



Legislation Text

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Introduced by: Councilmember Curran

A Resolution Entitled

A Council Resolution concerning **Investigative Hearing - Street Harassment**

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

Recitals

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

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

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

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

Whereas, gender-based malfeasance and abuse is so common in Baltimore culture and behavior it is widely accepted even in agencies charged with preventing it, as shown in multiple places within the Department of Justice's recent report on the Baltimore City Police Department. That report cites many instances of abusive name-calling, officers soliciting sex, misidentifying transgender individuals, failing to investigate sexual

assault, and even stalling failure to investigate complaints against officers by citizens until the complainants died months later allowing the complaints to be deemed unfounded by reason of the complainant's inability to pursue it after her death.

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

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

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

Now, therefore, be it resolved by the City Council of Baltimore, that the Council wishes to raise awareness about gender-based street harassment, assist efforts to find ways to stop the intimidation that occurs through street harassment and to raise awareness that street harassment is tied intrinsically with institutional sexism and the culture of gender based violence, encourage the reporting of street harassment by use of smartphones and other means to document, map and share incidents, including data about street harassment to empower public conversations, and develop innovative strategies to ensure equal access to public spaces.

And be it further resolved, That a copy of this Resolution be sent to the Mayor, the Police Commissioner, and the Mayor's Legislative Liaison to the City Council.