

SUBTITLE E. STREET HARASSMENT PREVENTION

Sec. 1041. Short title.

This subtitle may be cited as the “Street Harassment Prevention Act of 2018”.

Sec. 1042. Definitions.

For the purposes of this subtitle, the term:

(1) “ACSH” means the Advisory Committee on Street Harassment established by section 1043.

(2) “High-risk area” means:

(A) The enclosed area within any Metrorail car, Metrobus, MetroAccess vehicle, DC Circulator bus, DC Streetcar, or any other commercial vehicle capable of carrying more than 6 passengers;

(B) The area within 25 feet of any Metrorail station, Metrobus stop, DC Circulator stop, DC streetcar stop, or a location designated for the loading and unloading of a commercial vehicle capable of carrying more than 6 passengers;

(C) The enclosed area within any private vehicle-for-hire, as that term is defined in section 4(16A) of the Department of For-Hire Vehicles Establishment Act of 1985, effective March 25, 1985 (D.C. Law 6-97; D.C. Official Code § 50-301.03(16A)), or public vehicle-for-hire, as that term is defined in section 4(17) of the Department of For-Hire Vehicles Establishment Act of 1985, effective March 25, 1985 (D.C. Law 6-97; D.C. Official Code § 50-301.03(17));

(D) A food service entity, as that term is defined in section 401(4) of the Sustainable DC Omnibus Amendment Act of 2014, effective December 17, 2014 (D.C. Law 20-142; D.C. Official Code § 8-1531(4)), hotel, as that term is defined in D.C. Official Code § 25-101(25), nightclub, as that term is defined in D.C. Official Code § 25-101(33), tavern, as that term is defined in D.C. Official Code § 25-101(52), and any other establishment that serves food or alcohol;

(E) Any school, library, or other building primarily used for the instruction of students, including a day care center, nursery, elementary school, secondary school, college, and university;

(F) Any bank, health care facility, laundromat, retail store, shopping mall, sports arena, music venue, and theater;

(G) All the publicly owned property between property lines shown on the records of the District, including any roadway, sidewalk, or parking between such property lines; and

(H) All buildings or land that are owned, leased, or occupied by the District government.

(3) “OHR” means the Office of Human Rights established by section 202 of the Office of Human Rights Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 2-1411.01).

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(4) "Street harassment" means disrespectful, offensive, or threatening statements, gestures, or other conduct directed at an individual in a high-risk area without the individual's consent and based on the individual's actual or perceived ethnicity or housing status, or a protected trait identified in the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*).

Sec. 1043. Advisory Committee on Street Harassment.

(a) There is established an Advisory Committee on Street Harassment, which shall be composed of 17 members as follows:

- (1) The Director of OHR, or the Director's designee;
- (2) The Director of the Office of Victim Services and Justice Grants, or the Director's designee;
- (3) The Director of the Mayor's Office of Lesbian, Gay, Bisexual, Transgender and Questioning Affairs, or the Director's designee;
- (4) The Director of the District Department of Transportation, or the Director's designee;
- (5) The Chief of the Metropolitan Police Department, or the Chief's designee;
- (6) The Chairman of the Council, or the Chairman's designee;
- (7) The General Manager of the Washington Metropolitan Area Transit Authority, or the General Manager's designee;
- (8) The Director of the Alcoholic Beverage Regulation Administration, or the Director's designee; and
- (9) Nine community representatives, appointed by the Mayor pursuant to section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), who are District residents or members of organizations that engage in policy, advocacy, or direct service within the District related to:
 - (A) Street harassment;
 - (B) Gender-based violence;
 - (C) Gender equity;
 - (D) LGBTQ rights;
 - (E) Racial equity;
 - (F) Religious tolerance;
 - (G) Poverty or homelessness; or
 - (H) Immigrant rights.

(b) The Director of OHR, or the Director's designee, shall serve as the ACSH's chairperson.

(c) One community representative shall be selected by a majority vote of the community representatives of the ACSH to serve as vice-chairperson.

(d) The ACSH shall meet at least on a quarterly basis, at times to be determined by the chairperson at the ACSH's first meeting.

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(e) Meetings of the ACSH shall be subject to the Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*).

Sec. 1044. Survey.

No later than April 1, 2019, OHR, in consultation with the ACSH, shall conduct a survey regarding the incidence of street harassment in the District. The specific data elements to be collected in the study shall be determined by the ACSH.

Sec. 1045. Street harassment prevention report; model policies; public information campaign.

(a) No later than September 30, 2019, the ACSH shall submit a report to the Mayor and Council that:

(1) Identifies categories of District employees and District residents most at risk of street harassment;

(2) Proposes model policies and training materials to be adopted by District agencies for preventing and responding to street harassment, including model policies and training materials for public-facing employees;

(3) Proposes strategies to improve public awareness and understanding of street harassment;

(4) Discusses the need, if any, for a process by which victims and witnesses of street harassment can report instances of street harassment to District agencies; and

(5) Summarizes any actions taken by the ACSH after the effective date of this subtitle.

(b) No later than April 1, 2020, all District agencies shall:

(1) Implement the model policies developed pursuant to subsection (a) of this section; and

(2) Integrate training materials developed pursuant to subsection (a) of this section into the training of District employees.

(c) OHR shall:

(1) Monitor District agencies' implementation of the model policies developed pursuant to subsection (a) of this section; and

(2) No later than September 30, 2019, conduct a public information campaign about street harassment and resources available in the District for victims of street harassment.

Sec. 1046. Implementation report.

No later than September 30, 2020, the ACSH shall submit a report to the Mayor and Council that:

(1) Summarizes the work of the ACSH after the effective date of this subtitle;

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(2) Discusses District agencies' implementation of model policies developed pursuant to section 1045(a); and

(3) Summarizes elements of OHR's public information campaign, required by section 1045(c)(2).

Sec. 1047. Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), is amended by adding a new paragraph (64) to read as follows:

“(64) The Advisory Committee on Street Harassment, established by section 1043 of the Street Harassment Prevention Act of 2018, passed on 2nd reading on June 26, 2018 (Enrolled version of Bill 22-753).”.

Sec. 1048. Sunset.

This subtitle shall expire on October 1, 2020.