Testimony for the Senate Judicial Proceedings Committee  
February 14, 2018

SB 582 Public Safety - Maryland Police Training and Standards Commission -  
Sexual Assault Investigation Training

SUPPORT

The ACLU of Maryland urges a favorable report on SB 582, 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
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.

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 SB 582.

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\(^2\) Id.

\(^3\) Id.

\(^4\) Id at 124.