Community Response to the Hate Crimes Assessment Task Force

March 13, 2014

On February 26, 2014, Chief Cathy Lanier of the Metropolitan Police Department (MPD) released the findings of the Hate Crimes Assessment Task Force (HCATF) she convened in December, 2011. The Task Force was led by the Anti-Defamation League and included staff members from the Human Rights Campaign, the National Center for Transgender Equality, the Leadership Conference on Civil and Human Rights, and scholars from Northeastern University and West Virginia University. We appreciate the Task Force members for their research and comprehensive findings. We also want to thank Chief Lanier for releasing the report, and providing a thoughtful and constructive response to the Task Force's recommendations.

As organizations serving the District of Columbia's lesbian, gay, bisexual, transgender, and queer (LGBTQ) communities, we offer our own response to the Task Force's *Hate Crimes Assessment Report* and MPD's *Response to Recommendations*. Our members, staff, volunteers, and clients represent a broad array of LGBTQ people in the District, and our organizations have worked closely with MPD over many years. In the pages that follow, we share not only a response, but also a body of complementary analysis and recommendations based upon our experience. We see the Task Force's report, MPD's response, and this document as an important starting point to an essential dialogue on improving relations between MPD and our communities. We look forward to that effort.

Casa Ruby
The DC Center for the LGBT Community
DC Trans Coalition (DCTC)
Gay and Lesbian Activists Alliance (GLAA)
Gays and Lesbians Opposing Violence (GLOV)
HIPS
Rainbow Response Coalition (RRC)

Our Perspective on LGBTQ-Police Relations

For many decades, expression of gender and sexuality have been subject to police monitoring and control. Morals regulations ranging from anti-sodomy laws to bans on wearing clothing intended for the "wrong" sex have existed on the books of virtually every jurisdiction in the United States. Nearly fifty years after the raid on the Stonewall Inn that prompted days of unrest in New York City, LGBTQ establishments across the country are still subject to raids.[1] Local activists here in the District recount police raids on bars, public parks, and private residences well into the 1990s. Building a more positive relationship with police after many years of mistrust, harassment, and profiling, is admittedly difficult. However, it is important to recognize that DC has made significant strides in enhancing police relations with LGBTQ communities through strong .policies and innovative practices. We are proud of this progress, but acknowledge the critical need for continual improvement in police relations.

The National Transgender Discrimination Survey found that one fifth of transgender respondents across the United States had faced bias-motivated police harassment, with 46% reluctant to seek police assistance even when they had been victimized.[2] Based upon data collected by the National Coalition of Anti-Violence Programs, people of color, transgender people, youth, and gay men are most vulnerable to both hate violence and intimate partner violence. In 2012, 56% of hate crime survivors sought police assistance, while only 16% of intimate partner violence survivors reached out to police. Among hate violence survivors who contacted police, 48% experienced police misconduct.[3]

Locally, the Rainbow Response Coalition found that 33% of survey respondents had been in an abusive relationship, with 47% indicating that they felt uncomfortable calling police in an intimate partner violence situation.[4] The DC Trans Needs Assessment found that four out of five transgender respondents have been verbally, physically, or sexually assaulted, with 55% indicating discomfort with seeking police assistance. Of those who have interacted with police, one third experienced disrespect from officers, and 40% were called by the wrong name or pronouns. Among trans people of color indicating interactions with police, 19% faced physical assault by an officer, and 6% experienced sexual violence by an officer.[5]

In facing these challenges, we have enjoyed a strong working relationship with MPD's innovative Gay and Lesbian Liaison Unit (GLLU). We worked with MPD to adopt the most comprehensive policy in the nation on police interactions with trans people, signed

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1 See Joey L. Mogul, Andrea J. Ritchie, and Kay Whitlock, *Queer (In)Justice: the Criminalization of LGBT People in the United States*, Boston: Beacon Press, 2011.

2 Jaime M. Grant, Lisa A. Mottet, Justin Tanis, Jack Harrison, Jody L. Herman, and Mara Keisling, *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey*, Washington: National Center for Transgender Equality and National Gay and Lesbian Task Force, 2011, pp. 158-162.

3 See National Coalition of Anti-Violence Programs, *Lesbian, Gay, Bisexual, Transgender, Queer, and HIV-affected Hate Violence in 2012*, June 2013, and L*esbian, Gay, Bisexual, Transgender, Queer, and HIV-affected Intimate Partner Violence in 2012*, October 2013.

4 Rainbow Response Coalition, Preliminary Survey Findings: Intimate Partner Violence, May 2013.

5 DC Trans Coalition, Trans Needs Assessment Preliminary Survey Findings, July 2013.

in 2007. And since 2010, we have worked with MPD to train approximately 200 officers in LGBTQ cultural competency and appropriate response to hate crimes and intimate partner violence. In spite of a deteriorating relationship with MPD, particularly its senior leadership in recent years, we remain committed to working together to advance the safety of our communities.

Our training program with MPD has yielded some exceptional outcomes. A number of community members have reported a positive change in attitude and response from some police officers. At the same time, others report that police officers have simply moved from outright brutality to verbal harassment. These incidents are consistent with the Task Force findings and experiences from community members, and point to the need for continued reform within MPD.

Community Role in the Hate Crimes Assessment Task Force Review Process

Local LGBTQ organizations did not choose this process. Rather, we acted in good faith with MPD by fully cooperating with the Task Force's efforts. Initially, our organizations expressed concerns, focusing on the lack of a written mandate for the Task Force. Community unease was further heightened by additional information obtained through a Freedom of Information Act (FOIA) request. This raised doubt on the Task Force's ability to effectively work on this project. LGBTQ organizations met with Chief of Police Cathy Lanier and Deputy Mayor for Public Safety Paul Quander in March 2013 to address these community-wide concerns. That meeting resulted in allaying some of our concerns about the process. We also committed to continue to cooperate with the Task Force in its efforts to collect information for its report.

While we appreciate the intention in commissioning this process, and the exceptional work of the Task Force members, we would have preferred to have been included at the earliest possible stages of this project. Establishing mutual trust in any process aimed at reducing levels of conflict is essential, and we regret that more was not done to establish trust before the Task Force's research began.

Assessment of the Task Force Recommendations

Our organizations generally agree with the Task Force's recommendations. We also appreciate MPD's thoughtful response to those recommendations, including ideas for implementation. However, there are some areas where we believe the Task Force recommendations do not go far enough and other areas where the review team was largely silent. As MPD did, we offer our assessment of the Task Force's recommendations, along with additional commentary, based upon the findings in Section III of the task force report.

The Gay and Lesbian Liaison Unit (GLLU)

Task Force Recommendations

1. Review GLLU Structure - Agree
2. Review Personnel and Resources/Consider Increase in Personnel and Resources - Agree
3. Appoint Strong GLLU Leader - Agree in part
4. Expand Outreach - Agree
5. Improve Selection Criteria - Agree in part
6. Increase Awareness of GLLU within MPD - Agree

Our Assessment and Recommendations

We first want to express utmost respect for the dedication and commitment of GLLU personnel in serving our communities. Their jobs are challenging on a number of levels, their responsibilities often go well beyond those required of other police officers, and we appreciate the professionalism they bring to their work.

Since the 2009 liaison unit restructuring, there has been significant confusion about the role, composition, and responsiveness of GLLU, as the Task Force has well documented. As we have noted disappointment with outcomes since 2009, we have been consistently rebutted with arguments focused squarely on the significant resources MPD has committed to improving relations with our communities Even for those of us who were tentatively supportive of the restructuring when it was announced, the results have been mixed. Some of our concerns have been the frustration with the loss of access to top MPD leadership, as well as the ongoing difficulty of simply not knowing who to call as responsibilities have continued to shift over the last few years.

We acknowledge the remarkable leadership of Captain Edward Delgado and Sergeant Matthew Mahl. However, we were not formally informed that Sgt. Mahl had been officially assigned to full-time GLLU leadership. Nonetheless, our organizations look forward to continuing to work with him in this role. That said, simply having a strong and visible leader is not entirely sufficient. No one leader should be expected to be everywhere all the time. We hope to see more GLLU officers at appropriate community events so that the unit as a whole can build a strong relationship with community members.

The Task Force highlighted MPD's frustration surrounding some of GLLU's outreach events. We must stress that our organizations have worked hard to promote these events in our community. Unfortunately, many of our community organizations struggle to get people to our own events. Asking us to take the lead on outreach for any MPD-sponsored event simply overburdens our already limited resources. We hope MPD understands our organizations' limited capacities. We look forward to discussions with MPD on innovative ways of strengthening GLLU's outreach efforts and establishing a clear understanding of what is appropriate for the GLLU and LGBTQ organizations to undertake.

Recommendation: Explore use of administrative support staff for GLLU
We agree with MPD that incentivizing work in GLLU is the wrong approach. As MPD states in the *Response to Recommendations,* GLLU members should be driven to serve by their commitment to our communities. In hiring future GLLU officers, we hope that serious consideration is given to what tasks are appropriate for sworn officers, and what tasks may be better served by civilian staff. Certain outreach, coordination, and communication tasks could easily be managed by an administrative staff person, allowing for officers to spend more time in the community. Such a role could be filled by a qualified graduate of Project Empowerment.

Recommendation: Clarify protocol on detailing unit and assess effectiveness
Since the Task Force concluded its work, we understand that all core GLLU personnel have spent at least a month detailed en masse to the Seventh District as a means to address an apparent uptick in LGBTQ intimate partner violence. We thank MPD for notifying LGBTQ organizations of the change and hope this sort of open communication continues. Although deploying officers to meet current needs is necessary, we would appreciate an assessment of how this kind of detailing affects response to crimes impacting our communities across the District. We would also be grateful if MPD provided LGBTQ organizations with a clear timeline marking a start and end to future details.

The Affiliate Special Liaison Division Officers (Affiliate Officers)

Task Force Recommendations

1. Revise Selection Process - Agree
2. Clarify and Communicate Roles/Responsibilities - Agree
3. Assess Training Effectiveness - Agree
4. Evaluate Routinely - Agree

Our Assessment and Recommendations

We agree with MPD that the success of the affiliate officer program is closely tied to the success of GLLU (and the other liaison units). As the Task Force noted, there have been times when our organizations had serious reservations about some of the officers attending the affiliate officer training. We strongly appreciated Sgt. Mahl's quick action last Fall to remove a problematic officer from the training due to their disrespectful behavior towards one of our trainers.

Recommendation: Continue detailing affiliate officers to GLLU for thirty-day rotations
While MPD has periodically circulated lists of affiliate officers, we have no real way of knowing the extent to which those officers are responding to calls impacting LGBTQ community members. Additionally, though we understand that all GLLU affiliate officers are supposed to conduct a one-month detail to the core GLLU, we have no data on how many or which officers have completed this portion of their extended affiliate officer training. We have welcomed the opportunity to get to know some of the affiliate officers through this detailing, and hope that this particular aspect of their orientation to GLLU-related work continues.

Recommendation: Expand involvement in affiliate training and assess learning
As the affiliate training program is assessed, our organizations hope that our work on the GLLU portion of the training can become an example for the trainings developed for the other liaison units. We would welcome the opportunity to work with MPD, along with representatives from Latino, Asian, and Deaf communities to continue to build out the training program. We also believe strongly that post-training testing and learning assessment are essential components of a revised training program.

Recommendation: Report on the expenditures of the grant from Harvard's Kennedy School of Government and develop plans for spending down the grant
We learned in late 2012 that a 2006 Harvard Kennedy School *Excellence in Government Award* remained largely unspent. The fiscal agent for the grant, Brother Help Thyself, reports that approximately $49,000 in grant funds remains. Given that the grant was designed to help replicate the GLLU model nationally and simultaneously enhance the role of GLLU within MPD, we believe there must be transparency with how grant funds have been spent to date, and what plans are in place to use the remaining balance.

Hate Crime Data Collection

Task Force Recommendations

1. Improve Training - Agree
2. Continue Real Time Access to Data - Agree

Our Assessment

We concur with both the Task Force and MPD that training programs need to be examined broadly. However, we are skeptical of the Task Force's suggestion that there may be an over-reporting of anti-LGBTQ hate crimes. Given extensive mistrust of MPD by several segments of our communities, combined with trends in other cities that reflect that LGBTQ communities generally are less likely to report hate crimes, we believe that there is a greater chance that hate crimes in all bias categories are significantly underreported. Nonetheless, we look forward to exploring ways to continue to improve data collection. We appreciate MPD's attentiveness to making this data more accessible and transparent, particularly in the last year. Of course, the possibility remains that even with improved reporting, we may find that anti-LGBTQ hate crimes continue to make up the majority of DC hate crime cases.

Interactions with the Transgender Community

Task Force Recommendations

1. Urgent Need to Build Trust - Agree
2. Improve and Expand Training about Transgender Issues - Agree
3. Identify Training Officers - Agree
4. Review Past Cases - Agree

Our Assessment and Recommendations

We agree with the Task Force in its finding that the root of our recent conflict with MPD lies in the consistent disrespect many trans people face from MPD officers. As the Task Force has noted, and our own research and experience have confirmed, the disconnect between policy and practice is real. However, we also believe that building trust will require specific, measurable action steps.

Recommendation: Ensure all officers are trained in transgender cultural competency and relevant policy by the end of Fiscal Year 2015

In our own analysis of MPD's online transgender training module, the most significant oversight is the lack of context provided on why MPD's policy on transgender interactions exists. The reasons such a policy is needed should be evident based upon various research findings, both in DC and in other cities. At a minimum, we would like to see a series of roll call trainings on this subject. Preferably, a new training module should be developed that could be offered either in person or online, alongside a learning assessment. We would be pleased to recommend subject matter experts to MPD for this development.

Recommendation: In unsolved homicide cases, tell us what you need to know

We know that in many of the unsolved trans murder cases, MPD needs more information. We have occasionally been asked to help gather that information. Yet simultaneously, we have been given no guidance about where the missing pieces might be. Given substantial mistrust, as well as the length of time some of these cases have gone unsolved, simply passing out more flyers is an insufficient outreach strategy. We do not want to jeopardize the integrity of ongoing investigations. However, without even minimal guidance, we have no way of knowing where to begin looking.

Recommendation: Establish a culture of accountability with repercussions for misconduct

We recognize the lack of formal complaints against police officers for anti-trans behavior, and we appreciate MPD's encouragement to work more closely with the Office of Police Complaints. However, transphobic actions, whether a comment among peers or harassment of someone on the street, must be met with swift action. Formal reprimands are not required in every case. Indeed, ensuring that all officers know what is expected and feel safe to call out their peers when they do wrong will go far in creating such a culture of accountability. Furthermore, senior leadership and commanders need to set the tone for how officers treat trans people. For the next five years, we would appreciate an annual summary of disciplinary actions against MPD personnel for anti-trans conduct, in compliance with the various restrictions on MPD's ability to release such data.

Recommendation: Report on the implementation status of the general order on interactions with transgender individuals by the end of this Fiscal Year

Chief Cathy Lanier's October 2007 signing of a general order in interactions with transgender people set DC at the forefront of policy in this area. To this day, colleagues in other cities ask DC's trans organizations how the policy transpired, and what they can do to replicate it in their own communities. That said, we know that parts of the order have yet to be implemented. In particular, the order mandates that GLLU maintain

and release data on cases involving trans people (including officer misconduct), and produce analysis of the response rate to trans-related calls. To our knowledge, the mandated protocol on tracking data between MPD and the Office of Unified Communications has not yet been established. We also have anecdotal evidence to suggest that the PDID system does not allow for name or gender changes, and that the essential "at risk" indicators and information about an arrestee's transgender status are not systematically communicated to other agencies in the legal system, particularly the U.S. Marshal's Service. Given this information, we would appreciate a report from Chief Lanier by September 30, 2014 on the general order's implementation, including overall challenges, and areas where alternative approaches are recommended.

Recommendation: Conduct an in-depth study of anti-trans police bias, releasing results by the end of Fiscal Year 2016

MPD's trans general order makes it clear that being trans is not "*prima facie* evidence" of engaging in sex work. We appreciate MPD's distribution of information cards last year clarifying that carrying condoms is not evidence of sex work and that there is no "three condom rule." Both the Task Force report and our own data suggest that anti-trans profiling exists at a level that may not be adequately addressed by individual officer discipline. In the last two years, some of our volunteers have conducted ride-alongs with core GLLU officers, and those volunteers report that even among those officers, a generalization is made that every trans woman they see is engaging in sex work. Data obtained through a FOIA request on sex work related arrests of "cross-dressers" in 2010 and 2011 showed that 100 percent of such arrests were of women of color, with the vast majority being African American. Given this disturbing evidence, we believe that MPD should commission an independent, academically rigorous study of anti-trans and other forms of bias and profiling within the department, perhaps in conjunction with the Office of Police Complaints. Such a study would identify trends, strengths, and weaknesses of officer actions and accountability mechanisms, and would make recommendations for systemic change.

Recommendation: The Chief of Police must be visible and accessible

Community trust with MPD is not possible without visible commitment from the top. While we respect the many demands on Chief Lanier's time, and appreciate her willingness to meet with advocates over the years, we believe that she (and her successors) should take a larger role in improving relationships with trans communities. Given the extent to which trust has deteriorated in recent years, MPD should consider hosting a town hall with Chief Lanier and ordinary members of trans communities at an open and accessible location. This will give her the opportunity to hear concerns directly and provide response to feedback. Just as before, LGBTQ organizations will continue to invite Chief Lanier to participate in the annual Transgender Day of Remembrance on November 20.

Hate Crimes and LGBT Cultural Competency Training

Task Force Recommendations

1. Develop Standardized Training - Agree
2. Develop Evaluation Mechanism - Agree
3. Review Affiliate Officer Training - Agree
4. Identify Effective Trainers within MPD - Agree
5. Mandatory Training for Recruits and Specialized Personnel - Agree
6. Mandatory Training for Leaders and Senior Personnel - Agree
7. Improve Use and Support of Civilian Trainers - Agree
8. Expand Use of Roll Call Training - Agree
9. Revise/Decrease Reliance on Online Training Module - Agree

Our Assessment and Recommendations

Our training with MPD has been one of the proudest achievements in improving police accountability and effectiveness. At times, conducting the various trainings has placed a significant burden on our limited resources. However, we welcome the eagerness that has been shown to expand knowledge of our communities throughout the police force, and have, in almost all circumstances, been able to meet training challenges placed before us. This is another area in which we have been seen as leaders by colleagues in other cities and states, and we hope that we can continue a robust partnership with MPD as it continues to expand and professionalize its training on LGBTQ cultural competency and hate crimes. While we grant that we cannot be in every training on topics relevant to our communities, we expect an active and participatory role in curriculum redevelopment as full partners to MPD.

On the question of reimbursement for trainer expenses, we certainly understand MPD's position. However, there are some powerful stories and experiences from within our communities that simply will never be heard if we are unable to provide even nominal assistance to help those people share their stories. Many in our communities likely to interact with police officers are also ones with the least means to dedicate the time and talent to officer training. Thus we will work with our partners in other government agencies, like the Office of GLBT Affairs, the Office of Human Rights, and the Office of Victim Services, to identify potential revenue streams to support community training efforts.

Recommendation: Develop a comprehensive curriculum framework to guide future training

As a first step, we believe that working with MPD, we should develop a comprehensive picture of all the potential training needs related to LGBTQ communities within MPD. This includes training needed for recruits, affiliates, veteran officers, senior leadership, etc., as well as periodic refreshers for all audiences. With that framework in hand, we can redevelop a flexible training curriculum that uses community member and MPD subject matter experts and can be tailored to particular audience needs to ensure relevance to issues pertaining to the LGBTQ communities needs in DC.

Recommendation: Prioritize training of veteran officers

As the Task Force notes, new recruits have been especially receptive to the training we have presented, as have the majority of participants in affiliate officer training. However, continued resistance to change from veteran officers is a significant barrier to building a trusting relationship between MPD and our communities. Veteran officers can also discourage less experienced colleagues from doing the right thing, and contribute to a lack of accountability. Thus we believe that veteran officers throughout the force should be provided with an appropriate refresher on how to properly interact with members of our communities.

Recommendation: Create curriculum development teams in full collaboration with community organizations

MPD should solicit subject matter expertise from within its own ranks, as well as from members of LGBTQ communities, and pair these experts with adult learning specialists at the police academy. These experts and specialists can work together to review and refine our organizations' existing offerings on LGBTQ hate violence, LGBTQ intimate partner violence, working with LGBTQ youth, and working with trans populations. Either the entire team of experts and learning specialists, or a designated leadership cohort from among that group, should have overall responsibility of ensuring training consistency and accuracy.

Recommendation: Leverage multiple platforms to maximize training reach

We have relied almost exclusively on classroom training to share knowledge of LGBTQ communities. To some extent, these efforts are supplemented by online trainings that mostly consist of narrated slide decks with a quiz at the end. While classroom training for all officers remains ideal, we recognize that multiple approaches are required to reach the full force expeditiously. Thus we recommend a combination of classroom training, live or asynchronous online learning in the form of webinars or video presentations, coupled with a robust system of assessment. Training videos on LGBTQ competencies have recently been deployed in New Orleans and have been used in Chicago in the past. These technologies would allow for community voices to be heard even when community members are unable to be physically present.

Recommendation: Ensure training takes place on the intersections of multiple identities

LGBTQ communities are made up of people from many different races, languages, cultural backgrounds, immigration statuses, socioeconomic statuses, and life experiences. In particular, there are vibrant LGBTQ communities that are also Asian, Latino, and/or Deaf or Hard of Hearing. Allowing time for discussion of these intersections within the broader affiliate training program would allow for greater consistency and cohesion across the affiliate program.

Recommendation: Continue to include members of other DC-based police agencies in hate crimes and LGBTQ cultural competency training

The abundance of different police agencies in DC creates real challenges in ensuring that members of our communities are treated in a consistently respectful manner. In the past, some of our training classes have been opened up to a limited number of representatives from other area law enforcement agencies, including campus police officers. We believe that this is a beneficial practice that should continue.

Recommendation: Actively assess learning as part of a broader training evaluation plan
The Task Force noted our concerns about resistance from some officers in our training classes, and for some time we have been in discussions with police academy personnel about the need for learning assessment, along with a more effective evaluation of training delivery and interactions with particular trainers. Some officers we have trained should not be working as GLLU affiliates. A learning assessment instrument, coupled with a formal process for trainer feedback, is an important step towards completing the feedback loop for the overall training program.

The Critical Incident Team (CIT)

Task Force Recommendations

1. Restructure the CIT - Neutral
2. Create Mutually Agreed-Upon Mission and Objectives - Agree
3. Limits on Information Sharing - Agree
4. Criteria for Membership - Agree
5. Define Roles and Responsibilities - Agree

Our Assessment

Last Fall, the Mayor's Office of GLBT Affairs took the lead in reinvigorating and reimagining that Critical Incident Team (which we expect to soon be renamed the Violence Prevention and Response Team). Since the Task Force made no specific recommendations as to what a CIT restructuring might look like, we take no position on that recommendation. The revitalization process is already well under way, and team members are currently considering revisions to proposed draft documents that cover mission, objectives, membership, and roles.

In MPD's response, the department raised the issue of transparency of communications, particularly in cases of officer misconduct and active investigations. In cases where MPD is legally or otherwise prevented from speaking about an issue, we would ask for a written explanation as to what the particular barrier to additional details may be. In the case of Officer Kenneth Furr, we reject the Task Force's characterization of a desire among us to see Furr "summarily punished." In spite of his crimes, Furr was and is entitled to the full due process of law - something that has been so often denied to members of our own communities. However, transparency about the limitations on what MPD can say and when would be useful for us to understand. If there are particular areas where MPD feels that the legal restrictions on communicating details are overly stringent, we would welcome a conversation wherein we could explore a legislative remedy if appropriate.

We will also need to clarify the role of the Office of GLBT Affairs in this process. In the CIT's earliest iterations, the office did not effectively address concerns between our communities and MPD. We appreciate the change in tone that GLBT Affairs staff have brought to these meetings, particularly in the last year. We remain hopeful that this innovative CIT concept reaches a place of successful partnership and coordination.

Hate Crime Policies

Task Force Recommendations

1. Assess Policies - Agree
2. Determine if Additional Community Outreach is Needed - Agree

Our Assessment

We concur with the Task Force and MPD that a review of policy and practice related to hate crime reporting and classification is appropriate. We welcome discussions of ways to improve reporting through extant or new mechanisms, as well as better consistency throughout MPD in classifying hate crimes.

Additional Recommendations Beyond the Task Force Report

For several years, our organizations have made recommendations to MPD on areas for improving relationships with LGBTQ communities and responding to violence affecting us. While some of these recommendations go beyond the scope of addressing hate crimes, they are essential to the overall improvement of relations between police and LGBTQ communities, and we feel that it is important to share them at this time in order to ensure that our future conversations with MPD are as robust and inclusive as possible.

Intimate Partner Violence Training, Response, and Reporting

Many of the recommendations above, as well as those presented by the Hate Crimes Assessment Task Force, are just as relevant when applied to LGBTQ intimate partner violence (IPV). While LGBTQ intimate partner violence happens at least the same rate that it does in other relationships, as the Task Force noted, LGBTQ IPV calls too often result in the arrest of all parties, regardless of who is the primary aggressor. We believe that a holistic approach to improving trust between MPD and LGBTQ communities must include heavy emphasis on addressing intimate partner violence within our communities.

Recommendation: Train officers in response and reporting of LGBTQ intimate partner violence with the same level of urgency as with hate crimes
Affiliate officer training and recruit training has included the same amount of time on IPV as it has on hate crimes. This balance should continue.

Recommendation: Adopt a general order on appropriate handling and reporting of LGBTQ intimate partner violence
Training should always be reinforced by policy, and clarifying appropriate response procedures in writing will allow for greater consistency and cultural competency in LGBTQ IPV situations.

Recommendation: Report on the number of LGBTQ intimate partner violence cases on at least an annual basis
In order to ensure an appropriate level of response to LGBTQ IPV, MPD should collect and report aggregate-level data on the number and type of cases.

Interactions with LGBTQ Youth

LGBTQ youth face a number of factors that make them more likely to interact with police, including homelessness due to family rejection, school avoidance due to bullying and harassment, increased likelihood of substance use, and simply hanging out in public space due to a lack of safe places for them to gather and build community. Like trans women, LGBTQ youth face profiling as sex workers and frequent susceptibility to stop-and-frisk and move along policing tactics.

Recommendation: Continue to build competencies around LGBTQ youth issues
Here again, our training programs to date have provided expert training on the issues facing LGBTQ youth, and this must continue.

Recommendation: Treat LGBTQ youth with the same respect accorded to adults
Officers need to understand that in the vast majority of cases, LGBTQ youth are not simply out looking for trouble. Youth build community in ways suited to the environments they face at home, at school, and in neighborhoods. Rather than simply pushing LGBTQ youth off the street, take the time to assess their needs and offer resources and support.

Recommendation: Use arrest as a last resort
Continuing to criminalize LGBTQ youth does nothing to keep them safer. If a group of youth are loitering in an area, find out why they are there. If they have been in a fight at school, assess who the primary aggressor was, and acting with school officials, determine if an arrest is really warranted, or if behavior can be met through non-police disciplinary measures. Homeless youth or those working the streets should be connected to shelters and services, not jails.

Interactions with Sex Workers

While we fully understand that the MPD must do its best to enforce the District's laws regarding commercial sex, we believe that substantial improvements could be made in how such enforcement is conducted to better respect human rights. An important example of this is how MPD made the crucial acknowledgement that health is a priority for all people in DC by clarifying its stance on possession of condoms and distributing information cards. Similar steps could be taken in other areas.

Recommendation: Proactively address violence and other crimes against people involved in commercial sex
The violence and crime committed against individuals engaged in commercial sex has been well-documented in DC, as well as the reluctance the victims to approach police for help. MPD should learn from other jurisdictions which have placed a greater

emphasis on addressing such crime rather than arresting individuals for breaking prostitution laws. One highly regarded approach from the United Kingdom, the Merseyside Model, has helped police there increase convictions in rape cases to 67%, versus 6.5% nationally. As members of our communities so often turn to underground economies including the sex trade due to systemic exclusion from society, such a shift could have a dramatic approach in improving MPD relations with LGBTQ community as well as help MPD better address violent crime.

Considerations for the DC Council

We have long known that much of the continued criminalization of members of our communities, including trans people and youth, stems from a legal framework outside of MPD's control. Thus part of our strategy to reduce police bias, vulnerability to hate violence, and generally improve police-community relations must include efforts to curtail or repeal laws that negatively impact members of our communities. Additionally, proactive oversight of MPD and its relationships with marginalized communities should be an ongoing Council priority.

Repeal Prostitution Free Zones and decriminalize sex work

In a January 2012 hearing on the proposed expansion of Prostitution Free Zones (PFZs), a representative from the Office of the Attorney General noted that the law as written existed on dubious constitutional grounds, and that any arrest under a PFZ likely could not be defended in court, thus implementation of PFZs was indefinitely suspended while the proposed expansion bill died in committee. At that same hearing, an MPD assistant chief testified that "we can't police our way out of this problem" and recommended expanded social services as an alternative. It is clear to us that criminalizing sex work does little to diminish its occurrence. Given that PFZs have already been called into question by the District's own legal experts, the authorizing legislation should be repealed.

As a further measure, we strongly advocate decriminalizing sex work in general. Many of our community members turn to sex work as a means to earn income in the face of employment discrimination and other human rights violations. Adding arrests and convictions onto circumstances that are already stacked against them only makes it more difficult for sex workers to access housing, healthcare, education, and other forms of employment.

Strengthen the authority of the Office of Police Complaints

The Office of Police Complaints (OPC) currently has authority to address individual complaints against MPD officers, analyze trends based upon those complaints, and make policy recommendations to MPD when complaint trends point to a particular problem. We support OPC's proposals to amend its authorizing statutes to allow the

agency to analyze and report upon complaints filed directly with MPD's internal affairs bureau, as well as to create a "rapid response" protocol for handling routine, customer service oriented complaints.

However, OPC's authority should also include the ability to investigate performance and response trends within MPD without first receiving a significant body of individual complaints. Many members of LGBTQ communities have a legitimate fear of reprisal when filing complaints against police officers. Thus, the number of complaints filed by members of our communities -- especially those alleging bias or harassment -- are negligible at best. Yet, clearly, real issues within MPD need to be addressed.

Additionally, the Council should consider authorizing a standing committee of the Police Complaints Review Board to address biased policing. The last study of biased policing within MPD is now nearly ten years old, and was focused narrowly on potential bias against African Americans and Latinos in a limited number of traffic and pedestrian stops. The question of biased policing is serious enough that long-term, external attention is required.

Hold annual hearings on marginalized community relations with MPD

The DC Council's Committee on the Judiciary and Public Safety has held a number of hearings on hate crimes and police response in the last five years, usually in response to high-profile acts of violence or vocal criticism of MPD from LGBTQ organizations. In practice, these hearings have only addressed anti-LGBTQ hate crimes. We believe that this oversight, while laudable, needs to be broadened to address MPD's relationship with LGBTQ communities and other marginalized communities, starting with the communities served by the other MPD liaison units. Such hearings should be held at least annually.