



Councilmember Charles Allen

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the Office of Citizen Complaint Review Establishment Act of 1998 to expand the membership of the Police Complaints Board, and to allow the Office of Police Complaints' Executive Director to initiate their own complaint if they discover evidence of abuse or misuse of police powers that was not alleged in the original complaint, including the failure to intervene or report to a supervisor when another officer used excessive force, engaged in other forms of misconduct, or violated a rule or regulation; to amend the First Amendment Assemblies Act of 2004 to limit the use of riot gear at First Amendment assemblies, and to prohibit the use of chemical irritants and less-lethal projectiles to disperse First Amendment assemblies; and to amend Chapter 3 of Title 14 of the District of Columbia Official Code to clarify that certain provisions only apply to a victim who is under the age of 18.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Comprehensive Policing and Justice Reform Technical Emergency Declaration Resolution of 2023".

Sec. 2. (a) On April 19, 2022, the Council passed the Comprehensive Policing and Justice Reform Temporary Amendment Act of 2022, effective August 12, 2022 (D.C. Law 24-149; 69 DCR 5042) ("temporary law"). The temporary law expired on March 25, 2023.

(b) On December 20, 2022, the Council passed the Comprehensive Policing and Justice Reform Amendment Act of 2022, effective April 21, 2023 (D.C. Law 24-354; 70 DCR 953) ("permanent law").

35 (c) On March 7, 2023, the Council passed the Comprehensive Policing and Justice Reform
36 Emergency Amendment Act of 2023, effective March 24, 2023 (D.C. Act 25-61; 70 DCR 3820)
37 (“emergency act”). The emergency act prevented a gap in the law between the expiration of the
38 temporary act and the effective date of the permanent law.

39 (d) While most of the permanent law went into effect on April 21, 2023, section 105 of the
40 permanent law was passed subject-to-appropriations and will not take effect until it has been
41 funded. Similarly, section 121 of the permanent law was passed subject to a delayed applicability
42 provision and will not take effect until October 1, 2023.

43 (e) There also exists a need to clarify the scope of reporting requirements recently amended
44 by the Expanding Supports for Crime Victims Amendment Act of 2022, effective April 6, 2023
45 (D.C. Law 24-341; 69 DCR 14698).

46 (f) This round of emergency and temporary legislation is now necessary to prevent a gap
47 in the law between the expiration of the emergency law and the applicability date of sections 105
48 and 121 of the permanent legislation. This round of emergency and temporary legislation is also
49 necessary to clarify the scope of reporting requirements amended by the Expanding Supports for
50 Crime Victims Amendment Act of 2022.

51 Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute
52 emergency circumstances making it necessary that the Comprehensive Policing and Justice
53 Reform Technical Emergency Amendment Act of 2023 be adopted after a single reading.

54 Sec. 4. This resolution shall take effect immediately.