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Amendment in the Nature of a Substitute
Committee Print
Committee on the Judiciary
B21-0360
January 27/February 2, 2016

A BILL

B21-0360

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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 Pilot 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 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 Section 203 of 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 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

85 Sciences without jeopardizing their retirement benefits; to establish a private security
 86 camera system incentive program and fund; to amend Title 18 of the District of Columbia
 87 Municipal Regulations to clarify the prohibition against driving a vehicle with an object in a
 88 position that obstructs the driver's view or interferes with the driver's control; to amend
 89 Title 23 of the District of Columbia Official Code to allow pretrial defendants to return to
 90 custody for specified hours following release for employment, schooling, or other limited
 91 purposes; to amend the District of Columbia Good Time Credits Act of 1986 to allow
 92 misdemeanor inmates to earn a maximum of ten credits for good behavior and
 93 participation in rehabilitative programs; and to amend the Firearm Control Regulations
 94 Act of 1975 to clarify the boundaries of the White House complex and the U.S. Naval
 95 Observatory, and for technical changes; and to amend the Omnibus Public Safety Agency
 96 Reform Amendment Act of 2004 to modify the act's applicability.
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158 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
159 act may be cited as the “Neighborhood Engagement Achieves Results Amendment Act of 2016”.

160 TITLE I. CRIMINAL JUSTICE AND PUBLIC HEALTH REFORMS

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

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

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

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

172 Sec. 102. Duties of the Executive Director.

173 (a) The duties of the ONSE shall include:

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

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

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

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

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

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

187 (3) The Executive Director shall ensure the confidentiality of all participant
188 information.

189 (c) Beginning on January 31, 2017, and Bby January 31 of each year thereafter, the
190 ONSE shall provide a report to the Council, protective of personally-identifying information,
191 which includes the following information from the reporting period and in the aggregate:

192 (1) The number of individuals successfully recruited and engaged;

193 (2) The duration of individuals' participation;

194 (3) The status of participants' progress; and

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

196 (d) The ONSE is authorized to apply for and receive grants to fund its program activities.

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

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

203 (B) The ONSE is authorized to contract with qualified private
204 organizations or individuals for services in accordance with the Procurement Practices Act of
205 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*).

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

208 Sec. 103. Establishment of the Office of Violence Prevention and Health Equity.

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

212 (b) The Office shall, by October 1, 2016, or 6 months after receiving funding, whichever
213 is later:

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

219 (2) Conduct a public information campaign concerning the impact of violence,

220 strategies for violence cessation, and the use of alternative dispute resolution techniques; and

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

228 SUBTITLE C. COMMUNITY CRIME PREVENTION TEAMS ~~PILOT PROGRAM~~

229 Sec. 104. Community Crime Prevention Team ~~Pilot Program~~.

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

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

239 (c) In addition to connecting individuals with necessary services, mental and behavioral
240 health clinicians and outreach specialists who participate in the Program shall:

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

242 (2) Identify any potential improvements in police training or procedures relating

243 to police interactions with individuals impacted by homelessness, mental or behavioral health
244 disorders, or substance abuse disorders; and

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

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

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

255 TITLE II. POLICING REFORMS

256 SUBTITLE A. COMMUNITY POLICING WORKING GROUP

257 Sec. 201. Metropolitan Police Department Community Policing Working Group.

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

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

263 (c) The working group shall issue a report of its recommendations on best practices in
264 community policing for MPD's adoption to the Mayor and the Council no later than July 1,
265 2017.

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

291 Sec. 202. Section 260 of the New Columbia Statehood Initiative and Omnibus Boards
292 and Commissions Reform Amendment Act of 2014, effective May 2, 2015 (D.C. Law 20-271;
293 62 DCR 1884), is repealed.

294 Sec. 203. Section 501 of the Homeland Security, Risk Reduction, and Preparedness
295 Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-252; D.C. Official Code § 22-
296 4251) is revived and is amended to read as follows:

297 “(a) There is established a Comprehensive Homicide Elimination Strategy Task Force
298 (“Task Force”). The Task Force shall develop a report on ~~consider~~ the most effective elements of
299 a comprehensive plan that would lead to the elimination of murder in the District of Columbia.

300 “(b)(1) The Task Force shall be comprised of 20 representatives from the following
301 entities:

302 (i) ~~G~~Government agencies;

303 (ii) ~~N~~Non-profit organizations;

304 (iii) ~~B~~Businesses;

305 (iv) ~~S~~Schools;

306 (v) ~~V~~victim services organizations;

307 (vi) ~~S~~Social services organizations

308 (vii) ~~R~~religious organizations;

309 (viii) ~~M~~mental and behavioral health professionals organizations;

310 (ix) ~~O~~organized labor;

311 (x) ~~A~~Advisory Neighborhood Commissions; and

312 (xi) Criminal justice reform organizations, and criminology professionals.

313 “(2) Of the 20 representatives, 10 shall be appointed by the Mayor and 10 shall
314 be appointed by the Council.

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

317 “(c) The Task Force shall hold at least 3 public meetings and shall present a report to the
318 Mayor and the Council one year after the effective date of the Neighborhood Engagement
319 Achieves Results Amendment Act of 2016, as approved by the Committee on Judiciary on
320 January 27, 2016 (Committee Print of Bill 21-0360).

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

323 SUBTITLE C. POLICE-COMMUNITY RELATIONS SURVEY

324 Sec. 204. Police-community relations public opinion survey.

325 Section 1501 of the Criminal Justice Coordinating Council for the District of Columbia
326 Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 22-
327 4234) is amended by adding a new subsection (b-1) to read as follows:

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

331 SUBTITLE D. ASSAULT ON A POLICE OFFICER

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

334 (a) Subsection (b) is amended to read as follows:

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

341 (b) Subsection (d) is repealed.

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

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

347 “(b) A person may not, without justifiable and excusable cause, intentionally resist an lawful
348 arrest by an individual who he or she has reason to believe is a law enforcement officer or prevent
349 that individual from making or attempting to make an lawful arrest or detention of another person.

350 “(c) A person who violates subsection (b) of this subsection shall be guilty of a
351 misdemeanor and, upon conviction, shall be imprisoned not more than 6_-months or fined not more
352 than the amount set forth in section 101 of the Criminal Fine Law Proportionality Amendment Act
353 of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or both”.

354 SUBTITLE E. OFFICER TRAINING

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

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

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

359 “(b) by adding a new sentence at the end to read as follows:

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

362 “(1) Community policing;

363 “(2) Recognizing and preventing biased-based policing;

364 “(3) The use of force;

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

366 “(5) Mental and behavioral health awareness; and

367 “(6) Linguistic and cultural competency.

368 SUBTITLE F. OFFICE OF POLICE COMPLAINTS INDEPENDENT COMPLAINT
369 REVIEW AUTHORITY

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

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

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

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

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

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

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

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

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

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

389 “(E) Any in-custody death.

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

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

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

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

402 “(6) Beginning on December 31, 2017, and by~~No later than~~ December 31 of each
403 year thereafter, the Board shall deliver a report to the Mayor and the Council that analyzes the
404 information evaluated by the Board under paragraph (1) of this subsection.”

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

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

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

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

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

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

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

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

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

422 (A) Paragraph (4) is amended by striking the word “or”.

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

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

426 “(6) Refer the subject police officer or officers to complete appropriate
427 policy training by the MPD or the HAPD.”.

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

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

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

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

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

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

441 “(5) Beginning on December 31, 2017, and by~~No later than~~ December 31 of each
442 year thereafter, the Board shall deliver a report to the Mayor and the Council that analyzes the
443 information evaluated by the Board under paragraph (1) of this subsection.”.

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

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

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

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

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

454 “(4B) Records of stops, including:

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

456 “(B) The approximate duration of the stop;

457 “(C) —The traffic violation or violations alleged to have been
458 committed that led to the stop;

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

460 “(E) If a search was conducted:

461 “(i) The reason for the search;

462 “(ii) Whether the search was consensual or nonconsensual;

463 “(iii) Whether a person was searched, and whether a
464 person’s property was searched; and

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

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

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

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

472 “(I) The gender of the ~~individual~~ person stopped;

473 “(J) The race or ethnicity of the ~~individual~~ person stopped; and

474 “(K) The date of birth of the ~~individual~~ person stopped.

475 “(4C) Use of force incidents, including:

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

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

478 “(C) The total number of ~~subjects~~ persons involved in each use of force
479 incident;

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

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

484 “(F) The gender, race, age, and ethnicity of each ~~suspect~~ person involved
485 in a use of force incident; and

486 “(G) The gender, race, age, and ethnicity of any officer involved in a use
487 force incident; and”.

488 _____(4D)

489 ~~“209. DEFINITIONS.~~

513 ~~“209.1 For the purposes of this section, when used in this chapter, the terms “contact”, “frisk”~~
514 and “stop” shall have the meanings ascribed in Metropolitan Police Department PD General
515 Order 304.10; and”.

516 SUBTITLE H. CRIME DATA COLLECTION

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

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

521 (1) Paragraph (4) is amended by striking the phrase “and” at the end of the
522 sentence.

523 (2) Paragraph (5)(B) is amending by striking the period at the end of the sentence
524 and inserting the phrase “; and” in its place.

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

526 “(6) Beginning December 31, 2017, and by Not later than December 31 of each
527 year thereafter, deliver a report to the Mayor and the Council that analyzes the trends associated
528 with the Metropolitan Police Department’s felony crime statistics. The report shall include:

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

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

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

535 “(D) The number of ~~defendants~~ suspects involved in each felony arrest;

536

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

537

“(F) The characteristics of each ~~defendant~~-suspect arrested for a felony

538

crime, including:

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“(i) The age of the ~~defendants~~suspect;

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“(ii) The race of the ~~defendants~~suspect;

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“(iii) The gender of the ~~defendants~~suspect;

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“(iv) The level of education of the ~~defendant~~ suspect;

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“(v) The police service area where the ~~defendant~~-suspect resides;

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“(vi) The number of prior arrests the ~~defendant~~-suspect has with

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the Metropolitan Police Department;

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“(vii) The number and type of convictions on the ~~defendant's~~

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suspect's criminal record; and

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“(viii) The ~~defendant's~~-suspect's relationship, if any, to the victim

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of the crime for which he or she was charged;

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“(ix) If known, whether the ~~defendant~~-suspect has had prior contact

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with the Department of Behavioral Health.

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“(G) The characteristics of each victim involved in a felony crime,

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including:

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“(i) The age of the victim;

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“(ii) The race of the victim;

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“(iii) The gender of the victim;

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

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

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

561 “(vii) The number and type of convictions on the victim’s criminal
562 record; and

563 “(viii) The victim’s relationship, if any, to the ~~defendants~~suspect.”.

564 SUBTITLE I. OFFICER RETENTION AND RECRUITMENT INCENTIVES

565 Sec. 211. Retention incentive for experienced officers.

566 (a) Section 1103(f)(1) of the District of Columbia Government Comprehensive Merit
567 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-
568 611.03(f)(1)) is amended to read as follows:repealed.

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

570 “(g)(1) As of the effective date of the Neighborhood Engagement Achieves Results
571 Amendment Act of 2016, as approved by the Committee on the Judiciary on January 27, 2016
572 (Bill 21-0360), the Chief of Police may grant time off, to be considered FLSA exempt, to
573 uniformed members of the Metropolitan Police Department at the rank of Inspector and above,
574 and the civilian equivalents, for work performed in excess of an 80-hour biweekly pay period,
575 excluding roll call. The Mayor shall promulgate rules governing such ~~compensation~~time off;
576 provided that:

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

579 “(B) FLSA-exempt time off shall be forfeited if not used by the end of the leave
580 year following the leave year in which it was earned.

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

583 Sec. 212. Minimum appointment standards.

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

587 (a) The lead-in language is amended by striking the phrase “As of March 6, 2007” and
588 inserting the phrase “As of the effective date of the Neighborhood Engagement Achieves Results
589 Amendment Act of 2016, as approved by the Committee on the Judiciary on January 27, 2016
590 (Bill 21-0360)” in its place.

591 (b) Paragraph (2) is amended by striking the phrase “3 years” and inserting the phrase “2
592 years” in its place.

593 (c) Paragraph (3) is amended by striking the phrase “5 years” and inserting the phrase “3
594 years” in its place.

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

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

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

601 “(a-1) Except for a disability annuitant, a police officer retired from the Metropolitan
602 Police Department shall be eligible for rehire at the discretion of the Director of the Department

603 of Forensic Sciences as a temporary full-time or temporary part-time employee without jeopardy
604 to the retirement benefits of the employee.”.

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

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

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

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

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

615 (f) Subsection (f) is amended by striking the period and inserting the phrase “and the
616 Department of Forensic Sciences” at the end of the sentence.

617 SUBTITLE K. PRIVATE SECURITY CAMERA SYSTEM INCENTIVE PROGRAM

618 Sec. 214. Private security camera system incentive program.

619 (a) Pursuant to section 7 of the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget
620 Request Temporary Adjustment Act of 2015, enacted on October 22, 2015 (D.C. Act 21-171; 62
621 DCR 13979), and section 7 of the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget
622 Request Congressional Review Emergency Adjustment Act of 2015, ~~enacted effective on~~ January
623 6, 2016 (D.C. Act 21-257; 632 DCR ~~_____~~; 526), there is established a Private Security Camera
624 System Incentive Program (“Program”), to be administered by the Mayor, to encourage the
625 purchase and installation of a security camera system (“system”) on the exterior of a building

626 owned or leased by an individual, business, nonprofit, religious institution, or other entity as
627 defined in § 29-101.02(10), and to require registration of the system with the Metropolitan Police
628 Department.

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

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

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

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

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

638 (c)(1) Upon approval of a rebate claim, the Program shall provide a rebate as follows;
639 provided, that the amount of the rebate shall not be more than the purchase price of the system:

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

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

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

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

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

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

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

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

659 (e) Any rebate issued under this ~~act~~ section shall not be considered income for purposes
660 of District of Columbia income tax.

661 (f) For the purposes of this section, the term “security camera system” means one or more
662 outdoor surveillance cameras with functioning digital video recording capability.

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

667 (1) The total number of rebates issued;

668 (2) The total number of private security cameras funded;

669 (3) The number of rebates issued in each pPolice sService aArea;

670 (4) The number of rebates issued in each pPriority aArea identified pursuant to
671 subsection (d)(3);

672 (5) The number of rebates issued pursuant to subsection (c)(1)(A) or (B),
673 respectively;

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

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

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

681 Sec. 215. Private Security Camera Incentive Fund.

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

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

686 (1) Funds appropriated by the District;

687 (2) Grants;

688 (3) Donations from the public; and

689 (4) Donations from private entities.

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

692 (1) Providing rebates to eligible participants; and

693 (2) Appropriate overhead or administrative expenses related to the Program and
694 the Fund.

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

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

700 TITLE III. TRAFFIC CITATION MODERNIZATION FOR OPERATING A VEHICLE

701 Sec. 301. Section 2213 of Title 18 (Vehicles and Traffic) of the District of Columbia
702 Municipal Regulations is amended as follows:

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

704 "2213.1 No person shall drive a vehicle with any object in any position that obstructs a
705 significant portion of the view of the driver to the front, sides, or back of the vehicle, or
706 interferes with the driver's control over the driving mechanism of the vehicle."

707 (b) Subsections 2213.7 and 2213.8 are repealed.

708 TITLE IV. WORK RELEASE

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

712 TITLE V. GOOD TIME CREDITS

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

716 TITLE VI. FIREARMS CONTROL BOUNDARIES CLARIFICATION

717 Sec. 601. Section 907 of the Firearms Control Regulations Act of 1975, effective June
718 16, 2015 (D.C. Law 20-279; D.C. Official Code § 7-2509.07) is amended as follows:

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

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

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

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

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

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

737 TITLE VII. MICROSTAMPING IMPLEMENTATION

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

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

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

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

744 (A) The lead-in language is amended by striking the date “January 1,
745 2016” and inserting the date “January 1, 2018” in its place.

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

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

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

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

754 ~~TITLE VIII. FIREFIGHTER RETIREMENT WHILE UNDER DISCIPLINARY~~
755 ~~INVESTIGATION CLARIFICATION~~

756 ~~Sec. 801. Section 517 of the Omnibus Public Safety Agency Reform Amendment Act of~~
757 ~~2004, effective September 30, 2004 (D.C. Law 15-194; D.C. Official Code § 5-1057), is~~
758 ~~amended to read as follows:~~

759 ~~“The Chief shall adopt regulations to implement the provisions of this chapter within 60~~
760 ~~days after March 11, 2015.”~~

761 ~~TITLE VIII. SWIFT AND CERTAIN SANCTIONS.~~

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

764 (1) Subsection (a) is amended by striking the phrase "subject to revocation of
765 release" and inserting the phrase "subject to temporary placement in custody, revocation of
766 release." in its place.

767 (2) Subsection (b)(1) is amended by striking the phrase "Proceedings for
768 revocation of release may be initiated on motion of the United States Attorney or on the court's
769 own motion." and inserting the phrase "Proceedings for revocation of release and temporary
770 detention may be initiated on motion of the prosecutor or on the court's own motion." at the
771 beginning of the sentence.

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

773 "(d-1) A person who has been conditionally released who is order to abide by a
774 stay-away order or to wear a detection device, and who violates either of those conditions of
775 release may be ordered by the court, in addition to or in lieu of the penalties and procedures
776 prescribed in subsection (a) through (d) of this section, to temporary placement in custody for a
777 maximum of 72 hours, when, in the opinion of the court such action is necessary to ensure
778 compliance with the conditions of release. A person shall not be subject to an order of temporary
779 detention under this subsection, unless before any such violation and order, the person has agreed
780 in writing to the imposition of such an order as a sanction for the person's violation of a
781 condition of release."

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

783 “(d-2) Subsection (d-1) shall apply to a person who commits an offense
784 enumerated in sections 23-1331(3) or 23-1331(4); provided, that it shall not include section 23-
785 1331(3)(B) or (C).”.

786 (5) Subsection (e) is amended to read as follows:

787 “(e) A person who has been conditionally released and who violates a condition
788 of that release by using a controlled substance or by failing to comply with the prescribed
789 treatment for use of a controlled substance, may be ordered by the court, in addition to or in lieu
790 of the penalties and procedures prescribed in subsections (a) through (d) of this section, to
791 temporary placement in custody pursuant to subsection (d-1) of this section, when, in the opinion
792 of the court, such action is necessary for treatment or to assure compliance with conditions of
793 release.”.

794 TITLE IX. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE

795 Sec. 901. Applicability.

796 Sections 101, 102, 103, 104, 201, 202, 203, 204, 209, and 210 shall apply upon the
797 inclusion of their its fiscal effect in an approved budget and financial plan, as certified by the
798 Chief Financial Officer to the Budget Director of the Council in a certification published by the
799 Council in the District of Columbia Register.

800 Sec. 902. Fiscal impact statement.

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

804 Sec. 903. Effective date.

805 This act shall take effect following approval by the Mayor (or in the event of veto by the
806 Mayor, action by the Council to override the veto), a 60-day period of congressional review as
807 provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December
808 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(2)), and publication in the District of
809 Columbia Register.