

A RESOLUTION

25-491

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 7, 2024

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the District of Columbia Theft and White Collar Crimes Act of 1982 to enhance penalties imposed for certain crimes against election officials.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Election Worker Protection Congressional Review Emergency Declaration Resolution of 2024”.

Sec. 2. (a) This measure addresses safety concerns facing the District of Columbia Board of Elections (“BOE”) officials and election workers. This measure will provide additional safeguards to election workers to help ensure District elections are safe for everyone.

(b) The hotly contested 2024 elections will bring a predictable increase in the abuse of our election officials and poll workers. The District of Columbia, as Nation’s Capital, will receive increased exposure given the 2024 presidential elections. Already, the BOE has received numerous threatening voice mail messages and had someone shatter the outer glass to their office suite. We must take action to protect our election workers given these attacks and the high likelihood of additional attacks or threats in the coming months. This measure will increase the penalties for crimes against election officials and elections workers to deter these crimes and show that the safety of these workers is a priority of our government.

(c) We are facing a nationwide increase in threats against those who serve the public, including our election officials. Many of these threats are largely inspired by the anti-Democratic lies about an alleged “stolen” 2020 election. State officials, including election workers, are facing a torrent of threats largely inspired by those lies and Donald Trump’s continuing election-denial movement. The rise in these threats creates an unstable environment for Secretaries of State and our own BOE, including historically high turnover among election officials. These entities have had to prepare for the potential of violence in the workplace by providing “active shooter” training to their employees and additional trainings to identify threatening situations. Additionally, election directors have had to get security details and carry panic buttons with them.

ENROLLED ORIGINAL

(d) Emergency legislation is therefore necessary to deter crimes against our election officials and workers before the election cycle ramps up.

(e) On February 6, 2024, the Council passed the Election Worker Protection Emergency Amendment Act of 2024, effective February 26, 2024 (D.C. Act 25-404; 71 DCR 2105) (“emergency act”), which will expire on May 22, 2024. On March 5, 2024, the Council passed, on second reading, the Election Worker Protection Temporary Amendment Act of 2024, enacted on March 22, 2024 (D.C. Act 25-471; 71 DCR 3502) (“temporary act”), which is currently under congressional review and is not expected to take effect until June 5, 2024, after the emergency act expires. The Election Worker Protection Congressional Review Amendment Act of 2024 mirrors the emergency and temporary acts and 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 Election Worker Protection Congressional Review Emergency Amendment Act of 2024 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.