



Working to end sexual violence in Maryland

P.O. Box 8782
Silver Spring, MD 20907
Phone: 301-565-2277
www.mcasa.org

For more information contact:
Lisae C. Jordan, Esquire

Testimony Supporting Senate Bill 540
Lisae C. Jordan, Executive Director & Counsel
February 28, 2023

The Maryland Coalition Against Sexual Assault (MCASA) is a non-profit membership organization that includes the State's seventeen rape crisis centers, law enforcement, mental health and health care providers, attorneys, educators, survivors of sexual violence and other concerned individuals. MCASA includes the Sexual Assault Legal Institute (SALI), a statewide legal services provider for survivors of sexual assault. MCASA represents the unified voice and combined energy of all of its members working to eliminate sexual violence. We urge the Judicial Proceedings Committee to report favorably on Senate Bill 540.

Senate Bill 540 – Civil Rights Enforcement – Authority of the Attorney General

This bill provides the Attorney General with the authority to investigate conduct that violates any federal or State civil rights, and to file civil actions on behalf of the citizens of the State against any non-governmental entity regarding civil rights violations. These civil rights actions encompass a range of discriminatory actions, including sexual harassment. Of particular importance, the Attorney General would be authorized to seek injunctions to prohibit future violations.

Sexual harassment is a form of sex discrimination and, very generally, "sexual harassment" describes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. Sexual assault is an extreme form of sexual harassment. The United States Department of Justice estimates that eight percent of rapes occur while the victim is working. Duhart, D. (2001). Violence in the Workplace, 1993-99. Bureau of Justice Statistics. Available at <http://bjs.ojp.usdoj.gov/content/pub/pdf/vw99.pdf>.

The American Association of University Women issued a report on workplace sexual harassment illuminating the impact of this type of discrimination and its threat to women's mental health and physical safety. Findings included:

- Psychologists report that sexual harassment can lead to depression and post-traumatic stress disorder.
- Organizational behaviorists link sexual harassment to an increased risk of long-term physical health problems.

- Sexual harassment erodes women's short- and long-term economic security:
 - o In a survey of 311 women, 38 percent of women who'd been harassed said it contributed to their decision to leave a job early, and 37 percent said it disrupted their career advancement.
 - o When women decrease their hours or leave their job to avoid a harasser, it reduces their wages and ability to save and build wealth.
 - o Older women who leave a job because of harassment often face ageism on the job market and may consequently retire early, missing out on what might have been their peak earning years.
 - o Women who report harassment risk receiving unjust performance reviews, getting ostracized by coworkers and being denied promotions or raises

<https://www.aauw.org/app/uploads/2020/03/Limiting-our-Livelihoods-2-pager.pdf>

These are serious and wide-reaching harms. Enforcement of civil rights laws to prevent and respond to this and other types of discrimination should not be left solely to private litigation. Providing the Attorney General with authority to respond will help ensure that both public and private interests are served. Importantly, this bill would provide the Attorney General with the authority to seek injunctive relief and this is key to ending sexual harassment and preventing future discrimination.

**The Maryland Coalition Against Sexual Assault urges the
Judicial Proceedings Committee to
report favorably on Senate Bill 540**