

A RESOLUTION

22-717

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 18, 2018

To declare the existence of an emergency with respect to the need to amend the Anti-Intimidation and Defacing of Private Property Criminal Penalty Act of 1982 to make it unlawful to deface or burn a religious or secular symbol on any property of another without permission or to place or display on such property a physical impression that a reasonable person would perceive as a threat to physically damage the property of another.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Community Harassment Prevention Emergency Declaration Resolution of 2018”.

Sec. 2 (a) Reports of crimes motivated by bias and hate have increased in the District and around the country in the past 2 years. Crimes motivated by bias or hate can make a targeted community feel more vulnerable and fearful.

(b) Hate crimes in other jurisdictions are sometimes followed by an increase in local hate incidents and crimes, triggering fear in communities in the District. On October 27, 2018, the Metropolitan Police Department, the Office of Human Rights, and Mayor Bowser’s Office of Religious Affairs held a conference call with more than 60 leaders of the District’s faith communities who were alarmed by the October 24th shooting in Kentucky of 2 African Americans after the shooter had attempted but failed to enter a historic African American church and by the mass shooting at the Pittsburgh Tree of Life synagogue on October 27th.

(c) Even non-violent hate crimes can lead to violence by promoting and justifying discrimination, hatred, and violence against a person or group.

(d) Intolerance, bigotry, and crimes motivated by bias or hate have no place in our vibrant city. The District of Columbia is committed to protecting its diverse communities, and discouraging anyone from harassing a community, causing reasonable people to fear for their personal safety or the safety of others.

(e) Several recent incidents have highlighted areas in which the District of Columbia’s comprehensive laws should be strengthened in order to better protect our communities.

**ENROLLED ORIGINAL**

(f) More than a dozen nooses were displayed throughout the city in 2017, including at construction sites, a university, and federal museums and monuments. These nooses evoked memories of this country's reprehensible history with lynching, causing alarm and fear in black communities. However, regardless of any intent to threaten or cause fear, some of the incidents might not qualify as a crime under the District's statute prohibiting the display of nooses because of the type of property on which they were displayed.

(g) This gap should be addressed without delay to prevent an escalation of fear or violence in our communities.

Sec. 3. The Council of the District of Columbia determined that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Community Harassment Prevention Emergency Amendment Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.