
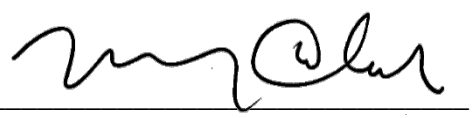


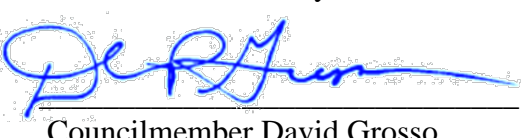
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2 Chairman Phil Mendelson


Councilmember Charles Allen

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Councilmember Mary M. Cheh


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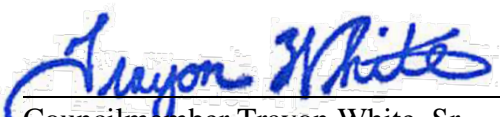
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Councilmember Brianne K. Nadeau

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18 Councilmember Elissa Silverman


Councilmember Brandon T. Todd

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22 Councilmember Robert C. White, Jr.


Councilmember Trayon White, Sr.

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25 A BILL

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29 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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34 To provide, on an emergency basis, for comprehensive policing and justice reform for District
35 residents and visitors; and for other purposes.

36
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64 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
65 act may be cited as the “Comprehensive Policing and Justice Reform Emergency Amendment Act
66 of 2020”.

67 TITLE I. IMPROVING POLICE ACCOUNTABILITY AND TRANSPARENCY

68 SUBTITLE A. PROHIBITING THE USE OF NECK RESTRAINTS

69 Sec. 101. The Limitation on the Use of the Chokehold Act of 1985, effective January 25,
70 1986 (D.C. Law 6-77; D.C. Official Code § 5-125.01 *et seq.*), is amended as follows:

71 (a) Section 2 (D.C. Official Code § 5-125.01) is amended to read as follows:

72 “Sec. 2. The Council of the District of Columbia finds and declares that law enforcement
73 and special police officer use of neck restraints constitutes the use of lethal and excessive force.
74 This force presents an unnecessary danger to the public. On May 25, 2020, Minneapolis Police
75 Department officer Derek Chauvin murdered George Floyd by applying a neck restraint to Floyd
76 with his knee for 8 minutes and 46 seconds. Hundreds of thousands, if not millions, of people in
77 cities and states across the world, including in the District, have taken to the streets to peacefully
78 protest injustice, racism, and police brutality against people of color. Police brutality is abhorrent
79 and does not reflect the District’s values. It is the intent of the Council in the enactment of this act
80 to unequivocally ban the use of neck restraints by local law enforcement and special police
81 officers.”.

82 (b) Section 3 (D.C. Official Code § 5-125.02) is amended as follows:

83 (1) Paragraph (1) is repealed.

84 (2) Paragraph (2) is repealed.

85 (3) A new paragraph (3) is added to read as follows:

86 “(3) “Neck restraint” means the use of any body part or object to attempt to control
87 or disable a person by applying pressure against the person’s neck, including the trachea or carotid
88 artery, with the purpose, intent, or effect of controlling or restricting the person’s movement or
89 restricting their blood flow or breathing.”.

90 (c) Section 4 (D.C. Official Code § 5-125.03) is amended to read as follows:

91 “Sec. 4. Unlawful use of neck restraints by law enforcement officers and special police
92 officers.

93 “(a) It shall be unlawful for:

94 “(1) Any law enforcement officer or special police officer (“officer”) to apply a
95 neck restraint; and

96 “(2) Any officer who applies a neck restraint and any officer who is able to observe
97 the application of a neck restraint to fail to:

98 “(A) Immediately render, or cause to be rendered, first aid on the person on
99 whom the neck restraint was applied; or

100 “(B) Immediately request emergency medical services for the person on
101 whom the neck restraint was applied.

102 “(b) Any officer who violates the provisions of subsection (a) of this section shall be fined
103 no more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment
104 Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or
105 incarcerated for no more than 10 years, or both.”.

106 SUBTITLE B. IMPROVING ACCESS TO BODY-WORN CAMERA VIDEO
107 RECORDINGS

108 Sec. 102. Section 3004 of the Fiscal Year 2016 Budget Support Act of 2015, effective
109 October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 5-116.33), is amended as follows:

110 (a) Subsection (a)(3) is amended by striking the phrase “interactions;” and inserting the
111 phrase “interactions, and the results of those internal investigations, including any discipline
112 imposed;” in its place.

113 (b) A new subsection (c) is added to read as follows:

114 “(c) Notwithstanding any other law:

115 “(1) Within 72 hours after a request from the Chairperson of the Council Committee
116 with jurisdiction over the Metropolitan Police Department, the Department shall provide

117 unredacted copies of the requested body-worn camera recordings to the Chairperson. Body-worn
118 camera recordings in the possession of the Council shall not be publicly disclosed;

119 “(2) The Mayor:

120 “(A) Shall:

121 “(i) Within 72 hours after an officer-involved death or the serious
122 use of force, publicly release the names and body-worn camera recordings of all officers who
123 committed the officer-involved death or serious use of force; and

124 “(ii) By July 1, 2020, publicly release the names and body-worn
125 camera recordings of all officers who have committed an officer-involved death since the Body-
126 Worn Camera Program was launched on October 1, 2014; and

127 “(B) May, on a case-by-case basis in matters of significant public interest
128 and after consultation with the Chief of Police, the United States Attorney's Office for the District
129 of Columbia, and the Office of the Attorney General, publicly release any other body-worn camera
130 recordings that may not otherwise be releasable pursuant to a FOIA request.”.

131 Sec. 103. Chapter 39 of Title 24 of the District of Columbia Municipal Regulations is
132 amended as follows:

133 (a) Section 24-3900.9 is amended to read as follows:

134 “3900.9. Members may not review their BWC recordings or BWC recordings that have
135 been shared with them to assist in initial report writing.”.

136 (b) Section 24-3900.10 is amended to read as follows:

137 “Notwithstanding any other law, the Mayor:

138 “(a) Shall:

139 “(1) Within 72 hours after an officer-involved death or the serious use of
140 force, publicly release the names and BWC recordings of all officers who committed the officer-
141 involved death or serious use of force; and

142 “(2) By July 1, 2020, publicly release the names and BWC recordings of all
143 officers who have committed an officer-involved death since the BWC Program was created; and

144 “(b) May, on a case-by-case basis in matters of significant public interest and after
145 consultation with the Chief of Police, the United States Attorney's Office for the District of
146 Columbia, and the Office of the Attorney General, publicly release any other BWC recordings that
147 may not otherwise be releasable pursuant to a FOIA request.”.

148 (c) Section 24-3901.2 is amended by adding a new paragraph (a-1) to read as follows:

149 “(a-1) Recordings related to a request from or investigation by the Chairperson of the
150 Council Committee with jurisdiction over the Metropolitan Police Department;”.

151 (d) Section 24-3902.4 is amended to read as follows:

152 “3902.4. Notwithstanding any other law, within 72 hours after a request from the
153 Chairperson of the Council Committee with jurisdiction over the Metropolitan Police Department,
154 the Department shall provide unredacted copies of the requested BWC recordings to the
155 Chairperson. BWC recordings in the possession of the Council shall not be publicly disclosed.”.

156 (e) Section 24-3999.1 is amended by adding the following phrase at the end of the section:

157 “Serious use of force” shall have the same meaning as that term is defined in MPD General
158 Order 901.07, or its successor directive.”.

159 SUBTITLE C. OFFICE OF POLICE COMPLAINTS REFORMS

160 Sec. 104. The Office of Citizen Complaint Review Establishment Act of 1998, effective
161 March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1101 *et seq.*), is amended as follows:

162 (a) Section 5(a) (D.C. Official Code § 5-1104(a)) is amended by striking the phrase “There
163 is established a Police Complaints Board (“Board”). The Board shall be composed of 5 members,
164 one of whom shall be a member of the MPD, and 4 of whom shall have no current affiliation with
165 any law enforcement agency.” and inserting the phrase “There is established a Police Complaints
166 Board (“Board”). The Board shall be composed of 9 members, 8 each from a different Ward, one
167 at-large, and none of whom, after the expiration of the term of the currently serving member of the
168 MPD, shall be affiliated with any law enforcement agency.”.

169 (b) Section 8 (D.C. Official Code § 5-1107) is amended as follows:

170 (1) A new subsection (g-1) is added to read as follows:

171 “(g-1)(1) If the Executive Director discovers evidence of abuse or misuse of police powers
172 that was not alleged by the complainant in the complaint, the Executive Director may:

173 “(A) Initiate the Executive Director’s own complaint against the subject
174 police officer; and

175 “(B) Take any of the actions described in subsection (g)(2) through (6) of
176 this section.

177 “(2) The authority granted pursuant to paragraph (1) of this subsection shall include
178 circumstances in which the subject police officer failed to:

179 “(A) Intervene in or subsequently report any use of force incident in which
180 the subject police officer observed another law enforcement officer, including an MPD officer,
181 utilizing excessive force or engaging in any type of misconduct, pursuant to MPD General Order
182 901.07, its successor directive, or a similar local or federal directive; or

183 “(B) Immediately report to their supervisor any violations of the rules and
184 regulations of the MPD committed by any other MPD officer, and each instance of their use of

185 force or a use of force committed by another MPD officer, pursuant to MPD General Order 201.26,
186 or any successor directive.”.

187 (2) Subsection (h) is amended by striking the phrase “subsection (g)” and inserting
188 the phrase “subsection (g) or (g-1)” in its place.

189 SUBTITLE D. USE OF FORCE REVIEW BOARD MEMBERSHIP EXPANSION

190 Sec. 105. Use of Force Review Board; membership.

191 (a) There is established a Use of Force Review Board (“Board”), which shall review uses
192 of force as set forth by the Metropolitan Police Department in its written directives.

193 (b) The Board shall consist of the following 13 voting members, and may also include non-
194 voting members at the Mayor’s discretion:

195 (1) An Assistant Chief selected by the Chief of Police, who shall serve as the
196 Chairperson of the Board;

197 (2) The Commanding Official, Special Operations Division, Homeland Security
198 Bureau;

199 (3) The Commanding Official, Criminal Investigations Division, Investigative
200 Services Bureau;

201 (4) The Commanding Official, Metropolitan Police Academy;

202 (5) A Commander or Inspector assigned to the Patrol Services Bureau;

203 (6) The Commanding Official, Recruiting Division;

204 (7) The Commanding Official, Court Liaison Division;

205 (8) Three civilian members appointed by the Mayor, pursuant to section 2(e) of the
206 Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-

207 523.01(e)), with the following qualifications and no current or prior affiliation with law
208 enforcement:

209 (A) One member who has personally experienced the use of force by a law
210 enforcement officer;

211 (B) One member of the District of Columbia Bar in good standing; and

212 (C) One District resident community member;

213 (9) Two civilian members appointed by the Council with the following
214 qualifications and no current or prior affiliation with law enforcement:

215 (A) One member with subject matter expertise in criminal justice policy;

216 and

217 (B) One member with subject matter expertise in law enforcement oversight

218 and the use of force; and

219 (10) The Executive Director of the Office of Police Complaints.

220 Sec. 106. Section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law
221 2-142; D.C. Official Code § 1-523.01(e)), is amended as follows:

222 (a) Paragraph (38) is amended by striking the phrase “; and” and inserting a semicolon in
223 its place.

224 (b) Paragraph (39) is amended by striking the period and inserting the phrase “; and” in its
225 place.

226 (c) A new paragraph (40) is added to read as follows:

227 “(40) Use of Force Review Board, established by section 105 of the Comprehensive
228 Policing and Justice Reform Emergency Amendment Act of 2020, passed on emergency basis on
229 June 9, 2020 (Enrolled version of Bill 23-____).”.

230 SUBTITLE E. ANTI-MASK LAW REPEAL

231 Sec. 107. The Anti-Intimidation and Defacing of Public or Private Property Criminal
232 Penalty Act of 1982, effective March 10, 1983 (D.C. Law 4-203; D.C. Official Code § 22-3312 *et*
233 *seq.*), is amended as follows:

234 (a) Section 4 (D.C. Official Code § 22-3312.03) is repealed.

235 (b) Section 5(b) (D.C. Official Code § 22-3312.04(b)) is amended by striking the phrase
236 “or section 4 shall be” and inserting the phrase “shall be” in its place.

237 Sec. 108. Section 23-581(a-3) is amended by striking the phrase “sections 2, 3, and 4” and
238 inserting the phrase “sections 2 and 3” in its place.

239 SUBTITLE F. LIMITATIONS ON CONSENT SEARCHES

240 Sec. 109. Title 23 of the District of Columbia Official Code is amended by adding a new
241 section 23-526 to read as follows:

242 “§ 23–526. Limitations on consent searches.

243 “(a) In cases where a search is based solely on the subject’s consent to that search, and is
244 not executed pursuant to a warrant or conducted pursuant to an applicable exception to the warrant
245 requirement, sworn members of District Government law enforcement agencies shall:

246 “(1) Prior to the search of a person, vehicle, home, or property:

247 “(A) Explain, using plain and simple language delivered in a calm
248 demeanor, that the subject of the search is being asked to voluntarily, knowingly, and intelligently
249 consent to a search;

250 “(B) Advise the subject that:

251 “(i) A search will not be conducted if the subject refuses to provide
252 consent to the search; and

253 “(ii) The subject has a legal right to decline to consent to the search;
254 “(C) Obtain consent to search without threats or promises of any kind being
255 made to the subject;
256 “(D) Confirm that the subject understands the information communicated
257 by the officer; and
258 “(E) Use interpretation services when seeking consent to conduct a search
259 of a person:
260 “(i) Who cannot adequately understand or express themselves in
261 spoken or written English; or
262 “(ii) Who is deaf or hard of hearing.
263 “(2) If the sworn member is unable to obtain consent from the subject, refrain from
264 conducting the search.
265 “(b) The requirements of subsection (a) of this section shall not apply to searches executed
266 pursuant to a warrant or conducted pursuant to an applicable exception to the warrant requirement.
267 “(c)(1) If a defendant moves to suppress any evidence obtained in the course of the search
268 for an offense prosecuted in the Superior Court of the District of Columbia, the court shall consider
269 an officer’s failure to comply with the requirements of this section as a factor in determining the
270 voluntariness of the consent.
271 “(2) There shall be a presumption that a search was nonconsensual if the evidence
272 of consent, including the warnings required in subsection (a), is not captured on body-worn camera
273 or provided in writing.
274 “(d) The provisions of this section shall not be construed to create a private right of action.”.

275 SUBTITLE G. MANDATORY CONTINUING EDUCATION EXPANSION;
276 RECONSTITUTING THE POLICE OFFICERS STANDARDS AND TRAINING BOARD

277 Sec. 110. The Metropolitan Police Department Application, Appointment, and Training
278 Requirements of 2000, effective October 4, 2000 (D.C. Law 13-160; D.C. Official Code § 5-
279 107.01 *et seq.*), is amended as follows:

280 (a) Section 203(b) (D.C. Official Code § 5-107.02(b)) is amended as follows:

281 (1) Paragraph (2) is amended by striking the phrase “biased-based policing” and
282 inserting the phrase “biased-based policing, racism, and white supremacy” in its place.

283 (2) Paragraph (3) is amended to read as follows:

284 “(3) Limiting the use of force and employing de-escalation tactics;”.

285 (3) Paragraph (4) is amended to read as follows:

286 “(4) The prohibition on the use of neck restraints;”.

287 (4) Paragraph (5) is amended by striking the phrase “; and” and inserting a
288 semicolon in its place.

289 (5) Paragraph (6) is amended by striking the period and inserting a semicolon in its
290 place.

291 (6) New paragraphs (7) and (8) are added to read as follows:

292 “(7) Obtaining voluntary, knowing, and intelligent consent from the subject of a
293 search, when that search is based solely on the subject’s consent; and

294 “(8) The duty of a sworn officer to report, and the method for reporting, suspected
295 misconduct or excessive use of force by a law enforcement official that a sworn member observes
296 or that comes to the sworn member’s attention, as well as any governing District laws and
297 regulations and Department written directives.”.

298 (b) Section 204 (D.C. Official Code § 5-107.03) is amended as follows:

299 (1) Subsection (a) is amended by striking the phrase “the District of Columbia
300 Police” and inserting the phrase “the Police” in its place.

301 (2) Subsection (b) is amended as follows:

302 (A) The lead-in language is amended by striking the phrase “11 persons”
303 and inserting the phrase “15 persons” in its place.

304 (B) A new paragraph (2A) is added to read as follows:

305 “(2A) Executive Director of the Office of Police Complaints or the Executive
306 Director’s designee;”.

307 (C) Paragraph (3) is amended to read as follows:

308 “(3) The Attorney General for the District of Columbia or the Attorney General’s
309 designee;”.

310 (D) Paragraph (8) is amended by striking the period and inserting a
311 semicolon in its place.

312 (E) Paragraph (9) is amended to read as follows:

313 “(9) Five community representatives appointed by the Mayor, one each with
314 expertise in the following areas:

315 “(A) Oversight of law enforcement;

316 “(B) Juvenile justice reform;

317 “(C) Criminal defense;

318 “(D) Gender-based violence or LGBTQ social services, policy, or
319 advocacy; and

320 “(E) Violence prevention or intervention.”.

321 (3) Subsection (i) is amended by striking the phrase “promptly after the
322 appointment and qualification of its members” and inserting the phrase “by September 1, 2020” in
323 its place.

324 (c) Section 205(a) (D.C. Official Code § 5-107.04(a)) is amended by adding a new
325 paragraph (9A) to read as follows:

326 “(9A) If the applicant has prior service with another law enforcement or public
327 safety agency in the District or another jurisdiction, information on any alleged or sustained
328 misconduct or discipline imposed by that law enforcement or public safety agency;”.

329 SUBTITLE H. IDENTIFICATION OF MPD OFFICERS DURING FIRST
330 AMENDMENT ASSEMBLIES AS LOCAL LAW ENFORCEMENT

331 Sec. 111. Section 109 of the First Amendment Assemblies Act of 2004, effective April 13,
332 2005 (D.C. Law 15-352; D.C. Official Code § 5-331.09), is amended as follows:

333 (a) Designate the existing text as subsection (a).

334 (b) Add a new subsection (b) to read as follows:

335 “(b) During a First Amendment assembly, the uniforms and helmets of officers policing
336 the assembly shall prominently identify the officers’ affiliation with local law enforcement.”.

337 SUBTITLE I. PRESERVING THE RIGHT TO JURY TRIAL

338 Sec. 112. Section 16-705(b)(1) of the District of Columbia Official Code is amended as
339 follows:

340 (a) Subparagraph (A) is amended by striking the phrase “; or” and inserting a semicolon in
341 its place.

342 (b) Subparagraph (B) is amended by striking the phrase “; and” and inserting the phrase “;
343 or” in its place.

344 (c) A new subparagraph (C) is added to read as follows:

345 “(C)(i) The defendant is charged with an offense under:

346 “(I) Section 806 of An Act To establish a code of law for the
347 District of Columbia, effective March 3, 1901 (31 Stat. 1322; D.C. Official Code § 22–404(a)(1));

348 “(II) Section 432a of the Revised Statutes of the District of
349 Columbia (D.C. Official Code § 22–405.01); or

350 “(III) Section 2 of An Act To confer concurrent jurisdiction
351 on the police court of the District of Columbia in certain cases, effective July 16, 1912 (67 Stat.
352 98; D.C. Official Code § 22–407); and

353 “(ii) The person who is alleged to have been the victim of the offense
354 is a law enforcement officer, as defined in section 432(a) of the Revised Statutes of the District of
355 Columbia (D.C. Official Code § 22-405(a)); and”.

356 **SUBTITLE J. REPEAL OF FAILURE TO ARREST CRIME**

357 Sec. 113. Section 400 of the Revised Statutes of the District of Columbia (82 Stat. 618;
358 D.C. Official Code § 5-115.03), is repealed.

359 **SUBTITLE K. OFFICER DISCIPLINE REFORMS**

360 Sec. 114. Subsection (a-1) of the Omnibus Public Safety Agency Reform Amendment Act
361 of 2004, effective September 30, 2004 (D.C. Law 15-194; D.C. Official Code § 5-1031(a-1)), is
362 amended as follows:

363 (a) Subsection (a-1) is amended as follows:

364 (1) Paragraph (1) is amended by striking the phrase “subsection (b) of this section”
365 and inserting the phrase “subsection (b) of this section and paragraph (1A) of this subsection” in
366 its place.

367 (2) A new paragraph (1A) is added to read as follows:

368 “(1A) If the act or occurrence allegedly constituting cause involves the serious use
369 of force or indicates potential criminal conduct by a sworn member or civilian employee of the
370 Metropolitan Police Department, the period for commencing a corrective or adverse action under
371 this subsection shall be 180 days, not including Saturdays, Sundays, or legal holidays, after the
372 date that the Metropolitan Police Department had notice of the act or occurrence allegedly
373 constituting cause.”.

374 (3) Paragraph (2) is amended by striking the phrase “paragraph (1)” and inserting
375 the phrase “paragraphs (1) and (1A)” in its place.

376 (b) Subsection (b) is amended by striking the phrase “the 90-day period” and inserting the
377 phrase “the 90-day or 180-day period, as applicable” in its place.

378 Sec. 115. Section 6-A1001.5 of the District of Columbia Municipal Regulations is
379 repealed.

380 **SUBTITLE L. USE OF FORCE REFORMS**

381 Sec. 116. Use of force.

382 (a) For purposes of this subtitle, the term:

383 (1) “Deadly force” means any force likely or to intended to create a substantial risk
384 of serious bodily injury or death.

385 (2) “Deadly weapon” means any object, other than a body part or stationary object,
386 that in the manner of its actual, attempted, or threatened use is likely to cause death or serious
387 bodily injury.

388 (3) “Non-deadly force” means any use of force that is not likely or intended to
389 create a substantial risk of serious bodily injury or death.

390 (4) “Serious bodily injury” means physical pain, physical injury, illness, or any
391 impairment of physical condition that involves:

392 (A) A substantial risk of death;

393 (B) Protracted and obvious disfigurement;

394 (C) Protracted loss or impairment of the function of a bodily member or
395 organ; or

396 (D) Protracted loss of consciousness.

397 (b)(1) A law enforcement officer shall not use non-deadly force against a person unless:

398 (A) There is probable cause to believe that the person committed a crime;

399 (B) The force is used to prevent:

400 (A) A person’s escape from lawful custody; or

401 (B) The commission of a crime; and

402 (C) The law enforcement officer uses no more force than what is reasonably
403 necessary to effectuate the arrest or obtain a person’s compliance with lawful orders.

404 (2) A law enforcement officer shall not use deadly force against a person unless:

405 (A) The law enforcement officer actually believes that deadly force is
406 immediately necessary to protect the law enforcement officer or another person from the threat of
407 serious bodily injury or death;

408 (B) The law enforcement officer’s belief and actions are reasonable given
409 the totality of the circumstances; and

410 (C) All other options have been exhausted or do not reasonably lend
411 themselves to the circumstances.

412 (c) When a trier of fact is asked to determine the reasonableness of a law enforcement
413 officer's belief or actions, it shall reach its determination from the perspective of a reasonable law
414 enforcement officer and shall consider, as part of the totality of the circumstances:

415 (1) Whether the injured or deceased person:

416 (A) Possessed or appeared to possess a deadly weapon or object that could
417 be used as a deadly weapon; and

418 (B) Refused to comply with the law enforcement officer's lawful order to
419 forfeit an object believed to be a deadly weapon prior to the law enforcement officer using deadly
420 force;

421 (2) Whether the law enforcement officer engaged in de-escalation measures prior
422 to the use of non-deadly force or deadly force, including taking cover, waiting for back-up, trying
423 to calm the injured or deceased person, and, if applicable, using non-deadly force prior to the use
424 of deadly force; and

425 (3) Whether any conduct by the law enforcement officer prior to the use of non-
426 deadly force or deadly force increased the risk of a confrontation resulting in non-deadly force or
427 deadly force being used.

428 SUBTITLE M. RESTRICTIONS ON THE PURCHASE AND USE OF MILITARY
429 WEAPONRY

430 Sec. 117. Limitations on military weaponry acquired by District law enforcement agencies.

431 (a) Beginning in Fiscal Year 2021, District law enforcement agencies shall not acquire the
432 following property through any program operated by the federal government:

433 (1) Ammunition of .50 caliber or higher;

434 (2) Armed or armored aircraft or vehicles;

- 435 (3) Bayonets;
- 436 (4) Explosives or pyrotechnics, including grenades;
- 437 (5) Firearm mufflers or silencers;
- 438 (6) Firearms of .50 caliber or higher;
- 439 (7) Firearms, firearm accessories, or other objects designed or capable of launching
440 explosives or pyrotechnics, including grenade launchers; and
- 441 (8) Remotely piloted, powered aircraft without a crew aboard, including drones.

442 (b)(1) If a District law enforcement agency requests property through a program operated
443 by the federal government, the District law enforcement agency shall publish notice of the request
444 on a publicly accessible website within 14 days after the date of the request.

445 (2) If a District law enforcement agency acquires property through a program
446 operated by the federal government, the District law enforcement agency shall publish notice of
447 the acquisition on a publicly accessible website within 14 days after the date of the acquisition.

448 (c) District law enforcement agencies shall disgorge any property described in subsection
449 (a) which the agencies currently possess within 180 days after the effective date of this act.

450 TITLE II. BUILDING SAFE AND JUST COMMUNITIES

451 SUBTITLE A. RESTORE THE VOTE

452 Sec. 201. The District of Columbia Election Code of 1955, approved August 12, 1955 (69
453 Stat. 669; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

454 (a) Section 2(2)(D) (D.C. Official Code § 1-1001.02(2)(D)) is amended by striking the
455 phrase “the District; and” and inserting the phrase “the District; except, that this subparagraph shall
456 not apply to any person currently in the care of the Department of Corrections; and” in its place.

457 (b) Section 5(a) (D.C. Official Code § 1-1001.05(a)) is amended by adding a new paragraph
458 (9B) to read as follows:

459 “(9B) For the November 3, 2020 General Election, and in advance of any applicable
460 voter registration or absentee ballot request or submission deadlines, provide the following to
461 every eligible individual in the Department of Corrections’ care:

462 “(A) A voter registration form;

463 “(B) A voter guide; and

464 “(C) Without first requiring an absentee ballot application to be submitted,
465 an absentee ballot.”.

466 Sec. 202. Section 8 of An Act To create a Department of Corrections in the District of
467 Columbia, approved June 27, 1946 (60 Stat. 320; D.C. Official Code § 24-211.08), is amended by
468 adding a new subsection (b-1) to read as follows:

469 “(b-1) Within 10 business days after the effective date of the Comprehensive Policing and
470 Justice Reform Emergency Amendment Act of 2020 (“act”), passed on emergency basis on June
471 9, 2020 (Enrolled version of Bill 23-____), the Department shall notify eligible individuals in its
472 care of their voting rights pursuant to section 202 of the act.”.

473 SUBTITLE B. DEPARTMENT OF CORRECTIONS HOME CONFINEMENT
474 EVALUATION REQUIREMENT

475 Sec. 203. Section 2(b) of An Act To create a Department of Corrections in the District of
476 Columbia, approved June 27, 1946 (60 Stat. 320; D.C. Official Code § 24-211.02(b)), is amended
477 as follows:

478 (a) Paragraph (5) is amended by striking the phrase “; and” and inserting a semicolon in its
479 place.

480 (b) Paragraph (9) is amended by striking the period and inserting the phrase “; and” in its
481 place.

482 (c) A new paragraph (10) is added to read as follows:

483 “(10) On a weekly basis, identify and evaluate individuals in the Department’s care
484 for the purpose of recommending to the Bureau of Prisons their transition to home confinement
485 pursuant to 18 U.S.C. § 3624(c)(2) and applicable guidance, and provide the names of the
486 individuals identified and evaluated, and the outcomes of the evaluations and any transitions, to
487 the Council Committee with jurisdiction over the Department of Corrections.”.

488 TITLE III. APPLICABILITY; FISCAL IMPACT STATEMENT; EFFECTIVE DATE

489 Sec. 301. Applicability

490 Section 109 shall apply as of August 1, 2020.

491 Sec. 302. Fiscal impact statement.

492 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
493 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
494 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

495 Sec. 303. Effective date.

496 This act shall take effect following approval by the Mayor (or in the event of veto by the
497 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
498 90 days, as provided for emergency acts of the Council of the District of Columbia in section
499 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
500 D.C. Official Code § 1-204.12(a)).