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**Washington, D.C. Redefines “Stalking;” Law Firm Proposes Expressly
Protecting Stalking Victims against Employment Discrimination**

Washington, D.C. – D.C. is redefining its criminal “stalking” law to include “cyberstalking.” On July 7, 2009, Local Channel 9 news (CBS) aired journalist Gary Nurenberg’s newscast describing D.C.’s proposed “Omnibus Public Safety and Justice Amendment Act of 2009” (Bill 18-151). It included D.C. Councilman Phil Mendelson, the Stalking Resource Center and the principal of this firm, Dawn V. Martin, Esquire. <http://www.wusa9.com/news/local/story.aspx?storyid=88199&catid=187&provider=email>.

The Law Offices of Dawn V. Martin, LLC applauds the D.C. Council’s expansion of the definition of stalking, but has proposed that the D.C. Council complement its new criminal stalking statute with an amendment to D.C. Human Rights Law expressly prohibiting employers from discriminating against their employees if they are victims of stalking -- just as it prohibits discrimination on the basis of race, gender, etc. New York City Human Rights Law, § 8-101, 8-107.1 provides a model for such a statute, prohibiting employer discrimination against both stalking victims and victims of domestic violence.

Prof. Martin knows, personally, how important it is to amend equal employment law to protect stalking victims. When she was a law professor at Howard University, she was stalked by a serial campus stalker, Leonard Harrison. Harrison had his own *vision* of his “natural wife,” or “soul-mate,” whom he believed was the physical embodiment of a fictional character, Geneva Crenshaw, in a book, written by the renowned NYU law professor, Derrick Bell. He was stalking African-American female law professors, lawyers and college professors who fit that profile. The stalker freely roamed through the law school building, where her office was located and where she held classes. Prof. Martin’s contract was “not renewed” after she asked Howard Law School to implement the University’s own security procedures and to follow the instructions of the D.C. Metropolitan Police Department to bar Harrison from the law school and for its own armed campus security officers to hold him for arrest if he returned. Students protested her non-renewal, praising her as a teacher, role model and civil rights advocate. Ms. Martin sued Howard, under Title VII of the Civil Rights Act of 1964 and the D.C. Human Rights Act, alleging sexual harassment/hostile work environment and retaliation for asking for protection from the stalker. The jury found that: 1) Prof. Martin *was* harassed by Harrison; 2) this harassment *did* create a hostile work environment for her; and 3) Howard failed to take reasonable steps to end it. Despite these factual determinations in her favor, the verdict was for *Howard*. After confusing instructions from the judge, the jury concluded Harrison’s harassment of Prof. Martin did not constitute harassment based on sex/gender, Title VII and D.C. Human Rights Law did not apply to the case; **there was therefore no statute to protect Prof. Martin from retaliation by her employer, Howard University.**

The *National Organization of Women* (NOW), the *National Association of Women Lawyers* (NAWL) and other women’s and/or victim’s advocates groups filed an Amicus Brief on behalf of Ms. Martin, asking the Supreme Court to review the case, but the case was not selected among the thousands of petitions filed each year. *Martin v. Howard University* has been widely covered in a documentary, U-Tube, radio shows, articles and on the internet. See, e.g., http://www.youtube.com/watch?v=MxyzwRGYIgA&feature=channel_page, www.dvmartinlaw.com/MartinvHowardU, http://insiderexclusive.com/tv_martin.htm, <http://alexisamoore.blogspot.com/2009/05/stalking-laws-and-victim-resources.html>. The only remedy then, is legislation expressly protecting stalking victims from employment discrimination. As Ms. Martin told the U.S. Court of Appeals for the D.C. Circuit, “If a woman can be stalked in her workplace, and fired for asking her employer to take reasonable steps to keep him out of the workplace, then women will be forced to choose between their safety and their livelihood – a Hobson’s choice.” Please urge D.C., Congress and your own state to pass legislation to protect stalking victims against employment discrimination/retaliation.