

A RESOLUTION

25-698

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 29, 2024

To declare an emergency with respect to the need to amend the Residential Tranquility Act of 2010 to prohibit persons targeting a residence for purposes of a demonstration from using sound amplifying devices in a residential zone between 7:00 p.m. and 9:00 a.m., and to prohibit a person from launching or throwing a projectile onto the residential property of another with the intent to cause fear, intimidate, or retaliate against any person living or working at that residence; and to amend the National Capital Revitalization and Self-Government Improvement Act of 1997 to provide that the term expiration date for a Council appointment to the Corrections Information Council shall be December 7th of the year in which the term expires.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Residential Tranquility Emergency Declaration Resolution of 2024”.

Sec. 2. (a) The District of Columbia has observed an alarming increase in targeted demonstrations using sound amplifying devices, creating significant disruptions that extend far beyond any single residence to impact entire communities. These demonstrations, particularly when employing sound amplifying devices, fundamentally disturb the peace and tranquility that residents should rightfully expect in their homes. As the Supreme Court emphasized in *Carey v. Brown*, “The State’s interest in protecting the well-being, tranquility, and privacy of the home is certainly of the highest order in a free and civilized society.” *Carey v. Brown*, 447 U.S. 455, 471 (1980). The Court has consistently recognized the home as “the last citadel of the tired, the weary, and the sick,” *Gregory v. Chicago*, 394 U.S. 111, 125 (1969) (Black, J., concurring) and maintained that “preserving the sanctity of the home, the one retreat to which men and women can repair to escape from the tribulations of their daily pursuits, is surely an important value.” *Carey* at 471.

(b) The persistent use of sound amplifying devices in residential areas poses significant health risks to residents. Medical research has established that consistent exposure to elevated sound levels can trigger anxiety, elevated stress hormones, and adverse psychological effects. These impacts are particularly severe for children, whose cognitive development can be impaired

by chronic excessive sound exposure, and for elderly residents or residents with disabilities who may be more sensitive to auditory disruptions. Current regulations have proven inadequate in addressing the unique harm caused by targeted amplified sound at residences, leaving communities without sufficient protections.

(c) The District's current law, which restricts certain activities between 10:00 p.m. and 7:00 a.m., does not align with the realities of modern life and work patterns. Many District residents, including early morning commuters and night shift workers, require rest during hours outside this window. Furthermore, families with school-age children, who typically require between 9 and 11 hours of sleep, often begin their bedtime routines well before 10:00 p.m. Further, the morning hours between 6:00 a.m. and 9:00 a.m. are particularly crucial for families preparing for school and work, a time when quiet and focus are essential. Medical research has shown that inadequate sleep resulting from noise disruption increases risks of cardiovascular disease, compromises immune system function, and impairs cognitive performance. Demonstrations targeted at a residence can cause these disruptions; the limitations imposed through this emergency legislation will help address these unique harms.

(d) The District has also observed a disturbing trend of individuals throwing projectiles at residential properties as a means of harassment and intimidation. This behavior not only poses immediate safety risks and potential property damage but also creates significant psychological distress for residents who feel targeted and unsafe in their homes. Particularly concerning are incidents where projectiles are thrown with the intent to cause fear, intimidate, or retaliate against residents. The current legal framework does not adequately address this specific form of harassment, leaving a critical gap in protections for District residents facing such intimidation tactics.

(e) Emergency legislation is necessary to provide protection for residential tranquility and the safety of those who reside in the District. Current laws and enforcement mechanisms have proven insufficient to address these forms of harassment, leaving residents vulnerable to immediate and ongoing harm. These changes represent an urgent and necessary approach to safeguarding the well-being of District residents and addressing challenges to residential peace and security while respecting established legal principles. The emergency nature of this legislation is justified by the immediate need to protect residents from escalating forms of harassment and to ensure their fundamental right to peace and security in their homes.

(f) Emergency legislation is also needed to align the terms of the 2 Council appointments to the Corrections Information Council.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Residential Tranquility Emergency Amendment Act of 2024 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.