

## Stop Street Harassment

# Washington

A variety of forms of street harassment are illegal in Washington, including verbal harassment, up-skirt photos, indecent exposure, following, and groping. Here are the laws and reporting procedures you need to know.

### Verbal Harassment

In Washington, there are four laws that prohibit some form of verbal street harassment.

#### ***Disorderly Conduct***

[RCW 9A.84.030](#)

In Washington, the disorderly conduct law is narrow. Under the law, it is illegal for someone to use abusive language to intentionally make someone fear assault or intentionally obstruct pedestrian or vehicular traffic.

If a street harasser is using abusive language that makes you fearful or if a harasser or harassers is blocking your path, you can report him/her.

Penalty: Disorderly conduct is a misdemeanor. The penalty can include imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than \$1,000, or by both.

#### ***Harassment***

[RCW 9A.46.020](#)

It is illegal for a person to make any kind of threat to physically harm someone else if the person being harassed has a reasonable fear that the threat will be carried out.

If a street harasser threatens you and you believe he or she may actually harm you, you can report him/her.

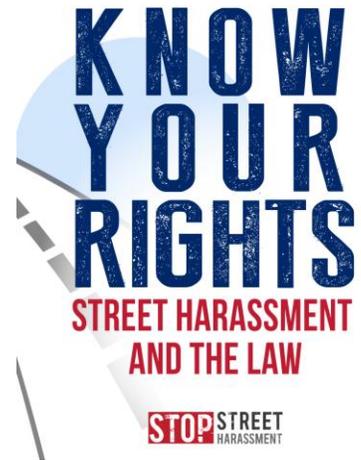
Penalty: harassment is a Class C felony and can result in confinement in a state correctional institution for five years, or a fine in an amount fixed by the court of ten thousand dollars, or both.

#### ***Malicious Harassment***

[RCW 9A.36.080](#)

It is illegal for anyone to engage in malicious harassment of someone because of his or her perception of the victim's:

- Ancestry
- Color
- Gender
- Mental, physical, or sensory handicap
- National origin
- Race
- Religion
- Sexual orientation



## Stop Street Harassment

Malicious harassment includes intentionally causing or threatening to cause physical injury to that person.

If a harasser threatens to harm you and does so for one of those reasons (e.g. s/he adds a gendered, racial, homophobic or transphobic slur), you can report him/her.

Penalty: Malicious harassment is a Class C felony and can result in confinement in a state correctional institution for five years, or a fine in an amount fixed by the court of \$10,000, or both.

### ***Patronizing a Prostitute***

#### [RCW 9A.88.110](#)

A person is guilty of patronizing a prostitute if s/he solicits or requests another person to engage in sexual conduct with him or her in return for a fee. If a street harasser solicits sexual activity from you, you can report him/her.

Stop Street Harassment doesn't oppose consensual sex work, but we do think it's inappropriate for a street harasser to make assumptions about your sexual availability and make you feel uncomfortable.

Penalty: Patronizing a prostitute is a misdemeanor. The penalty can include imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than \$1,000, or by both.

## Unlawful Filming/Photographing

### ***Voyeurism***

#### [RCW 9A.44.115](#)

It is illegal in Washington to:

- Take photos or videotape someone without his or her consent in a place where s/he should expect privacy (such as a bathroom or locker room).

If a harasser films or photographs you someplace like public restrooms, dressing rooms, locker rooms, and hotel rooms, you can report him/her.

- Take photos or videotape of the intimate areas of a non-consenting person's body under circumstances where the person has a reasonable expectation of privacy, including public place.

If a street harasser takes an up-skirt or down-blouse photo of you, or otherwise observes or photographs you in an inappropriate way, you can report him/her.

Penalty: Voyeurism is a Class C felony and the Penalty can be five years' confinement in a state correctional institution, or a \$10,000 fine, or both.

## Stop Street Harassment

### Indecent Exposure

#### ***Indecent Exposure***

##### [RCW 9A.88.010](#)

It is illegal for anyone to intentionally make any open and obscene exposure of his or her private parts if s/he knows that doing so is likely to cause reasonable affront or alarm to other people nearby.

If a harasser flashes or otherwise exposes him or herself to you in a public place, such as a park, on public transportation, or in a store, you can report him/her.

Penalty: Indecent exposure is usually a misdemeanor and the Penalty can include imprisonment in the county jail for a maximum term fixed by the court of not more than 90 days, or by a fine in an amount fixed by the court of not more than one thousand dollars, or by both. The Penalty may be more severe if the person being harassed is under the age of 14.

It is a Class C felony if the person has previously been convicted of indecent exposure or a sex offense. A Class C felony can result in imprisonment in a state correctional institution for a maximum term of not more than five years, or a fine in an amount fixed by the court of not more than \$10,000, or both.

### Following

If you think someone is following you, you can call 911 right away, the first time it happens. You do not have to wait for that person to commit a crime.

#### ***Stalking***

##### [RCW 9A.46.110](#)

Stalking is illegal in Washington. It is illegal for someone to intentionally and repeatedly (on two or more occasions) harass or repeatedly (on two or more occasions) follow another person when the person being harassed or followed is made to feel fearful. Additionally, the stalker must either:

- Intend to frighten, intimidate, or harass the person, or
- Know (or reasonably should know) that the person is afraid, intimidated, or harassed by their actions, even if the stalker did not intend to harm or harass that person.

If a person follows you or harasses you more than once, even if s/he claim s/he did not mean to frighten you or didn't intend to harm you, if s/he made you feel fearful, you can report him/her

Penalty: The penalty for stalking can vary depending on if the person has prior convictions or if the stalking is done in conjunction with another crime (like assault). Stalking is often classified as a gross misdemeanor, which means possible imprisonment in the county jail for a maximum term fixed by the court of up to 364 days, or by a fine in an amount fixed by the court of not more than \$5,000, or by both.

## Stop Street Harassment

### Groping

#### *Indecent Liberties*

##### RCW 9A.44.100

It is illegal for anyone to force another person to have sexual contact with him/her by force. It is also illegal in Washington for someone to have sexual contact with another person if s/he has developmental or physical disabilities or if the harasser is providing the person with transportation.

If someone touches your buttocks, crotch, or breasts against your will, or if s/he forces you to touch him or her by rubbing up against you or forcing your hand onto their body, you can report that person.

Penalty: Indecent liberties is Class A felony. The Penalty may entail confinement in a state correctional institution for a term of life imprisonment, or a fine in an amount fixed by the court of \$50,000, or by both.

### Reporting Crimes to the Police

- Call 911 for help if:
  - The crime is in progress
  - You or someone else is physically hurt or have been threatened with physical violence
  - You can provide information about who may have committed a crime.
  
- Call the local police office's non-emergency number to submit a report afterward. For example, in Seattle, this number is (206) 625-5011, and in Tacoma it's (253) 798-4721. Be prepared to provide them with:
  - When it happened (date and time).
  - Where it happened (street location, store location, bus line or bus stop, park name, etc).
  - Who is reporting (your name, contact information, date of birth).
  - The name and contact information of witnesses, if you spoke to any.
  - A description of what happened. It can be helpful to include the law the crime falls under, such as Voyeurism, RCW 9A.44.115. If you're not sure which law you should use to report an incident of street harassment, just tell the police what happened and s/he or the district attorney's office can determine the appropriate charges.
  - A description of the harasser/s.
  
- Many police departments also have online reporting forms, for example, the Spokane County Police Department has a "[Reportable Online Crime Check](#)."
  
- Some police departments also allow you to anonymously text a tip about a crime, for example if you see a group of people routinely harassing passersby at the same location. Visit your local police department website for information.
  
- Once you've reported a crime, if you've provided your contact information, within a few days, you will receive a call with a police report case number and may have to answer follow-up questions. Save a copy of the police report for your records.

If someone tries to tell you that street harassment "isn't a big deal," or isn't illegal, don't buy it. You always have the right to be free from sexual harassment and assault in public.