



**Testimony for the House Judiciary Committee
February 13, 2017**

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**HB 522 Public Safety - Maryland Police Training and Standards Commission -
Sexual Assault Investigation Training**

SUPPORT

The ACLU of Maryland urges a favorable report on HB 522, which would require the Maryland Police Training and Standards Commission (MPTSC) to develop and maintain a uniform, statewide training and certification curriculum to improve treatment of sexual assault victims and increase the number of sexual assault cases resolved.

As an initial matter, sexual assault complaints are particularly important to investigate because this category of offenses is severely underreported. Victims of sexual assault are often reluctant to come forward due to stigmatization of the offense. For these reasons, it is even more important that these complainants be treated with respect and the complaints be investigated diligently.

The recent Department of Justice (DOJ) investigation of the Baltimore City Police Department uncovered egregious gender biases in policing; mistreatment of sexual assault victims; and a systematic pattern of under-investigating sexual assault reports. The DOJ found:

“[...] indications that officers fail to meaningfully investigate reports of sexual assault, particularly for assaults involving women with additional vulnerabilities, such as those who are involved in the sex trade. Detectives fail to develop and resolve preliminary investigations; fail to identify and collect evidence to corroborate victims’ accounts; inadequately document their investigative steps; fail to collect and assess data, and report and classify reports of sexual assault; and lack supervisory review. We also have concerns that officers’ interactions with women victims of sexual assault and with transgender individuals display unlawful gender bias.”

The DOJ further found that officers treated victims of sexual assault with skepticism and often suggested that they were responsible for the assault perpetrated against them. In one documented instance, an officer asked a

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victim, “Why are you messing that guy’s life up?”¹ In another example, a prosecutor and officer share an exchange in which the prosecutor states “this case is crazy. . . I am not excited about charging it. This victim seems like a conniving little whore. (pardon my language).”² The BPD officer replied, “Lmao! I feel the same.”³

In addition to treating victims inappropriately, the DOJ found that the department systematically under-investigates sexual assault complaints, including complaints made against officers. Between 2010 – 2015, over half of the department’s sexual assault cases remained open.⁴ The report documented several instances in which eyewitnesses were not contacted; video footage was overwritten; and complainants passed away before the case was adequately investigated.

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Although all the information presented concerns the Baltimore City Police Department, sexual assault is not unique to Baltimore City and it is possible that these ills are plaguing departments in other jurisdictions across the state.

For the foregoing reasons, the ACLU of Maryland urges a favorable report on HB 522.

¹ U.S. Department of Justice Civil Rights Division, Investigation of the Baltimore City Police Department, August 10, 2016, p. 123. (available at <https://www.justice.gov/opa/file/883366/download>).

² *Id.*

³ *Id.*

⁴ *Id at 124.*