

## **Q & A**

### **A Budget Proposal to End the Street Harassment of Women and All Vulnerable Communities in California**

**Joint Legislative Champions Assemblymembers Mia Bonta, Al Muratsuchi, and Dr. Akilah Weber**

#### **What does the budget proposal do?**

- The proposal would make California the first state in the nation to take a statewide, public health approach to preventing the street harassment of women, transwomen, and all vulnerable communities by:
  - 1) Creating a multi-year and statewide public education campaign to raise awareness about street harassment as a public health problem in the state.
  - 2) Requiring a study of street harassment as a public health issue in California and policy recommendations for the Legislature and Governor.
  - 3) Defining street harassment within a public health, not criminal, context.

#### **How is the budget proposal different from AB 2549, a bill to end street harassment?**

- At the beginning of this year, the authors introduced both the bill (AB 2549) and the corresponding budget proposal to fund the bill. Both would achieve the same goals.
- The bill did not pass out of the fiscal committee, and is considered dead for this year. The budget proposal for the bill, however, can still move forward with your support.

#### **What would the public education campaign do?**

- The campaign would target specific audiences, such as women, girls, men, boys, business owners, and transit riders.
- It would utilize traditional media, such as radio and print, and social media, and take place online and in person, such as public service announcements in hotspots for street harassment.
- Critically, it would be in-language and culturally relevant, and utilize ethnic media.
- The campaign would have an evaluative component to determine effectiveness, gaps, and unmet needs

#### **What would the study do?**

- The study would provide the California State Legislature and Governor with an understanding of the issue and provide future policy direction.
- The Center on Gender Equity and Health at the University of California San Diego would research the state of street harassment in California by conducting surveys and focus groups to understand who is being street harassed, where and when it is occurring, how often it is occurring, and its impact on people targeted by street harassment.
- The Center would propose strategies to improve public awareness and understanding of street harassment and potential state and local policies to decrease the incidence of street harassment without resorting to criminalization.

#### **How is street harassment defined?**

- Street harassment is defined to mean words, gestures or actions directed at a specific person

in public, without their consent, based on a protected characteristic, that the person experiences as intimidating, alarming, terrorizing, or threatening to their safety.

- Protected characteristics include race, ethnicity, religion, age, sex, gender, gender identity, gender expression, sexual orientation, and disability.
- This definition would reside in the Health and Safety Code.

### **Why is this proposal needed?**

- The street harassment of women and other vulnerable communities is pervasive, common, and global. Street harassment in public spaces has become normalized and is inadequately addressed by current laws.
- Women report that street harassment occurs in places open to the public, such as on streets and sidewalks, in stores, or on public transit, and is predominantly inflicted by strangers.
- A 2019 national study by the Center and Stop Street Harassment found that 71% of women reported experiencing sexual harassment in public places. Furthermore, a 2014 national study commissioned by Stop Street Harassment found that street harassment especially impacts women of color: Black and Latina women are more likely than white women to experience street harassment. The Stop AAPI Hate coalition also found that since the beginning of the COVID-19 pandemic, AAPI women were and still are experiencing street harassment in their daily lives.
- Street harassment threatens a person's feelings of safety and restricts a person's freedom of movement in public spaces.

### **Does California law already address street harassment?**

- California law makes a variety of street harassment behaviors illegal in the Penal Code, such as disorderly conduct, public nuisance, indecent exposure, domestic violence, stalking, sexual assault, and hate crimes.
- Street harassment remains pervasive and normalized in California in spite of these laws.
- Existing laws do not address the interactions common within a street harassment incident - namely, verbal harassment. They do not address a majority of the hate incidents reported to Stop AAPI Hate.
- They also require a known perpetrator or pattern of behavior, while the majority of street harassment incidents are between strangers and transitory.

### **How do other states address street harassment?**

- Like California, other states criminalize certain street harassment behaviors like stalking and disorderly conduct, making this behavior punishable by a fine or incarceration.
- In 2018, Washington, DC established the Street Harassment Prevention Act, which focuses on education instead of criminalization. It created a legal definition for street harassment, established a community based advisory committee to study street harassment and develop model policies and training, and required a public information campaign on street harassment.
- Some forms of street harassment are also illegal in New York City as discriminatory harassment.

### **Does this proposal violate the First Amendment?**

- No. It does not restrict speech or create any sanctions for speech.

### **If you have any questions, please contact:**

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