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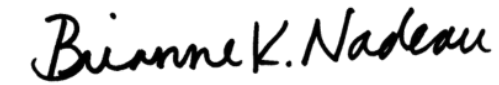

Chairman Phil Mendelson

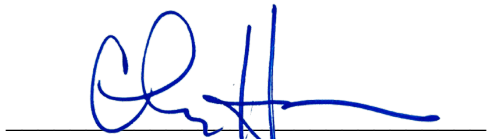

Councilmember Vincent C. Gray



Councilmember Zachary Parker



Councilmember Janeese Lewis George


Councilmember Brooke Pinto


Councilmember Brianne K. Nadeau


Councilmember Christina Henderson


Councilmember Anita Bonds


Councilmember Kenyan R. McDuffie

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Title II of An Act To authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes, to require the Homeland Security and Emergency Management Agency to conduct an after-action conference after a possible failure of emergency response in the District, to require the creation of an after-action report on a particular timeline, and to require that the report and other relevant documents are made public on a particular timeline.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Transparency in Emergency Response Amendment Act of 2024”.

43 Sec. 2. Title II of An Act To authorize the District of Columbia government to establish
44 an Office of Civil Defense, and for other purposes, effective March 14, 2007 (D.C. Law 16-262;
45 D.C. Official Code § 7-2231.01 *et seq.*) is amended by adding a new section 212 to read as
46 follows:

47 “Sec. 212. After-action conferences and reports.

48 “(a) No fewer than 5 business days after an incident giving rise to a possible failure of
49 emergency response, the Agency shall facilitate a joint after-action conference with relevant
50 District agencies. The after-action conference must allow an opportunity for each involved
51 agency to provide feedback to each other involved agency on how emergency response could
52 have been improved with regard to the incident and in future incidents with similar
53 circumstances.

54 “(b)(1) Following the after-action conference, the Agency shall prepare a draft after-
55 action report, which shall include:

56 “(A) A summary of the incident;

57 “(B) An evaluation of the incident timeline;

58 “(C) Any maps relevant to understanding the incident; and

59 “(D) Key findings and recommendations of ways agencies could have
60 improved their emergency response to the incident.

61 “(2) The Agency shall circulate the draft after-action report to all relevant
62 agencies within 30 calendar days after the after-action conference. The draft report shall be
63 confidential and not subject to the Freedom of Information Act of 1976, effective March 29,
64 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

65 “(c) No fewer than 45 calendar days after a possible failure of emergency response, the
66 Agency shall finalize the report and, after redacting any personally identifiable information,
67 publicly release:

68 “(1) The final after-action report and attachments;

69 “(2) The computer-aided dispatch report for the incident;

70 “(3) Transcripts and recordings of all 911 calls made relating to the incident;

71 “(4) Any documents describing possible errors or concerns regarding the
72 emergency response, including CD-1 forms completed by the Fire and Emergency Medical
73 Services Department; and

74 “(5) Any other documents or information the Agency believes would assist the
75 public in understanding the circumstances that gave rise to the incident.

76 “(d) For the purposes of this section, a possible failure of emergency response includes
77 any mistake or lack of adherence to protocol in the District’s emergency response that resulted in
78 serious injury or death and for which there is reason to believe:

79 “(1) The 911 call was not answered or dispatched in sufficient time;

80 “(2) Police, fire fighters, paramedics, or other first responders were delayed in
81 arriving to the scene of the incident;

82 “(3) A technology failing occurred;

83 “(4) Any related negligence or wrongful actions occurred; or

84 “(5) Residents of the District would be served by the production and publication
85 of an after-action report.”.

86 Sec. 3. Fiscal impact statement.

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

90 Sec. 4. Effective date.

91 This act shall take effect following approval by the Mayor (or in the event of veto by the
92 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
93 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
94 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(1)), and publication in the District of
95 Columbia Register.