

A RESOLUTION

25-188

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2023

To declare the existence of an emergency, due to congressional review, 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 Congressional Review Emergency Declaration Resolution of 2023".

Sec. 2. (a) On December 20, 2022, the Council passed the Comprehensive Policing and Justice Reform Amendment Act of 2022, effective April 21, 2023 (D.C. Law 24-345; 70 DCR 6316) ("permanent law").

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

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

(d) In response, on May 2, 2023, the Council passed the Comprehensive Policing and Justice Reform Technical Emergency Amendment Act of 2023, effective May 24, 2023 (D.C. Act 25-115; 70 DCR 7944) ("emergency act"). The emergency act is set to expire on August 22, 2023.

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(e) On June 6, 2023, the Council also passed the Comprehensive Policing and Justice Reform Technical Temporary Amendment Act of 2023, enacted on June 27, 2023 (D.C. Act 25-132; 70 DCR 9042) (“temporary act”). The temporary act is projected to become law on September 22, 2023.

(f) A congressional emergency is necessary to prevent a gap in the law between the expiration of the emergency act and the effective date of the temporary act.

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

Sec. 4. This resolution shall take effect immediately.