

**CITY OF BALTIMORE
COUNCIL BILL 20-0569
(First Reader)**

Introduced by: Councilmembers Sneed, Bullock, Dorsey, Henry, Burnett, Cohen, Clarke

Introduced and read first time: July 20, 2020

Assigned to: Public Safety Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and Community Development, Department of Public Works, Department of Recreation and Parks, Department of Transportation, Baltimore City Parking Authority Board, Health Department, Baltimore City Public School System, Enoch Pratt Free Library, State's Attorney, Board of Liquor License Commissioners, Comptroller

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Street Harassment Advisory Commission**

3 FOR the purpose of establishing the Street Harassment Advisory Commission; providing for the
4 Commission's composition, terms of office, officers, meetings, quorum, and rules of
5 procedure; establishing the general purposes and specific duties of the Street Harassment
6 Advisory Commission; defining certain terms; requiring certain City agencies to adopt model
7 policies and training materials developed by the Street Harassment Advisory Commission;
8 and generally relating to the Street Harassment Advisory Commission.

9 BY adding

10 Article 1 - Mayor, City Council, & Municipal Agencies
11 Sections 57-1 to 57-5, to be under the new subtitle,
12 "Subtitle 57. Street Harassment Advisory Commission"
13 Baltimore City Code
14 (Edition 2000)

15 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
16 Laws of Baltimore City read as follows:

17 **Baltimore City Code**

18 **Article 1. Mayor, City Council, & Municipal Agencies**

19 **SUBTITLE 57. STREET HARASSMENT ADVISORY COMMISSION**

20 **§ 57-1. DEFINITIONS.**

21 (A) *IN GENERAL.*

22 IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 (B) *CITY AGENCIES.*

2 “CITY AGENCIES” MEANS:

- 3 (I) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT;
- 4 (II) THE DEPARTMENT OF PUBLIC WORKS;
- 5 (III) THE DEPARTMENT OF RECREATION AND PARKS;
- 6 (IV) THE DEPARTMENT OF TRANSPORTATION;
- 7 (V) THE HEALTH DEPARTMENT; AND
- 8 (VI) THE PARKING AUTHORITY OF BALTIMORE CITY.

9 (C) *COMMISSION.*

10 “COMMISSION” MEANS THE STREET HARASSMENT ADVISORY COMMISSION.

11 (D) *HIGH-RISK LOCATION.*

12 “HIGH-RISK LOCATION” MEANS:

- 13 (1) THE ENCLOSED AREA WITHIN ANY MARYLAND TRANSPORTATION AUTHORITY BUS,
14 BALTIMORE CITY CIRCULATOR BUS, METRO SUBWAYLINK CAR, LIGHT RAILLINK
15 CAR, OR ANY OTHER COMMERCIAL VEHICLE CAPABLE OF CARRYING MORE THAN 6
16 PASSENGERS;
- 17 (2) THE AREA WITHIN 25 FEET OF ANY MARYLAND TRANSPORTATION AUTHORITY BUS
18 STOP, BALTIMORE CITY CIRCULATOR STOP, METRO SUBWAYLINK STATION, LIGHT
19 RAILLINK STATION, OR A SPACE DESIGNATED FOR THE LOADING AND UNLOADING
20 OF A COMMERCIAL VEHICLE CAPABLE OF CARRYING MORE THAN 6 PASSENGERS;
- 21 (3) THE ENCLOSED AREA WITHIN ANY PASSENGER-FOR-HIRE SERVICE VEHICLE, AS
22 DEFINED IN CITY CODE ARTICLE 28, § 24(1)(D);
- 23 (4) ANY ESTABLISHMENT THAT SERVES FOOD OR ALCOHOL;
- 24 (5) ANY SCHOOL, LIBRARY, OR ANY OTHER BUILDING PRIMARILY USED FOR THE
25 INSTRUCTION OF STUDENTS, INCLUDING A DAY CARE CENTER, NURSERY,
26 ELEMENTARY SCHOOL, SECONDARY SCHOOL, COLLEGE, AND UNIVERSITY;
- 27 (6) ANY BANK, HEALTH CARE FACILITY, LAUNDROMAT, RETAIL STORE, SHOPPING
28 MALL, SPORTS ARENA, MUSIC VENUE, AND THEATER;
- 29 (7) ALL THE PUBLICLY-OWNED PROPERTY BETWEEN PROPERTY LINES SHOWN ON THE
30 RECORDS OF THE CITY, INCLUDING ANY RAILWAY, SIDEWALK, OR PARKING
31 BETWEEN SUCH PROPERTY LINES; AND

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1 (8) ALL BUILDINGS THAT ARE OWNED, LEASED, OR OCCUPIED BY THE CITY
2 GOVERNMENT.

3 (E) *STREET HARASSMENT*.

4 “STREET HARASSMENT” MEANS DISRESPECTFUL, OFFENSIVE, OR THREATENING
5 STATEMENTS, GESTURES, OR OTHER CONDUCT THAT IS:

6 (1) DIRECTED AT AN INDIVIDUAL IN A HIGH-RISK LOCATION WITHOUT THE
7 INDIVIDUAL’S CONSENT; AND

8 (2) BASED ON THE INDIVIDUAL’S ACTUAL OR PERCEIVED RACE, COLOR, RELIGIOUS
9 BELIEFS, NATIONAL ORIGIN, SEXUAL ORIENTATION, GENDER IDENTITY, DISABILITY,
10 OR HOUSING STATUS.

11 **§ 57-2. COMMISSION ESTABLISHED.**

12 (A) *IN GENERAL*.

13 THERE IS A BALTIMORE CITY STREET HARASSMENT ADVISORY COMMISSION.

14 (B) *COMPOSITION*.

15 (1) *IN GENERAL*.

16 THE COMMISSION COMPRISES 16 VOTING MEMBERS AND 3 NON-VOTING MEMBERS.

17 (2) *VOTING MEMBERS*.

18 VOTING MEMBERS ARE APPOINTED BY THE MAYOR, IN ACCORDANCE WITH CITY
19 CHARTER ARTICLE IV, § 6, AS FOLLOWS:

20 (I) 1 SHALL BE A MEMBER OF THE BALTIMORE CITY COMMUNITY RELATIONS
21 COMMISSION;

22 (II) 1 SHALL BE AN EMPLOYEE OF THE VICTIM’S AND WITNESS SERVICES UNIT OF
23 THE BALTIMORE CITY STATE’S ATTORNEY’S OFFICE;

24 (III) 1 SHALL BE A MEMBER OF THE BALTIMORE LESBIAN, GAY, BISEXUAL,
25 TRANSGENDER, AND QUEER COMMISSION;

26 (IV) 1 SHALL BE AN EMPLOYEE OF THE DEPARTMENT OF TRANSPORTATION;

27 (V) 1 SHALL BE AN EMPLOYEE OF THE BALTIMORE POLICE DEPARTMENT;

28 (VI) 1 SHALL BE AN EMPLOYEE OF THE MARYLAND TRANSPORTATION AUTHORITY;

29 (VII) 1 SHALL BE AN EMPLOYEE OF THE BOARD OF LIQUOR LICENSE
30 COMMISSIONERS FOR BALTIMORE CITY; AND

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1 (VIII) 9 COMMUNITY REPRESENTATIVES WHO ARE MEMBERS OF ORGANIZATIONS
2 THAT ENGAGE IN POLICY, ADVOCACY, OR DIRECT SERVICES WITHIN THE CITY
3 RELATED TO:

4 (A) STREET HARASSMENT;

5 (B) GENDER-BASED VIOLENCE;

6 (C) GENDER EQUITY;

7 (D) LGBTQ RIGHTS;

8 (E) RACIAL EQUITY;

9 (F) RELIGIOUS TOLERANCE;

10 (G) POVERTY OR HOMELESSNESS; OR

11 (H) IMMIGRANT RIGHTS.

12 (3) *NON-VOTING MEMBERS.*

13 THE 3 NON-VOTING MEMBERS ARE:

14 (I) THE MAYOR OR THE MAYOR'S DESIGNEE;

15 (II) THE PRESIDENT OF THE CITY COUNCIL OR THE PRESIDENT'S DESIGNEE; AND

16 (III) THE CITY COMPTROLLER OR THE CITY COMPTROLLER'S DESIGNEE.

17 **§ 57-3. TERMS, ORGANIZATION, MEETINGS, ETC.**

18 (A) *TERMS.*

19 (1) COMMISSION MEMBERS SERVE FOR A TERM OF 4 YEARS, CONCURRENT WITH THE TERM
20 OF THE MAYOR.

21 (2) AT THE END OF A TERM, EACH MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS
22 APPOINTED AND QUALIFIES.

23 (B) *COMPENSATION; EXPENSES.*

24 THE MEMBERS OF THE COMMISSION:

25 (1) SERVE WITHOUT COMPENSATION; BUT

26 (2) ARE ENTITLED TO REIMBURSEMENT FOR REASONABLE EXPENSES INCURRED IN THE
27 PERFORMANCE OF THEIR DUTIES, AS PROVIDED IN THE ORDINANCE OF ESTIMATES.

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1 (C) *OFFICERS; COMMITTEES.*

2 (1) *CHAIR OF THE COMMISSION.*

3 THE MEMBER REPRESENTING THE BALTIMORE CITY COMMUNITY RELATIONS
4 COMMISSION IS THE CHAIR OF THE COMMISSION.

5 (2) *VICE-CHAIR OF THE COMMISSION.*

6 ANNUALLY, ONE COMMUNITY REPRESENTATIVE SHALL BE SELECTED BY A MAJORITY
7 VOTE OF THE COMMUNITY REPRESENTATIVES TO SERVE AS VICE-CHAIR OF THE
8 COMMISSION.

9 (3) *COMMITTEES.*

10 THE COMMISSION MAY ESTABLISH COMMITTEES TO ASSIST IT IN CARRYING OUT ITS
11 FUNCTIONS AND DUTIES.

12 (D) *MEETINGS; QUORUM.*

13 (1) THE COMMISSION SHALL MEET AT LEAST ONCE QUARTERLY, AT TIMES TO BE
14 DETERMINED BY THE CHAIRPERSON AT THE COMMISSION'S FIRST MEETING OF THE
15 FISCAL YEAR.

16 (2) A MAJORITY OF THE VOTING MEMBERS OF THE COMMISSION CONSTITUTES A QUORUM
17 FOR THE TRANSACTION OF BUSINESS.

18 (3) AN AFFIRMATIVE VOTE BY THE MAJORITY OF A QUORUM IS NEEDED FOR ANY OFFICIAL
19 ACTION.

20 (E) *RULES OF PROCEDURE.*

21 THE COMMISSION MAY ADOPT RULES OF PROCEDURE TO GOVERN ITS MEETINGS AND
22 OPERATIONS.

23 **§ 57-4. COMMISSION PURPOSES AND DUTIES.**

24 (A) *GENERAL PURPOSES.*

25 THE COMMISSIONS' PURPOSES ARE TO:

26 (1) INCREASE GENERAL AWARENESS OF THE PROBLEM OF STREET HARASSMENT AND
27 THE NEED FOR PREVENTION OF STREET HARASSMENT;

28 (2) IDENTIFY CATEGORIES OF INDIVIDUALS MOST AT RISK OF STREET HARASSMENT;

29 (3) CREATE MODEL POLICIES AND TRAINING MATERIALS TO ASSIST CITY AGENCIES IN
30 REDUCING STREET HARASSMENT; AND

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1 (4) ASSIST CITY AGENCIES IN IMPLEMENTING THESE MODEL POLICIES AND TRAINING
2 MATERIALS.

3 (B) *SPECIFIC DUTIES.*

4 THE COMMISSION SHALL:

5 (1) ENCOURAGE PUBLIC AWARENESS OF STREET HARASSMENT AND THE IMPORTANCE
6 OF ELIMINATING IT THROUGH CONDUCTING PUBLIC INFORMATION CAMPAIGNS
7 ABOUT STREET HARASSMENT AND RESOURCES AVAILABLE IN THE CITY FOR
8 VICTIMS OF STREET HARASSMENT;

9 (2) IDENTIFY CATEGORIES OF INDIVIDUALS MOST AT RISK OF STREET HARASSMENT;

10 (3) CREATE MODEL POLICIES AND TRAINING MATERIALS TO BE ADOPTED BY CITY
11 AGENCIES FOR PREVENTING AND RESPONDING TO HARASSMENT, INCLUDING MODEL
12 POLICIES AND TRAINING MATERIALS FOR EMPLOYEES WHO WORK DIRECTLY WITH
13 THE PUBLIC;

14 (4) ASSIST CITY AGENCIES IN ADOPTING THE MODEL POLICIES AND TRAINING
15 MATERIALS;

16 (5) MONITOR THE IMPLEMENTATION OF MODEL POLICIES AND TRAINING MATERIALS BY
17 CITY AGENCIES;

18 (6) DISCUSS THE NEED, IF ANY, FOR A PROCESS BY WHICH VICTIMS AND WITNESSES OF
19 STREET HARASSMENT CAN REPORT INSTANCES OF THE HARASSMENT TO CITY
20 AGENCIES, AND, IF NEEDED, WORK WITH CITY AGENCIES IN IMPLEMENT THE
21 PROCESS; AND

22 (7) PERFORM ANY OTHER DUTIES AS REQUIRED BY THE MAYOR.

23 **§ 57-5. ANNUAL REPORTS.**

24 ON OR BEFORE JULY 31 OF EACH YEAR, THE COMMISSION MUST SUBMIT A REPORT TO THE
25 MAYOR AND CITY COUNCIL DESCRIBING THE MODEL POLICIES AND TRAINING MATERIALS
26 CREATED BY THE COMMISSION DURING THE PREVIOUS FISCAL YEAR AND ASSESSING THE
27 IMPLEMENTATION OF THE POLICIES AND TRAINING MATERIALS WITHIN EACH OF THE CITY
28 AGENCIES.

29 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
30 are not law and may not be considered to have been enacted as a part of this or any prior
31 Ordinance.

32 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
33 after the date it is enacted.