for a richer and more intersectional understanding of how this might be achieved. We need more complex ways of thinking about surveillance, ones that centre violence against women, in order to continue to build a world that is safer for us all.

References


