

Statement of Introduction
Case Closure and Witness Support Amendment Act of 2023
December 1, 2023

Today, along with Councilmembers Anita Bonds, Charles Allen, Robert C. White, Jr., Matthew Frumin, and Vincent Gray, I am introducing the “Case Closure and Witness Support Amendment Act of 2023”. This bill will help the Metropolitan Police Department (MPD) solve more homicide cases by increasing rewards for witnesses and by providing protection for those who help solve and prosecute cases. With the D.C. homicide closure rate at only 45 percent,¹ we need to encourage more witnesses to come forward with information that will close more cases and help break the cycle of violence.

The legislation increases the minimum reward amount in homicide cases to \$50,000, double the current *maximum* of \$25,000, to anyone who provides information or testimony that leads to the adjudication or conviction of a person responsible for any homicide committed in the District.

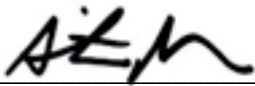
The bill, for the first time, officially establishes a Witness Relocation and Assistance Program for witnesses in danger of suffering intimidation or retaliatory violence in connection with their cooperation with an investigation or testimony to a criminal proceeding. The program provides witnesses with the following: law enforcement protection, physical relocation of residence, housing expenses and utilities, basic living expenses, childcare, documents to establish a new identity, transportation, storage of personal possessions, support and advocacy to provide for a safe transition, and other services as needed.

Finally, the bill requires the Mayor to submit a report to the Council assessing the extent and effectiveness of the District’s programs and policies for witness protection and assistance. While there are already witness protection and support programs in the District – coordinated by the U.S. Attorney’s Office – there is no law whatsoever that establishes the program or its goals and responsibilities. As a result, we currently have no way of knowing whether this critical public safety need is adequately resourced.


Closing cases is critical to breaking the cycle of violence; when perpetrators are not held accountable, it leads to a sense of impunity.² Information provided by witnesses is highly valuable to law enforcement but comes with great risk to those who provide it. By offering greater incentives, protection, and assistance to the people who are instrumental to closing more cases of violent crime, the “Case Closure and Witness Support Amendment Act of 2023” ensures that a key component of the pursuit of justice and public safety receives adequate attention and resources.

¹ <https://www.pbs.org/newshour/nation/police-solving-far-fewer-cases-as-homicides-rise-in-washington-d-c>

² Jill Levoy, *Ghettoside: A True Story of Murder in America* (2015).



Councilmember Anita Bonds



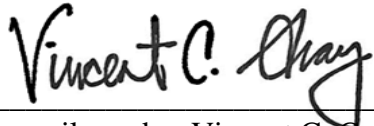
Councilmember Brianne K. Nadeau



Councilmember Robert C. White, Jr.



Councilmember Charles Allen



Councilmember Vincent C. Gray



Councilmember Matthew Frumin

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

1 To amend the Illegal Firearm Sale and Distribution Strict Liability Act of 1992 to set a minimum
2 payment of \$50,000 for any person who provides information that leads to the
3 adjudication or conviction of the person or persons responsible for committing any
4 homicide in the District of Columbia, and to direct the Mayor to advertise information
5 regarding witness assistance resources that may be available to those who provide
6 information; to amend the Homeland Security, Risk Reduction, and Preparedness
7 Amendment Act of 2006 to require that the Comprehensive Homicide elimination
8 Strategy Task Force submit to the Council a report on the District’s programs and
9 policies for witness protection, relocation, and assistance, and recommendations for
10 improvement; and to establish a Witness Protection and Assistance Program to support
11 the investigation and prosecution of criminal cases through assistance in the security and
12 wellbeing of those who aid in investigations or criminal proceedings.

13
14 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may
15 be cited as the “Case Closure and Witness Support Amendment Act of 2023”.

16 Sec. 2. The Illegal Firearm Sale and Distribution Strict Liability Act of 1992, effective
17 June 11, 1992 (D.C. Law 9-115; D.C. Official Code § 7–2531.04) is amended by adding new

18 subsections (c-1) and (c-2) to read as follows:

19 “(c-1) The Chief of Police of the Metropolitan Police Department is directed to
20 provide for the payment of no less than \$50,000.00 to any person who provides information that
21 leads to the adjudication or conviction of the person or persons responsible for committing any
22 homicide in the District of Columbia.

23 “(c-2) In advertising the Firearms Bounty Fund, the Mayor shall include
24 information regarding witness assistance resources that may be available to those who provide
25 information, as established in Section 4 of the Case Closure and Witness Support Amendment
26 Act of 2023, effective _____.”.

27 A new paragraph (h) is added to read as follows:

28 “(h) No reward money paid pursuant to this section shall be paid to any officer or
29 employee of the Metropolitan Police Department, or of any penal, correctional, or welfare
30 institutions, or of any court, legal agency, or other agency closely involved in the criminal justice
31 system.”.

32 Sec. 3. Comprehensive Homicide Elimination Strategy Task Force to issue report on
33 witness protection, relocation, and assistance.

34 (a) Section 501 of the Homeland Security, Risk Reduction, and Preparedness
35 Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-262; D.C. Official Code § 22-
36 4251), is amended by adding a new subsection (e) to read as follows:

37 “(e) No later than December 1, 2025, the Task Force shall submit to the Council a report
38 on the District’s programs and policies for witness protection, relocation, and assistance, and
39 recommendations for improvement.

40 (1) The study shall include:

41 (A) An outline of the current witness protection procedures in the District
42 and regionally, including:

43 (i) The process of assessing the need of potential witnesses to
44 criminal proceedings for assistance;

45 (ii) The District's approach to ensuring witness safety during
46 criminal investigations as well as before, during, or subsequent to, legal proceedings;

47 (iii) The spectrum of housing, financial, and health supports
48 available to those deemed eligible for witness assistance;

49 (iv) Information on whether those receiving witness assistance are
50 assigned a direct caseworker to navigate supportive services, and the average caseload for such
51 workers; and,

52 (v) A review of how the District's public safety agencies
53 coordinate with regional and federal partners on witness relocation and assistance.

54 (B) Recommended performance metrics for witness assistance and an
55 assessment of past performance;

56 (C) A review of national best practices for state and local-level witness
57 protection, relocation, and assistance;

58 (D) A review of human support services offered to District residents that
59 would enhance witness assistance outcomes if program eligibility were expanded;

60 (E) An assessment of the overall fiscal impact of witness assistance, for at
61 least the prior four fiscal years, recommended funding levels;

62 (F) An analysis of criminal cases that were helped or hindered by the
63 current administration of witness assistance; and,

64 (G) Recommendations on policy and appropriations changes that would
65 maximize the effective use of witness protection, relocation, and assistance for the investigation
66 and prosecution criminal cases.

67 (2) Notwithstanding the requirements of this subsection, the Task Force may
68 restrict or prohibit disclosure of certain information, pursuant to Section 2c of the Council of the
69 District of Columbia Independence Act of 1982, effective March 11, 2010 (D.C. Law 18-119;
70 D.C. Official Code § 1-301.44c), that may compromise the safety of any person currently or
71 formerly served by witness relocation and assistance programs.

72 Section 4. Witness Protection and Assistance.

73 (a) There is established a Witness Protection and Assistance Program (“Program”), to
74 increase efforts to successfully investigate and prosecute criminal cases through assistance in the
75 security and wellbeing of those who aid in investigations or criminal proceedings.

76 (b) The Mayor shall administer the Program in coordination with the United States
77 Attorney’s Office and other regional jurisdictions.

78 (c) In any criminal proceeding, or in the process of a criminal investigation by MPD or
79 other law enforcement agencies, where credible evidence exists of a substantial danger that a
80 person may suffer intimidation, retaliatory violence, or another serious threat to personal
81 wellbeing due to their cooperation with an investigation or their testimony in a criminal trial, the
82 Mayor shall provide witness protection, relocation, and assistance, which may include any of the
83 following:

84 (1) Protection or escort by law enforcement or security personnel before, during,
85 or subsequent to, legal proceedings;

86 (2) Temporary or permanent physical relocation to an alternate residence;

- 87 (3) Housing expenses, including utilities;
- 88 (4) Transportation or storage of personal possessions;
- 89 (5) Appropriate documents to establish a new identity;
- 90 (6) Basic living expenses, including, food, transportation, and health care;
- 91 (7) Mental health supports;
- 92 (8) Reimbursement of lost wages;
- 93 (9) Childcare; and,
- 94 (10) Other services as needed.

95 (d) Family, friends, or associates of a witness who are deemed to be endangered shall
96 also be eligible for the Program.

97 (e) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure
98 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), shall
99 issue rules to implement the provisions of this section.

100 Sec. 5. Fiscal Impact.

101 The Council adopts the fiscal impact statement in the committee report as the fiscal
102 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
103 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

104 Sec. 6. Effective date.

105 This act shall take effect after approval by the Mayor (or in the event of veto by the
106 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
107 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
108 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
109 Columbia Register.