

**CITY OF BALTIMORE  
COUNCIL BILL 16-0316R  
(Resolution)**

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Introduced by: Councilmembers Curran, Middleton, Costello, Branch, Clarke, Henry, Stokes,  
Kraft, Mosby, Welch, Scott, Reisinger

Introduced and read first time: September 12, 2016

Assigned to: Health Committee

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REFERRED TO THE FOLLOWING AGENCIES: Health Department, Police Department

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A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **Investigative Hearing – Street Harassment**

3 FOR the purpose of raising awareness about gender-based street harassment, assisting efforts to  
4 find ways to stop the intimidation that occurs through street harassment and to raise  
5 awareness that street harassment is tied intrinsically with institutional sexism and the culture  
6 of gender based violence, encouraging the reporting of street harassment by use of  
7 smartphones and other means to document, map and share incidents, including data about  
8 street harassment to empower public conversations, and showing the Council's support for  
9 the development of innovative strategies to ensure equal access to public spaces.

10 **Recitals**

11 **WHEREAS**, street harassment is defined as unwanted comments, gestures, and actions forced  
12 on a stranger in a public place without their consent and is directed at them because of their  
13 actual or perceived sex, gender, gender expression, or sexual orientation. Street harassment  
14 ranges from verbal comments, lewd gestures, whistling, and upskirt photos, to following,  
15 flashing, public masturbation, and physical sexual abuse.

16 **WHEREAS**, many forms of street harassment are believed to be 'compliments', they are not,  
17 and instead can be classed with bullying. Street harassment is a form of sexual harassment and  
18 infringes on human rights, including but not limited to the right to walk in public spaces. Street  
19 harassment is tied intrinsically with institutional sexism and the culture of gender-based violence.

20 **WHEREAS**, a common street harassment technique is for a stranger to approach a woman  
21 speaking in terms of endearment to give the illusion to passers-by that there is an existing  
22 relationship when there is not, thus cutting the woman off from help or protection by being in a  
23 public setting. The public shaming and responsibility for the harassment is then completely  
24 shifted to the person being sexually harassed in public and publicly shamed for no reason.

25 **WHEREAS**, national data in the United States shows that 65% of all women had experienced  
26 street harassment. Among all women, 23% had been sexually touched, 20% had been followed,  
27 and 9% had been forced to do something sexual. Among men, 25% had been street harassed (a  
28 higher percentage of LGBT-identified men than heterosexual men reported this) and their most  
29 common form of harassment was homophobic or transphobic slurs (9%).

EXPLANATION: Underlining indicates matter added by amendment.  
~~Strike out~~ indicates matter deleted by amendment.

**Council Bill 16-0316R**

1       **WHEREAS**, gender-based malfeasance and abuse is so common in Baltimore culture and  
2 behavior it is widely accepted even in agencies charged with preventing it, as shown in multiple  
3 places within the Department of Justice’s recent report on the Baltimore City Police Department.  
4 That report cites many instances of abusive name-calling, officers soliciting sex, misidentifying  
5 transgender individuals, failing to investigate sexual assault, and even stalling failure to  
6 investigate complaints against officers by citizens until the complainants died months later  
7 allowing the complaints to be deemed unfounded by reason of the complainant’s inability to  
8 pursue it after her death.

9       **WHEREAS**, at present, Maryland Criminal Law Title 3, Subtitle 8 § 803 requires you must  
10 first tell a street harasser to stop bothering you via a “reasonable warning or request”. Violence  
11 has been encountered by women, men, boys, and girls who reject harassment. Due to fear of  
12 violence, and the fact that the harassment is done by strangers, many women and men have no  
13 choice but to ignore street harassment for reason of self-preservation.

14       **WHEREAS**, while the anonymous nature of street harassment as well as First Amendment  
15 rights makes it hard to create and enforce laws against verbal street harassment, there are ways to  
16 address it. Let it be known that Baltimore has a pervasive problem of street harassment. Let it  
17 be known that Baltimore City may develop ways to report street harassment anonymously. Let it  
18 also be known that Baltimore City can seek to educate the public about the prevention of street  
19 harassment and gender based violence by conducting a city-wide survey to collect data,  
20 encouraging people to share their stories via mapping tools like Hollaback Bmore, promoting  
21 educational efforts such as public service announcements on public transit and the streets,  
22 training with City staff including local law enforcement, and conducting workshops about the  
23 issue.

24       **WHEREAS**, while it is a pervasive problem, street harassment has been under-recognized until  
25 recent years. It was only in 2013 that the United Nations first acknowledged it at the annual  
26 Commission on the Status of Women, and only in March 2016 that President Barack Obama  
27 publicly spoke about street harassment during a Women’s History Month speech, and there have  
28 only been four city council hearings on it, in New York City (2010), Philadelphia (2013), Kansas  
29 City (2014), and Washington, DC (2015).

30       **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE**, that the  
31 Council wishes to raise awareness about gender-based street harassment, assist efforts to find  
32 ways to stop the intimidation that occurs through street harassment and to raise awareness that  
33 street harassment is tied intrinsically with institutional sexism and the culture of gender based  
34 violence, encourage the reporting of street harassment by use of smartphones and other means to  
35 document, map and share incidents, including data about street harassment to empower public  
36 conversations, and develop innovative strategies to ensure equal access to public spaces.

37       **AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the Mayor, the  
38 Police Commissioner, and the Mayor’s Legislative Liaison to the City Council.