ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-356

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MARCH 26, 2016

To establish the Office of Neighborhood Safety and Engagement to identify, recruit, and engage individuals determined to be at high risk of participating in, or being a victim of, violent criminal activity; to establish the Office of Violence Prevention and Health Equity to utilize public health methods to halt the spread of violence, conduct a public information campaign, and assist the Office of Victim Services and Justice Grants in developing a program to place personnel in emergency departments; to establish a Community Crime Prevention Team Program within the Metropolitan Police Department to pair behavioral health clinicians with sworn officers; to require the Chief of Police to convene a community policing working group; to amend the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006 to reestablish the Comprehensive Homicide Elimination Strategy Task Force; to amend the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001to require the Criminal Justice Coordinating Council to conduct a public opinion survey of police-community relations and submit an analysis to the Mayor and Council; to amend section 432 of the Revised Statutes of the District of Columbia to modify the crime of assault on a police officer; to amend the Omnibus Police Reform Amendment Act of 2000 to require Metropolitan Police Department officers to receive continuing educational instruction on community policing, biased-based policing, the use of force, limitations on the use of chokeholds and restraints, mental and behavioral health awareness, and linguistic and cultural competency; to amend the Office of Citizen Complaint Review Establishment Act of 1998 to expand and strengthen the authority of the Office of Police Complaints; to amend section 386 of the Revised Statutes of the District of Columbia to require the Metropolitan Police Department to collect data on stops and frisks and the use of force; to amend the Office of the Deputy Mayor for Public Safety and Justice Establishment Act of 2011 to require the Office of the Deputy Mayor for Public Safety and Justice to analyze trends associated with felony crime statistics; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to permit the Chief of Police to grant uniformed members at the rank of Inspector or above, and the civil equivalents, time off; to amend the Metropolitan Police Department Application, Appointment, and Training Requirements Act of 2000 to ease the minimum appointment standards for members of the military and employees of other police departments; to amend the Retired Police Officer Redeployment Amendment Act of 1992 to allow retired police officers to be rehired by the Director of the Department of Forensic Sciences without jeopardizing their retirement benefits; to establish a private security camera system incentive program and fund; to amend Title 18 of the District of Columbia Municipal

Regulations to clarify the prohibition against driving a vehicle with an object in a position that obstructs the driver's view or interferes with the driver's control; to amend section23-1321 of the District of Columbia Official Code to allow pretrial defendants to return to custody for specified hours following release for employment, schooling, or other limited purposes; to amend the District of Columbia Good Time Credits Act of 1986 to allow misdemeanant inmates to earn a maximum of 10 credits for good behavior and participation in rehabilitative programs; to amend the Firearms Control Regulations Act of 1975 to clarify the descriptions of the boundaries around the White House complex and the U.S. Naval Observatory within which a concealed pistol licensee is prohibited from carrying a pistol; to amend the Firearms Control Regulations Act of 1975 to extend the date for implementation of the microstamping requirement for semiautomatic pistols to January 1, 2018; and to amend section 23-1329 of the District of Columbia Official Code to authorize and provide procedures for the court to order a person to be placed in temporary custody for certain violations of conditions of release.

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BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Neighborhood Engagement Achieves Results Amendment Act of 2016".

TITLE I. CRIMINAL JUSTICE AND PUBLIC HEALTH REFORMS

SUBTITLE A. ESTABLISHMENT OF THE OFFICE OF NEIGHBORHOOD SAFETY AND ENGAGEMENT

Sec. 101. Office of Neighborhood Safety and Engagement establishment; appointment of Executive Director.

(a) There is established an Office of Neighborhood Safety and Engagement ("ONSE"). The ONSE shall be responsible for the identification, recruitment, and engagement of individuals determined to be at high risk of participating in, or being a victim of, violent criminal activity.

(b) The ONSE shall be headed by an Executive Director who shall report to the Deputy Mayor for Public Safety and Justice. The Executive Director shall have at least 3 years of relevant experience in criminal justice, including matters affecting the deterrence of violent criminal behavior.

Sec. 102. Duties of the Executive Director.

(a) The duties of the Executive Director shall include:

(1) Identifying, on a quarterly basis, a target of 50 individuals who pose a high risk of participating in, or being a victim of, violent criminal activity;

(2) Recruiting such individuals, as feasible, to participate in a program designed to discourage violent criminal activity that incorporates evidence-based mental or behavioral health counseling;

(3) Developing a stipend program for active program participants; and

(4) Producing reports as required under subsection (c) of this section.

(b)(1) The Executive Director shall employ qualified persons or utilize the services of qualified volunteers, as necessary, to perform the work of the ONSE. If funds are available, the Executive Director may employ persons on a full-time or part-time basis.

(2) The Executive Director shall supervise all employees and volunteers of the ONSE, and shall ensure that all rules, regulations, and orders are carried out properly and that all records of the ONSE are maintained properly.

(3) The Executive Director shall ensure that any personally identifiable information that the ONSE collects or maintains concerning existing or potential participants in its programs remains confidential.

(c)(1) Beginning on January 31, 2017, and by January 31 of each year thereafter, the ONSE shall provide a report to the Council that excludes personally identifying information and includes the following information from the reporting period and in the aggregate:

(i) The number of individuals successfully recruited and engaged;

(ii) The duration of individuals' participation;

(iii) The status of participants' progress; and

(iv) The participants' age, race or ethnicity, gender, and ward of residence.

(2) The information contained in this report shall not be subject to disclosure pursuant to the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

(d) The ONSE may apply for and receive grants and accept private donations to fund its program activities.

(e)(1) The Chief Financial Officer shall provide financial support services and oversight for the ONSE using personnel assigned to provide financial support services and oversight for the Office of the Deputy Mayor for Public Safety and Justice.

(2)(A) The Chief Procurement Officer shall provide contracting and procurement support services and oversight for the ONSE using personnel assigned to provide contracting and procurement support services for the Office of the Deputy Mayor for Public Safety and Justice.

(B) The ONSE may contract with qualified private organizations or individuals for services in accordance with the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*).

(f) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21. 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this subtitle.

Sec. 103. Neighborhood Safety and Engagement Fund.

(a) There is established as a special fund the Neighborhood Safety and Engagement Fund ("Fund"), which shall be administered by the Mayor in accordance with subsections (c) and (d) of this section.

(b) Revenue from the following sources shall be deposited in the Fund:

(1) Funds appropriated by the District;

(2) Grants;

(3) Donations from the public; and

(4) Donations from private entities.

(c) Money in the Fund shall be used to fund the activities of the ONSE, including:

(1) Providing stipends to eligible participants; and

(2) Appropriate overhead or administrative expenses related to the ONSE and the Fund.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

SUBTITLE B. ESTABLISHMENT OF THE OFFICE OF VIOLENCE PREVENTION AND HEALTH EQUITY

Sec. 104. Establishment of the Office of Violence Prevention and Health Equity.

(a) There is established within the Department of Health an Office of Violence Prevention and Health Equity ("Office") tasked with utilizing public health institutions and methods to halt the spread of violence in the District of Columbia.

(b) By October 1, 2016, or 6 months after receiving funding, whichever is later, the Office shall:

(1) In coordination with the District's other health, human services, public safety, and justice agencies, including the Office of the Attorney General, develop and implement a public health strategy, which includes the use of risk-assessment tools, identification of heavy utilizers of public services, provision of cognitive and family-based therapy, and coordination of available services, to combat the spread of violence;

(2) Conduct a public information campaign concerning the impact of violence, strategies for violence cessation, and the use of alternative dispute resolution techniques; and

(3) Assist the Office of Victim Services and Justice Grants in developing a program to ensure the presence of specially trained staff, tasked with providing counseling, mental health treatment, mediation and dispute resolution services, and trauma-informed care to apparent victims of violence and their families, in each hospital emergency department in the District; provided, that the program shall ensure that at least one specially trained staff member providing the services identified in this paragraph be available at each emergency department whenever the emergency department is accepting patients.

(c) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21. 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this subtitle.

SUBTITLE C. COMMUNITY CRIME PREVENTION TEAM PROGRAM

Sec. 105. Community Crime Prevention Team Program.

(a) There is established within the Metropolitan Police Department ("MPD") a Community Crime Prevention Team Program ("Program") to reduce crime and increase access to social services by enhancing the coordination between law enforcement and health and human services agencies.

(b) Under the Program, the MPD shall, in coordination with the Department of Behavioral Health ("DBH") and the Department of Human Services ("DHS"), pair mental and behavioral health clinicians and outreach specialists with MPD officers in teams, in order to immediately identify individuals in need of assistance and connect those who may be impacted by homelessness, mental illness, or substance abuse, with available services.

(c) In addition to connecting individuals in need of assistance with available services, mental and behavioral health clinicians and outreach specialists who participate in the Program shall:

(1) Make the MPD aware of recurring issues identified in each police district;

(2) Identify any potential improvements in police training or procedures relating to police interactions with individuals impacted by homelessness, mental or behavioral health issues, or substance abuse; and

(3) Identify individuals who frequently interact with police, are frequent mental health consumers, or have suffered from chronic homelessness, and ensure that those individuals are connected to social services.

(d) No later than October 1, 2016, or 6 months after receiving funding, whichever is later, the MPD shall establish no fewer than 5 teams pursuant to subsection (b) of this section; provided, that at least one team shall be on duty at any time.

(e) Beginning January 31, 2017, and every January 31 thereafter, the MPD shall collect data on the number and type of referrals for service and the outcomes of the referrals that occur pursuant to this section in that reporting period and in the aggregate, and issue a report to the Mayor and the Council on the Program's activities and referrals.

TITLE II. POLICING REFORMS

SUBTITLE A. COMMUNITY POLICING WORKING GROUP

Sec. 201. Metropolitan Police Department community policing working group.

(a) The Chief of Police of the Metropolitan Police Department ("MPD") shall convene a working group to examine national best practices in community policing and make recommendations.

(b) The working group shall be comprised of no fewer than 10 representatives appointed by the Chief of Police from the government, nonprofit and community organizations, and academic institutions.

(c) The working group shall issue a report of its recommendations on best practices in community policing for the MPD's adoption to the Mayor and the Council no later than July 1, 2017, and biennially thereafter.

SUBTITLE B. REESTABLISHMENT OF THE COMPREHENSIVE HOMICIDE ELIMINATION STRATEGY TASK FORCE

Sec. 202. Section 260 of the New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Amendment Act of 2014, effective May 2, 2015 (D.C. Law 20-271; 62 DCR 1884), is repealed.

Sec. 203. Section 501 of the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-262; D.C. Official Code § 22-4251), is revived and is amended to read as follows:

"Sec. 501. Comprehensive Homicide Elimination Strategy Task Force.

"(a) There is established a Comprehensive Homicide Elimination Strategy Task Force ("Task Force"). The Task Force shall develop a report on the most effective elements of a comprehensive plan that would lead to the elimination of homicide in the District of Columbia.

"(b)(1) The Task Force shall be comprised of 20 representatives from among the following entities:

(i) Government agencies;
(ii) Nonprofit organizations;
(iii) Businesses;
(iv) Educational institutions;
(v) Victim services organizations;
(vi) Social services organizations;
(vii) Religious organizations;
(viii) Mental and behavioral health organizations;
(ix) Organized labor;
(x) Criminal justice reform organizations; and
(xi) Advisory Neighborhood Commissions.

"(2) Of the 20 representatives, 10 shall be appointed by the Mayor and 10 shall be appointed by the Council no later than 60 days after the effective date of the Neighborhood Engagement Achieves Results Amendment Act of 2016, passed on 2nd reading on March 1, 2016 (Enrolled version of Bill 21-360).

"(3) The Mayor and the Council shall each designate a co-chair of the Task Force, one each from the government and non-government sectors.

"(c) The Task Force shall hold at least 3 public meetings and shall present a report to the Mayor and the Council no later than one year after the effective date of the Neighborhood Engagement Achieves Results Amendment Act of 2016, passed on 2nd reading on March 1, 2016 (Enrolled version of Bill 21-360).

(d) Immediately following the presentation of its report, the Task Force shall be dissolved.

SUBTITLE C. POLICE-COMMUNITY RELATIONS SURVEY

Sec. 204. Section 1501 of the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 22-4234), is amended by adding a new subsection (b-1) to read as follows:

"(b-1) The CJCC shall also conduct a public opinion survey of police-community relations in the District of Columbia and submit an analysis of the results in a report to the Mayor and the Council by January 31, 2017.".

SUBTITLE D. ASSAULT ON A POLICE OFFICER

Sec. 205. Section 432(b) of the Revised Statutes of the District of Columbia (D.C. Official Code § 22-405(b)), is amended to read as follows:

"(b) Whoever without justifiable and excusable cause assaults a law enforcement officer on account of, or while that law enforcement officer is engaged in the performance of his or her official duties shall be guilty of a misdemeanor and, upon conviction, shall be imprisoned not more than 6 months or fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or both.".

Sec. 206. A new section 432a of the Revised Statutes of the District of Columbia is added to read as follows:

"Sec. 432a. (a) For the purposes of this section, the term "law enforcement officer" shall have the same meaning as provided in section 432(a) of the Revised Statutes of the District of Columbia (D.C. Official Code § 22-405(a)).

"(b) Whoever without justifiable and excusable cause intentionally resists an arrest by an individual who he or she has reason to believe is a law enforcement officer or prevents that individual from making or attempting to make an arrest of or detain another person shall be guilty of a misdemeanor and, upon conviction, shall be imprisoned not more than 6 months or fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or both.".

"(c) It is neither justifiable nor excusable cause for a person to use force to resist an arrest when such an arrest is made by an individual he or she has reason to believe is a law enforcement officer, whether or not such arrest is lawful.".

SUBTITLE E. OFFICER TRAINING

Sec. 207. Section 203 of the Omnibus Police Reform Amendment Act of 2000, effective October 4, 2000 (D.C. Law 13-160; D.C. Official Code § 5-107.02), is amended as follows:

(a) The existing text is designated as subsection (a).

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

"(b) The continuing education required by subsection (a) of this section shall include, at a minimum, instruction on:

"(1) Community policing;

"(2) Recognizing and preventing biased-based policing;

"(3) The use of force;

"(4) Limitations on the use of chokeholds and neck restraints;

"(5) Mental and behavioral health awareness; and

"(6) Linguistic and cultural competency.".

SUBTITLE F. OFFICE OF POLICE COMPLAINTS INDEPENDENT COMPLAINT REVIEW AUTHORITY

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

(a) Section 5 (D.C. Official Code § 5-1104) is amended as follows:

(1) Subsection (b) is amended by striking the phrase "from the date of appointment to a full term".

(2) Subsection (d) is amended by striking the phrase "and the Chief of the Metropolitan Police Department ("Police Chief")" and inserting the phrase "the Chief of the Metropolitan Police Department ("Police Chief"), and the Director of the District of Columbia Housing Authority ("DCHA Director")" in its place.

(3) A new subsection (d-2) is added to read as follows:

"(d-2)(1) The Board shall review, with respect to the MPD:

"(A) The number, type, and disposition of citizen complaints received, investigated, sustained, or otherwise resolved;

"(B) The race, national origin, gender, and age of the complainant and the subject officer or officers;

"(C) The proposed discipline and the actual discipline imposed on a police officer as a result of any sustained citizen complaint;

"(D) All use of force incidents, serious use of force incidents, and serious physical injury incidents as defined in MPD General Order 907.07; and

"(E) Any in-custody death.

"(2) The Executive Director, acting on behalf of the Board, shall have timely and complete access to information and supporting documentation specifically related to the Board's duties under paragraph (1) of this subsection.

"(3) The Executive Director shall keep confidential the identity of all persons named in any documents transferred from the MPD to the Office pursuant to paragraph (1) of this subsection.

"(4) The disclosure or transfer of any public record, document, or information from the MPD to the Office pursuant to paragraph (1) of this subsection shall not constitute a waiver of any privilege or exemption that otherwise could be asserted by the MPD to prevent disclosure to the general public or in a judicial or administrative proceeding.

"(5) A Freedom of Information Act request for public records collected pursuant to paragraph (1) of this subsection may only be submitted to the MPD.

"(6) Beginning on December 31, 2017, and by December 31 of each year thereafter, the Board shall deliver a report to the Mayor and the Council that analyzes the information evaluated by the Board under paragraph (1) of this subsection.".

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

(1) Subsection (a) is amended by striking the phrase "The Office shall have the authority to receive and to dismiss, conciliate, mediate, or adjudicate" and inserting the phrase "The MPD and the Office shall have the authority to receive" in its place.

(2) A new subsection (a-1) is added to read as follows:

"(a-1) If the MPD receives a citizen complaint under subsection (a) of this section, the MPD shall transmit the citizen complaint to the Office within 3 business days after receipt.".

(3) Subsection (b) is amended by striking the phrase "by the MPD" and inserting the phrase "by the MPD or the District of Columbia Housing Authority Police Department ("HAPD")" in its place.

(4) A new subsection (b-1) is added to read as follows:

"(b-1) The Office shall have the sole authority to dismiss, conciliate, mediate, adjudicate, or refer for further action to the MPD or the HAPD a citizen complaint received under subsection (a) or (b) of this section.".

(5) Subsection (d) is amended by striking the phrase "45 days" and inserting the phrase "90 days" in its place.

(6) Subsection (g) is amended as follows:

(A) Paragraph (4) is amended by striking the word "or".

(B) Paragraph (5) is amended by striking the period and inserting the phrase "; or" in its place.

(C) A new paragraph (6) is added to read as follows:

"(6) Refer the subject police officer or officers to complete appropriate policy training by the MPD or the HAPD.".

(7) New subsections (h-1) and (h-2) are added to read as follows:

"(h-1) The MPD and the HAPD shall notify the Executive Director when a subject police officer or officers completes policy training pursuant to subsection (g)(6) of this section.

"(h-2)(1) The Office shall have the authority to audit citizen complaints referred to the MPD or the HAPD for further action.

"(2) The Executive Director, acting on behalf of the Board, shall have timely and complete access to information and supporting documentation specifically related to the Board's auditing duties under paragraph (1) of this subsection.

"(3) The Executive Director shall keep confidential the identity of all persons named in any documents transferred from the MPD or the HAPD to the Office pursuant to paragraph (1) of this subsection.

"(4) A Freedom of Information Act request for public records collected under paragraph (1) of this subsection may only be submitted to the MPD or the HAPD.

"(5) Beginning on December 31, 2017, and by December 31 of each year thereafter, the Board shall deliver a report to the Mayor and the Council that analyzes the information evaluated by the Board under paragraph (1) of this subsection.".

(8) Subsection (j) is amended by striking the phrase "the District of Columbia Housing Authority" and inserting the phrase "the HAPD" in its place.

(c) Section 13(f) (D.C. Official Code § 5-1112(f)) is amended by striking the phrase "Police Chief, and" and inserting the phrase "Police Chief within 10 business days after the action is taken, and" in its place.

SUBTITLE G. IMPROVING STOP AND FRISK AND USE OF FORCE DATA COLLECTION

Sec. 209. Section 386 of the Revised Statutes of the District of Columbia (D.C. Official Code § 5-113.01), is amended as follows:

(a) Paragraph (4A) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) New paragraphs (4B), (4C), and (4D) are added to read as follows:

"(4B) Records of stops, including:

"(A) The date, location, and time of the stop;

"(B) The approximate duration of the stop;

"(C) The traffic violation or violations alleged to have been committed that led to the stop;

"(D) Whether a search was conducted as a result of the stop;

"(E) If a search was conducted:

"(i) The reason for the search;

"(ii) Whether the search was consensual or nonconsensual;

"(iii) Whether a person was searched, and whether a person's property was searched; and

"(iv) Whether any contraband or other property was seized in the course of the search;

"(F) Whether a warning, safety equipment repair order, or citation was issued as a result of a stop and the basis for issuing such warning, order, or citation;

"(G) Whether an arrest was made as a result of either the stop or the search;

"(H) If an arrest was made, the crime charged;

"(I) The gender of the person stopped;

"(J) The race or ethnicity of the person stopped; and

"(K) The date of birth of the person stopped.

"(4C) Use of force incidents, including:

"(A) The total number of use of force incidents and the type of force used;

"(B) The total number of officers involved in each use of force incident;

"(C) The total number of persons involved in each use of force incident;

"(D) The number of civilian complaints filed with the Metropolitan Police Department for excessive use of force, by police district, and the outcome of each complaint, including disciplinary actions;

"(E) If an arrest was made, the crime charged;

"(F) The gender, race, age, and ethnicity of each person involved in a use of force incident; and

"(G) The gender, race, age, and ethnicity of any officer involved in a use force incident; and

"(4D) For the purposes of this section, the terms "contact", "frisk", and "stop" shall have the meanings ascribed in Metropolitan Police Department General Order 304.10; and".

SUBTITLE H. CRIME DATA COLLECTION

Sec. 210. Section 3022(c) of the Office of the Deputy Mayor for Public Safety and Justice Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 1-301.191(c)), is amended as follows:

(a) Paragraph (4) is amended by striking the word "and" at the end.

(b) Paragraph (5)(B) is amending by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (6) is added to read as follows:

"(6) Beginning December 31, 2017, and by December 31 of each year thereafter, deliver a report to the Mayor and the Council that analyzes the trends associated with the Metropolitan Police Department's felony crime statistics. The report shall include:

"(A) The number and type of felony arrests made by the Metropolitan Police Department;

"(B) The number of felony arrests that resulted in conviction and the sentence imposed;

"(C) The location of felony arrests by ward, district, and police service area;

"(D) The number of suspects involved in each felony arrest;

"(E) The number of victims involved in each felony arrest;

"(F) The characteristics of each suspect arrested for a felony crime, including:

"(i) The age of the suspect;

"(ii) The race of the suspect;

"(iii) The gender of the suspect;

"(iv) The level of education of the suspect;

"(v) The police service area where the suspect resides;

"(vi) The number of prior arrests the suspect has had with the Metropolitan Police Department;

"(vii) The number and type of convictions on the suspect's criminal record;

"(viii) The suspect's relationship, if any, to the victim of the crime for which he or she was charged; and

"(ix) If known, whether the suspect has had prior contact with the Department of Behavioral Health; and

"(G) The characteristics of each victim involved in a felony crime, including:

"(i) The age of the victim;

"(ii) The race of the victim;

"(iii) The gender of the victim;

"(iv) The level of education of the victim;

"(v) The police service area where the victim resides;

"(vi) The number of prior contacts the victim has had with the Metropolitan Police Department;

"(vii) The number and type of convictions on the victim's criminal record; and

"(viii) The victim's relationship, if any, to the suspect.".

SUBTITLE I. OFFICER RETENTION AND RECRUITMENT INCENTIVES

Sec. 211. Section 1103 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.03), is amended as follows:

(a) Subsection (f)(1) is repealed.

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

"(g)(1) The Chief of Police may grant time off, to be considered FLSA-exempt, to uniformed members of the Metropolitan Police Department at the rank of Inspector and above, and the civilian equivalents, for work performed in excess of an 80-hour biweekly pay period, excluding roll call; provided, that:

"(A) FLSA-exempt time off granted to any individual employee shall not exceed a total of 80 hours in any consecutive 12-month period;

"(B) FLSA-exempt time off shall be forfeited if not used by the end of the leave year following the leave year in which it was earned; and

"(C) FLSA-exempt time off not used at the time of an employee's separation from service shall not be included in any form of leave payment.

"(2) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this subsection.".

Sec. 212. Section 202(e) of the Metropolitan Police Department Application, Appointment, and Training Requirements Act of 2000, effective October 4, 2000 (D.C. Law 13-160; D.C. Official Code § 5-107.01(e)), is amended as follows:

(a) The lead-in language is amended by striking the phrase "As of the effective date of the Metropolitan Police Department Amendment Act of 2006, passed on 2nd reading on December 5, 2006 (Enrolled version of Bill 16-586), to" and inserting the word "To" in its place.

(b) Paragraph (2) is amended by striking the phrase "3 years" and inserting the phrase "2 years" in its place.

(c) Paragraph (3) is amended by striking the phrase "5 years" and inserting the phrase "3 years" in its place.

SUBTITLE J. REHIRING OF RETIRED OFFICERS BY THE DEPARTMENT OF FORENSIC SCIENCES

Sec. 213. Section 2 of the Retired Police Officer Redeployment Amendment Act of 1992, effective September 29, 1992 (D.C. Law 9-163; D.C. Official Code § 5-761), is amended as follows:

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

"(a-1) Except for a disability annuitant, a police officer retired from the Metropolitan Police Department shall be eligible for rehire at the discretion of the Director of the Department of Forensic Sciences as a temporary full-time or temporary part-time employee without jeopardy to the retirement benefits of the employee.".

(b) Subsection (b) is amended by striking the phrase "under this section" and inserting the phrase "under subsection (a) of this section" in its place.

(c) Subsection (d) is amended by striking the phrase "under this section" and inserting the phrase "under subsection (a) of this section" in its place.

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

"(d-1) A retired police officer who is rehired under subsection (a-1) of this section may be rehired in a supervisory or non-supervisory position and shall be paid a salary of no more than the highest grade available for the position assigned.".

(e) Subsection (e) is amended by striking the phrase "subsection (d) of this section" and inserting the phrase "subsections (d) and (d-1) of this section" in its place.

(f) Subsection (f) is amended by striking the phrase "Metropolitan Police Department." and inserting the phrase "Metropolitan Police Department and the Department of Forensic Sciences." in its place.

SUBTITLE K. PRIVATE SECURITY CAMERA SYSTEM INCENTIVE PROGRAM

Sec. 214. Private Security Camera System Incentive Program.

(a) There is established a Private Security Camera System Incentive Program ("Program"), to be administered by the Mayor, to encourage the purchase and installation of a security camera system on the exterior of a building owned or leased by an individual, business, nonprofit, religious institution, or other entity as defined in § 29-101.02(10), and to require registration of the system with the Metropolitan Police Department.

(b) To be eligible for the rebate provided for in this section, a property owner or lessee shall:

(1) After September 22, 2015, purchase and install a system on the exterior of the building;

(2) Register the system with the Metropolitan Police Department;

(3) Submit a rebate claim in accordance with Program rules promulgated pursuant to subsection (f) of this section; and

(4) Meet all additional requirements and criteria provided for in Program rules promulgated pursuant to subsection (f) of this section.

(c)(1) Upon approval of a rebate claim submitted pursuant to subsection (b) of this section, the Program shall provide a rebate as follows; provided, that the amount of the rebate shall not be more than the purchase price of the system:

(A) Up to $200 per camera installed on the exterior of a building owned or leased by an individual, with a maximum rebate of up to $500 per system per residential address; or

(B) Up to $200 per camera installed on the exterior of a building owned or leased by a business, nonprofit, religious institution, or other entity as defined in § 29-101.02(10) with a maximum rebate of up to $750 per system per address.

(2) Rebates shall be contingent upon the availability of funds.

(3) No rebates shall be issued until the Mayor promulgates rules pursuant to subsection (f) of this section.

(d) To be eligible for the voucher provided for in this section, a property owner or tenant of a residence shall:

(1) Provide proof of receipt of public assistance under the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq.*);

(2) Submit an application to the Mayor for the installation of a system; and

(3) Meet all additional requirements and criteria provided for in Program rules promulgated pursuant to subsection (f) of this section.

(e)(1) Upon approval of a voucher application submitted pursuant to subsection (d) of this section, the Program shall provide vouchers as follows:

(A) Vouchers shall not exceed the amount for a rebate claim under subsection (c)(1)(A) of this section.

(B) Vouchers shall be contingent upon the availability of funds.

(C) No vouchers shall be issued until the Mayor promulgates rules pursuant to subsection (f) of this section.

(2) Tenants of properties owned by the District of Columbia Housing Authority shall not be eligible for a voucher under this section.

(f) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this section, including:

(1) Requirements for proof of purchase and system verification;

(2) Procedures for registering a system with the Metropolitan Police Department, including a certification by the recipient providing that the recipient shall not use the system to intentionally record specific individuals conducting lawful activity;

(3) Identification of priority areas for Program eligibility; provided, that the priority areas include at least one area in each ward identified by crime levels and other public safety indicators in the corresponding police service area; and

(4) Requirements and procedures for participating in the voucher option under subsection (d) of this section.

(g) Any rebate or voucher issued under this section shall not be considered income for purposes of District of Columbia income tax.

(h) From the effective date of the Private Security Camera Incentive Program Emergency Act of 2015, effective January 15, 2016 (D.C. Act 21-0274; 63 DCR 803), to the issuance of the final rebate or voucher under this Program, the Mayor shall provide a monthly report to the Council that includes the following information:

(1) The total number of rebates and vouchers issued;

(2) The total number of private security cameras paid for by the Program;

(3) The number of rebates and vouchers issued in each police service area;

(4) The number of rebates issued pursuant to subsection (c)(1)(A) or (B) of this section, respectively;

(5) The number of rebates and vouchers issued in each priority area identified pursuant to subsection (f)(3) of this section;

(6) The number of times the Metropolitan Police Department requested footage from a Program recipient, and whether the request was granted or denied by the Program recipient;

(7) The number of times that footage from a private security camera contributed to a successful arrest by the Metropolitan Police Department, including a breakdown by offense; and

(8) An analysis of the Program's implementation and plans for future expansion, if any.

(i) For the purposes of this section, the term "security camera system" or "system" means one or more outdoor surveillance cameras with functioning digital video recording capability.

Sec. 215. Private Security Camera Incentive Fund.

(a) There is established as a special fund the Private Security Camera Incentive Fund ("Fund"), which shall be administered by the Mayor in accordance with subsections (c) and (d) of this section.

(b) Revenue from the following sources shall be deposited in the Fund:

(1) Funds appropriated by the District;

(2) Grants;

(3) Donations from the public; and

(4) Donations from private entities.

(c) Money in the Fund shall be used to implement the Private Security Camera Incentive Program ("Program"), including:

(1) Providing rebates to eligible participants;

(2) Providing vouchers to eligible participants; and

(3) Appropriate overhead or administrative expenses related to the Program and the Fund.

(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

TITLE III. TRAFFIC CITATION MODERNIZATION FOR OPERATING A VEHICLE

Sec. 301. Section 2213 of Title 18 of the District of Columbia Municipal Regulations is amended as follows:

(a) Subsection 2213.1 is amended to read as follows:

"2213.1 No person shall drive a vehicle with any object in any position that obstructs a significant portion of the view of the driver to the front, sides, or back of the vehicle, or interferes with the driver's control over the driving mechanism of the vehicle.".

(b) Subsections 2213.7 and 2213.8 are repealed.

TITLE IV. WORK RELEASE

Sec. 401. Section 23-1321(c)(1)(B)(xi) of the District of Columbia Official Code is amended by striking the phrase ", except that no person may be released directly from the District of Columbia Jail or the Correctional Treatment Facility for these purposes.".

TITLE V. GOOD TIME CREDITS

Sec. 501. Section 3c(c) of the District of Columbia Good Time Credits Act of 1986, effective May 17, 2011 (D.C. Law 18-732; D.C. Official Code § 24-221.01c(c)), is amended by striking the number "8" and inserting the number "10" in its place.

TITLE VI. FIREARMS CONTROL BOUNDARIES CLARIFICATION

Sec. 601. Section 907 of the Firearms Control Regulations Act of 1975, effective June 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.07), is amended as follows:

(a) Subsection (a) is amended as follows:

(1) Paragraph (11) is amended to read as follows:

"(11) The White House Complex and its grounds up to and including to the curb of the adjacent sidewalks touching the roadways of the area bounded by Constitution Avenue, N.W., 15th Street, N.W., H Street, N.W., and 17th Street, N.W.;".

(2) Paragraph (12) is amended to read as follows:

"(12) The U.S. Naval Observatory and its fence line, including the area from the perimeter of its fence up to and including to the curb of the adjacent sidewalks touching the roadway of Observatory Circle, from Calvert Street, N.W., to Massachusetts Avenue, N.W., and around Observatory Circle to the far corner of Observatory Lane;".

(b) Subsection (d)(1) is amended by striking the phrase "While he or she is traveling along a public street, road, or highway, including an adjacent public sidewalk that touches the perimeter of any of the premises where the carrying of a concealed pistol is prohibited under subsection (a) and subsection (b) of this section" and inserting the phrase "While he or she is traveling along a public sidewalk that touches the perimeter of any of the premises where the carrying of a concealed pistol is prohibited under subsection (a) and subsection (b) of this section, except for the areas designated in subsection (a)(11) and (a)(12), or along a public street, roadway, or highway" in its place.

TITLE VII. MICROSTAMPING IMPLEMENTATION

Sec. 701. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*), is amended as follows:

(a) Section 408(b) (D.C. Official Code § 7-2504.08(b)) is amended by striking the date "January 1, 2016" wherever it appears and inserting the date "January 1, 2018" in its place.

(b) Section 503 (D.C. Official Code § 7-2505.03) is amended as follows:

(1) Subsection (b) is amended as follows:

(A) The lead-in language is amended by striking the date "January 1, 2016" and inserting the date "January 1, 2018" in its place.

(B) Paragraph (2) is amended by striking the date "January 1, 2016" and inserting the date "January 1, 2018" in its place.

(C) Paragraph (3) is amended by striking the date "January 1, 2016" and inserting the date "January 1, 2018" in its place.

(2) Subsection (c)(1) is amended by striking the date "January 1, 2016" and inserting the date "January 1, 2018" in its place.

(3) The lead-in language of subsection (e) is amended by striking the date "January 1, 2016" wherever it appears and inserting the date "January 1, 2018" in its place.

TITLE VIII. SWIFT AND CERTAIN SANCTIONS.

Sec. 801. Section 23-1329 of the District of Columbia Official Code is amended as follows:

(a) Subsection (a) is amended by striking the phrase "order of detention" and inserting the phrase "order of detention, including an order of temporary detention pursuant to subsections (d-1) and (e) of this section" in its place.

(b) Subsection (b)(1) is amended by striking the phrase "Proceedings for revocation of release may be initiated on motion of the United States Attorney or on the court's own motion." and inserting the phrase "Proceedings for revocation of release and temporary placement in custody may be initiated at the request of the Pretrial Services Agency, on motion of the prosecutor, or on the court's own motion." in its place.

(c) A new subsection (d-1) is added to read as follows:

"(d-1)(1) A person who has been conditionally released and who violates a condition of that release by violating a stay-away order or an order to wear a detection device, may be ordered by the court, in addition to or in lieu of the penalties prescribed in subsections (a) through (d) of this section, to temporary placement in custody for a maximum of 72 hours, when, in the opinion of the court, such action is necessary to ensure compliance with the conditions of release.

"(2) Paragraph (1) of this subsection shall apply only to a person who has been charged with an offense enumerated in § 23-1331(3) or (4); provided, that it shall not include offenses under § 23-1331(3)(B) or (C).".

TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE

Sec. 901. Applicability.

(a) Sections 101, 102, 103, 104, 105, 201, 202, 203, 204, 209, and 210 shall apply upon the inclusion of their fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of the sections.

Sec. 902. Fiscal impact statement.

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

Sec. 903. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 60-day period of congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(2)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

UNSIGNED

Mayor
District of Columbia
March 25, 2016