

HUMAN RIGHTS WATCH

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January 17, 2013

Chief Cathy Lanier
Metropolitan Police Department
300 Indiana Avenue NW
Washington, D.C. 20001

Via Email and Fed-Ex

Dear Chief Lanier:

Please find enclosed an advance copy of the upcoming Human Rights Watch report, *Capitol Offense: Police Mishandling of Sexual Assault Cases in the District of Columbia*, which documents our findings from a 22-month-long investigation of the Metropolitan Police Department's handling of sexual assault cases. The report will not be made public until January 24, 2013, and we plan to release it formally at a 10:00 a.m. press conference that day. As we have respected your request for an advance copy of the report, we would also ask that you respect the embargo period. As you are aware, we have previously described our findings in writing to you on two occasions, in May and December 2012, as well as in person in various meetings over the last several months. Now that the report is final and complete, we are pleased to be able to share it in full with you.

As you know, the report concludes that, between October 2008 and September 2011, MPD officers on many occasions treated sexual assault victims callously and failed to document or investigate a substantial number of sexual assault cases reported to police by victims at the Washington Hospital Center. In other cases, it appears that MPD detectives conducted only minimal investigations before closing a case or filing an affidavit requesting arrest warrants. In the majority of cases we reviewed, requests for arrest warrants were rejected by prosecutors as too weak to pursue, which we believe was often directly related to the poor quality of the investigation. Also as you know, Human Rights Watch had received various reports from victims and witnesses about mistreatment of victims by MPD officers, and those reports were corroborated by several things we noted from MPD's own files.

We realize and welcome the fact that the MPD has changed some of its policies surrounding sexual assault cases, including in response to our first letter, and we remain hopeful that the MPD will take seriously the findings and full set of recommendations in this report. However, because most of the problems we documented are already contrary to departmental policy, we believe the fundamental changes that are necessary have to do with institutional practice and culture and require a sustained commitment by leadership to address the practices and to hold accountable those who engage in them.

We also wish to express our surprise and disappointment at the tone the MPD has taken, particularly in your letters in June and December 2012, in response

to our previous descriptions of our findings. Human Rights Watch has worked cooperatively with the federal government and law enforcement agencies in 19 states on criminal justice issues for over a decade. In recent years we have carried out in-depth investigations, for example, of the Los Angeles Police Department's failure to analyze rape kits. While government agencies have at times disagreed with our findings, we have rarely encountered—at least within the United States—the type of hostility and defensiveness evident in your letters. We hope this is not a reflection of the MPD's willingness to address the problems documented here.

None of the criticisms in your most recent letter affect or in any way undermine the report's findings, as most are based on a fundamental misunderstanding of our findings or are not germane. However, to dispel any confusion that they may create, we enclose a fact sheet which addresses each of your comments in detail.

We hope that, once you have had the opportunity to review the enclosed report and fact sheet, you will see that our goals are aligned with those of the MPD: promoting more vigorous prosecution of sexual assault cases and improved police treatment of sexual assault victims who report crimes. We believe the best way to move forward on this issue is to encourage open and transparent dialogue among all people concerned with prosecuting violent offenders and safeguarding the interests of sexual assault victims.

We look forward to working with you on this issue in the future.

Sincerely,



Sara Darehshori
Senior Counsel, US Program
Human Rights Watch



Alison Parker
Director, US Program
Human Rights Watch