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Testimony on
Hate Crimes in the District of Columbia and Police Response to Reports of Hate Crimes
Delivered before the Committee on the Judiciary
June 29, 2012

Good afternoon, Chairman Mendelson. I am Rick Rosendall, Vice President for Political Affairs of the Gay and Lesbian Activists Alliance, which has been fighting for LGBT equality in the District for forty-one years.

I have testified on this issue multiple times in recent years. Sadly, its urgency was illustrated on Tuesday evening outside Howard Theatre when three assailants held and stabbed a 16-year-old boy while using anti-gay epithets. We thank the police for their prompt investigation and arrest of the three suspects, whom we hope to see successfully prosecuted for their hate crime; and we are eager to hear of the boy's full recovery.

Yesterday I spent an hour being interviewed at the Anti-Defamation League by the D.C. Hate Crimes Assessment Task Force, which was organized at Chief Lanier's request. We look forward to the results of the Task Force's efforts and to a constructive response by MPD to its recommendations. At the same time, as my colleague Jason Terry of DC Trans Coalition puts it, this review should not be a substitute for increased engagement with local stakeholders and a demonstrated willingness to act on identified problems and proposed solutions.

When we first began meeting with former Chief Charles Ramsey fourteen years ago, we relied on anecdotal evidence in telling him that transgender people are at greatest risk of both hate crimes and illegal profiling by police. Fortunately, the last few years have seen improvements in data gathering, with the National Transgender Discrimination Survey and the ongoing DC Trans Needs Assessment Survey. That information should inform police action moving forward, including the disturbing statistic from NTDS that 46 percent of transgender people resist calling the police.

At the hate crimes hearing in November 2009, I told about an incident involving my friend Sampson McCormick that had occurred in Ward 8, in which he and some friends overpowered some assailants and summoned police, but when the police arrived they treated the victims as the perpetrators. The officers also denied that the Gay and Lesbian Liaison Unit (GLLU) existed. It is unacceptable for hate crime victims to be treated as criminals. Chief Lanier has more than once expressed disbelief that MPD officers could be unaware of the existence of GLLU; I am afraid that the words they may have heard at roll-call and other trainings have fallen on some unreceptive ears. Without supervisory follow-through and consequences for officer violations, such uninformed behavior will not change.

We have always supported a GLLU with a citywide scope, which is fully consistent with preserving a fully staffed core unit. Given the troubled history of our community's relationship with the police, the outpouring of support for this police unit by people from across the spectrum of our community in 2007 should be recognized as a proud milestone and something to build upon. Increased trust leads to improved cooperation and a greater likelihood that a member of our community witnessing a crime will make a phone call to assist police. The Chief's goal of rendering the GLLU unnecessary because all on the force know how to deal properly with LGBT people remains a distant one.

Our advocacy has been driven by a conviction that our diverse population as well as those sworn to protect us are better served by cooperation than adversarialism. The ongoing problems that we and our coalition partners raise are real ones, and we must be included in the solution.

In this spirit, recent discussions have brought out a need for MPD to improve communications; document and follow up on commitments made at meetings; and ensure that violent incident alerts are issued promptly. We appreciate the responsiveness to activists by several top MPD officials as violent incidents have occurred. We also appreciate Mayor Gray's commitment. At the same time, the reported increase in hate crimes is a steep hill the city has yet to climb.

An advisory group to the Chief, which was first called the Biased Policing Task Force, then the Fair and Inclusive Policing Task Force, and now (based on the invite I received) the Community Policing Working Group, had a meeting on March 21 after being dormant for several years. (This, by the way, is not related to the U.S. Attorney's Hate Crimes Task Force.) I look forward to more regular meetings of the Working Group, and to inclusion of a representative of the DC Trans Coalition, as Chief Lanier assured me is her intention.

Training for all officers must include implementation of the Department's transgender and domestic/intimate partner violence policies. We urge the city to back up its commitment on the training front by finding the resources to pay for the diversity trainers from our community, who may not be able to continue without compensation.

We appreciate MPD's having pulled back from its use of Prostitution Free Zones after we, the ACLU and others objected to this unconstitutional practice. We also appreciate the Council's support for Bill 19-585, The Immigration Detainer Compliance Amendment Act of 2011, to reaffirm the city's bright line between local policing and immigration enforcement.

We know we have allies on the force, good officers who are trying to do the right thing. We are proud of the role we and others played in establishing the independent Office of Police Complaints, whose work enhances fairness, accountability, and clarity. We are eager as ever to work respectfully and productively with Chief Lanier and all who are committed to public safety. We second her statement made on Wednesday, in connection with a nightclub beating last year involving off-duty officers, that police are not above the law. Holding the offending few accountable ultimately enhances the public's trust and support for the upstanding many.

Thank you.