

A RESOLUTION

25-267

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 3, 2023

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Neighborhood Engagement Achieves Results Amendment Act of 2016 to enhance the Private Security Camera System Incentive Program by removing the program rebate cap; to amend the Anti-Sexual Abuse Act of 1994 to clarify the definition of significant relationship in sexual abuse cases; to amend the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2011 to require that all participating entities in the Criminal Justice Coordinating Council report aggregate programmatic data on process and outcomes of programs, and to require the Criminal Justice Coordinating Council to publish data related to arrests for violent crimes, gun violence, and homicide counts and rates; to amend An Act To control the possession, sale, transfer and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to establish an offense of endangerment with a firearm; to amend section 16-2310 of the District of Columbia Official Code to establish a rebuttable presumption that pre-hearing detention is necessary where there is a substantial probability that the youth committed certain serious violent crimes or committed a dangerous crime or crime of violence while armed with a knife; to amend Title 23 of the District of Columbia Official Code to establish a rebuttable presumption in favor of detaining a person pretrial where there is probable cause that the person committed a violent crime, to change the standard of proof necessary to trigger a rebuttable presumption for certain serious crimes, to provide courts with discretion to make a misdemeanor arrest warrant extraditable, to clarify that GPS records from the Pretrial Services Agency are admissible in court on the issue of guilt, and to direct the Court to expedite cases involving a child victim; to amend An Act To establish a code of law for the District of Columbia to create a new standalone offense of strangulation; to require the Metropolitan Police Department to publish closure information for all violent crimes and non-fatal shootings; to revive the Extreme Risk Protection Order Implementation Working Group and to require the Metropolitan Police Department and the Office of the Attorney General to assist publicizing information about extreme risk protection orders; to require the Metropolitan Police Department to review every shooting to inform immediate interventions, and to require the Deputy Mayor for Public Safety and Justice to review each shooting from a services and response perspective; and to require the Mayor to submit to the Council and post on its website a firearm tracing date and accountability report.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Prioritizing Public Safety Congressional Review Emergency Declaration Resolution of 2023”.

Sec. 2. (a) On July 11, 2023, the Council passed the Prioritizing Public Safety Emergency Amendment Act of 2023, effective July 20, 2023 (D.C. Act 25-175; 70 DCR 10358) (“emergency act”), which expires on October 18, 2023.

(b) On September 19, 2023, the Council passed the Prioritizing Public Safety Temporary Amendment Act of 2023, passed on 2nd reading on September 19, 2023 (Enrolled version of Bill 25-396) (“temporary act”), which does not yet have a projected law date.

(c) This emergency legislation is necessary to prevent a gap in the law between the expiration of the emergency act and the effective date of the temporary act.

(d) This emergency legislation differs from the emergency act and the temporary act in one way: it does not include language directing the Criminal Justice Coordinating Council to post aggregate data on outcomes of programs in the criminal justice system (formerly section 5 of the emergency act and temporary act). This language is being replaced through separate legislation.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Prioritizing Public Safety Congressional Review Emergency Amendment Act of 2023 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.