
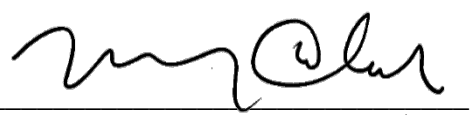


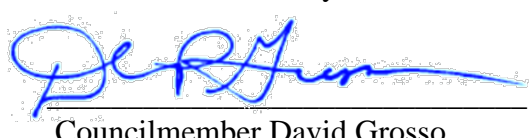
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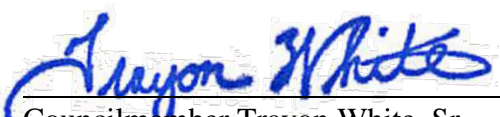
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18 Councilmember Elissa Silverman

  
Councilmember Brandon T. Todd

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22 Councilmember Robert C. White, Jr.

  
Councilmember Trayon White, Sr.

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28 A BILL

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32 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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37 To provide, on a temporary basis, for comprehensive policing and justice reform for District  
38 residents and visitors; and for other purposes.

39  
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67 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
68 act may be cited as the “Comprehensive Policing and Justice Reform Temporary Amendment Act  
69 of 2020”.

70 TITLE I. IMPROVING POLICE ACCOUNTABILITY AND TRANSPARENCY  
71 SUBTITLE A. PROHIBITING THE USE OF NECK RESTRAINTS

72 Sec. 101. The Limitation on the Use of the Chokehold Act of 1985, effective January 25,  
73 1986 (D.C. Law 6-77; D.C. Official Code § 5-125.01 *et seq.*), is amended as follows:

74 (a) Section 2 (D.C. Official Code § 5-125.01) is amended to read as follows:

75 “Sec. 2. The Council of the District of Columbia finds and declares that law enforcement  
76 and special police officer use of neck restraints constitutes the use of lethal and excessive force.  
77 This force presents an unnecessary danger to the public. On May 25, 2020, Minneapolis Police  
78 Department officer Derek Chauvin murdered George Floyd by applying a neck restraint to Floyd  
79 with his knee for 8 minutes and 46 seconds. Hundreds of thousands, if not millions, of people in  
80 cities and states across the world, including in the District, have taken to the streets to peacefully  
81 protest injustice, racism, and police brutality against people of color. Police brutality is abhorrent  
82 and does not reflect the District’s values. It is the intent of the Council in the enactment of this act  
83 to unequivocally ban the use of neck restraints by local law enforcement and special police  
84 officers.”.

85 (b) Section 3 (D.C. Official Code § 5-125.02) is amended as follows:

86 (1) Paragraph (1) is repealed.

87 (2) Paragraph (2) is repealed.

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

89 “(3) “Neck restraint” means the use of any body part or object to attempt to control  
90 or disable a person by applying pressure against the person’s neck, including the trachea or carotid  
91 artery, with the purpose, intent, or effect of controlling or restricting the person’s movement or  
92 restricting their blood flow or breathing.”.

93 (c) Section 4 (D.C. Official Code § 5-125.03) is amended to read as follows:

94 “Sec. 4. Unlawful use of neck restraints by law enforcement officers and special police  
95 officers.

96 “(a) It shall be unlawful for:

97                   “(1) Any law enforcement officer or special police officer (“officer”) to apply a  
98 neck restraint; and

99                   “(2) Any officer who applies a neck restraint and any officer who is able to observe  
100 the application of a neck restraint to fail to:

101                           “(A) Immediately render, or cause to be rendered, first aid on the person on  
102 whom the neck restraint was applied; or

103                           “(B) Immediately request emergency medical services for the person on  
104 whom the neck restraint was applied.

105                   “(b) Any officer who violates the provisions of subsection (a) of this section shall be fined  
106 no more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment  
107 Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or  
108 incarcerated for no more than 10 years, or both.”.

109                   SUBTITLE B. IMPROVING ACCESS TO BODY-WORN CAMERA VIDEO  
110 RECORDINGS

111                   Sec. 102. Section 3004 of the Fiscal Year 2016 Budget Support Act of 2015, effective  
112 October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 5-116.33), is amended as follows:

113                           (a) Subsection (a)(3) is amended by striking the phrase “interactions;” and inserting the  
114 phrase “interactions, and the results of those internal investigations, including any discipline  
115 imposed;” in its place.

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

117                                   “(c) Notwithstanding any other law:

118   “(1) Within 72 hours after a request from the Chairperson of the Council Committee  
119 with jurisdiction over the Metropolitan Police Department, the Department shall provide

120 unredacted copies of the requested body-worn camera recordings to the Chairperson. Body-worn  
121 camera recordings in the possession of the Council shall not be publicly disclosed;

122 “(2) The Mayor:

123 “(A) Shall:

124 “(i) Within 72 hours after an officer-involved death or the serious  
125 use of force, publicly release the names and body-worn camera recordings of all officers who  
126 committed the officer-involved death or serious use of force; and

127 “(ii) By July 1, 2020, publicly release the names and body-worn  
128 camera recordings of all officers who have committed an officer-involved death since the Body-  
129 Worn Camera Program was launched on October 1, 2014; and

130 “(B) May, on a case-by-case basis in matters of significant public interest  
131 and after consultation with the Chief of Police, the United States Attorney's Office for the District  
132 of Columbia, and the Office of the Attorney General, publicly release any other body-worn camera  
133 recordings that may not otherwise be releasable pursuant to a FOIA request.”.

134 Sec. 103. Chapter 39 of Title 24 of the District of Columbia Municipal Regulations is  
135 amended as follows:

136 (a) Section 24-3900.9 is amended to read as follows:

137 “3900.9. Members may not review their BWC recordings or BWC recordings that have  
138 been shared with them to assist in initial report writing.”.

139 (b) Section 24-3900.10 is amended to read as follows:

140 “Notwithstanding any other law, the Mayor:

141 “(a) Shall:

142                   “(1) Within 72 hours after an officer-involved death or the serious use of  
143 force, publicly release the names and BWC recordings of all officers who committed the officer-  
144 involved death or serious use of force; and

145                   “(2) By July 1, 2020, publicly release the names and BWC recordings of all  
146 officers who have committed an officer-involved death since the BWC Program was created; and

147                   “(b) May, on a case-by-case basis in matters of significant public interest and after  
148 consultation with the Chief of Police, the United States Attorney's Office for the District of  
149 Columbia, and the Office of the Attorney General, publicly release any other BWC recordings that  
150 may not otherwise be releasable pursuant to a FOIA request.”.

151                   (c) Section 24-3901.2 is amended by adding a new paragraph (a-1) to read as follows:

152                   “(a-1) Recordings related to a request from or investigation by the Chairperson of the  
153 Council Committee with jurisdiction over the Metropolitan Police Department;”.

154                   (d) Section 24-3902.4 is amended to read as follows:

155                   “3902.4. Notwithstanding any other law, within 72 hours after a request from the  
156 Chairperson of the Council Committee with jurisdiction over the Metropolitan Police Department,  
157 the Department shall provide unredacted copies of the requested BWC recordings to the  
158 Chairperson. BWC recordings in the possession of the Council shall not be publicly disclosed.”.

159                   (e) Section 24-3999.1 is amended by adding the following phrase at the end of the section:

160                   “Serious use of force” shall have the same meaning as that term is defined in MPD General  
161 Order 901.07, or its successor directive.”.

162                   SUBTITLE C. OFFICE OF POLICE COMPLAINTS REFORMS

163                   Sec. 104. The Office of Citizen Complaint Review Establishment Act of 1998, effective  
164 March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1101 *et seq.*), is amended as follows:

165 (a) Section 5(a) (D.C. Official Code § 5-1104(a)) is amended by striking the phrase “There  
166 is established a Police Complaints Board (“Board”). The Board shall be composed of 5 members,  
167 one of whom shall be a member of the MPD, and 4 of whom shall have no current affiliation with  
168 any law enforcement agency.” and inserting the phrase “There is established a Police Complaints  
169 Board (“Board”). The Board shall be composed of 9 members, 8 each from a different Ward, one  
170 at-large, and none of whom, after the expiration of the term of the currently serving member of the  
171 MPD, shall be affiliated with any law enforcement agency.”.

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

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

174 “(g-1)(1) If the Executive Director discovers evidence of abuse or misuse of police powers  
175 that was not alleged by the complainant in the complaint, the Executive Director may:

176 “(A) Initiate the Executive Director’s own complaint against the subject  
177 police officer; and

178 “(B) Take any of the actions described in subsection (g)(2) through (6) of  
179 this section.

180 “(2) The authority granted pursuant to paragraph (1) of this subsection shall include  
181 circumstances in which the subject police officer failed to:

182 “(A) Intervene in or subsequently report any use of force incident in which  
183 the subject police officer observed another law enforcement officer, including an MPD officer,  
184 utilizing excessive force or engaging in any type of misconduct, pursuant to MPD General Order  
185 901.07, its successor directive, or a similar local or federal directive; or

186 “(B) Immediately report to their supervisor any violations of the rules and  
187 regulations of the MPD committed by any other MPD officer, and each instance of their use of

188 force or a use of force committed by another MPD officer, pursuant to MPD General Order 201.26,  
189 or any successor directive.”.

190 (2) Subsection (h) is amended by striking the phrase “subsection (g)” and inserting  
191 the phrase “subsection (g) or (g-1)” in its place.

192 SUBTITLE D. USE OF FORCE REVIEW BOARD MEMBERSHIP EXPANSION

193 Sec. 105. Use of Force Review Board; membership.

194 (a) There is established a Use of Force Review Board (“Board”), which shall review uses  
195 of force as set forth by the Metropolitan Police Department in its written directives.

196 (b) The Board shall consist of the following 13 voting members, and may also include non-  
197 voting members at the Mayor’s discretion:

198 (1) An Assistant Chief selected by the Chief of Police, who shall serve as the  
199 Chairperson of the Board;

200 (2) The Commanding Official, Special Operations Division, Homeland Security  
201 Bureau;

202 (3) The Commanding Official, Criminal Investigations Division, Investigative  
203 Services Bureau;

204 (4) The Commanding Official, Metropolitan Police Academy;

205 (5) A Commander or Inspector assigned to the Patrol Services Bureau;

206 (6) The Commanding Official, Recruiting Division;

207 (7) The Commanding Official, Court Liaison Division;

208 (8) Three civilian members appointed by the Mayor, pursuant to section 2(e) of the  
209 Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-



210 523.01(e)), with the following qualifications and no current or prior affiliation with law  
211 enforcement:

212 (A) One member who has personally experienced the use of force by a law  
213 enforcement officer;

214 (B) One member of the District of Columbia Bar in good standing; and

215 (C) One District resident community member;

216 (9) Two civilian members appointed by the Council with the following  
217 qualifications and no current or prior affiliation with law enforcement:

218 (A) One member with subject matter expertise in criminal justice policy;

219 and

220 (B) One member with subject matter expertise in law enforcement oversight

221 and the use of force; and

222 (10) The Executive Director of the Office of Police Complaints.

223 Sec. 106. Section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law  
224 2-142; D.C. Official Code § 1-523.01(e)), is amended as follows:

225 (a) Paragraph (38) is amended by striking the phrase “; and” and inserting a semicolon in  
226 its place.

227 (b) Paragraph (39) is amended by striking the period and inserting the phrase “; and” in its  
228 place.

229 (c) A new paragraph (40) is added to read as follows:

230 “(40) Use of Force Review Board, established by section 105 of the Comprehensive  
231 Policing and Justice Reform Emergency Amendment Act of 2020, passed on emergency basis on  
232 June 9, 2020 (Enrolled version of Bill 23-\_\_\_\_).”.

233 SUBTITLE E. ANTI-MASK LAW REPEAL

234 Sec. 107. The Anti-Intimidation and Defacing of Public or Private Property Criminal  
235 Penalty Act of 1982, effective March 10, 1983 (D.C. Law 4-203; D.C. Official Code § 22-3312 *et*  
236 *seq.*), is amended as follows:

237 (a) Section 4 (D.C. Official Code § 22-3312.03) is repealed.

238 (b) Section 5(b) (D.C. Official Code § 22-3312.04(b)) is amended by striking the phrase  
239 “or section 4 shall be” and inserting the phrase “shall be” in its place.

240 Sec. 108. Section 23-581(a-3) is amended by striking the phrase “sections 2, 3, and 4” and  
241 inserting the phrase “sections 2 and 3” in its place.

242 SUBTITLE F. LIMITATIONS ON CONSENT SEARCHES

243 Sec. 109. Title 23 of the District of Columbia Official Code is amended by adding a new  
244 section 23-526 to read as follows:

245 “§ 23–526. Limitations on consent searches.

246 “(a) In cases where a search is based solely on the subject’s consent to that search, and is  
247 not executed pursuant to a warrant or conducted pursuant to an applicable exception to the warrant  
248 requirement, sworn members of District Government law enforcement agencies shall:

249 “(1) Prior to the search of a person, vehicle, home, or property:

250 “(A) Explain, using plain and simple language delivered in a calm  
251 demeanor, that the subject of the search is being asked to voluntarily, knowingly, and intelligently  
252 consent to a search;

253 “(B) Advise the subject that:

254 “(i) A search will not be conducted if the subject refuses to provide  
255 consent to the search; and

256                                   “(ii) The subject has a legal right to decline to consent to the search;

257                                   “(C) Obtain consent to search without threats or promises of any kind being

258 made to the subject;

259                                   “(D) Confirm that the subject understands the information communicated

260 by the officer; and

261                                   “(E) Use interpretation services when seeking consent to conduct a search

262 of a person:

263                                   “(i) Who cannot adequately understand or express themselves in

264 spoken or written English; or

265                                   “(ii) Who is deaf or hard of hearing.

266                                   “(2) If the sworn member is unable to obtain consent from the subject, refrain from

267 conducting the search.

268                                   “(b) The requirements of subsection (a) of this section shall not apply to searches executed

269 pursuant to a warrant or conducted pursuant to an applicable exception to the warrant requirement.

270                                   “(c)(1) If a defendant moves to suppress any evidence obtained in the course of the search

271 for an offense prosecuted in the Superior Court of the District of Columbia, the court shall consider

272 an officer’s failure to comply with the requirements of this section as a factor in determining the

273 voluntariness of the consent.

274                                   “(2) There shall be a presumption that a search was nonconsensual if the evidence

275 of consent, including the warnings required in subsection (a), is not captured on body-worn camera

276 or provided in writing.

277                                   “(d) The provisions of this section shall not be construed to create a private right of action.”.

278           SUBTITLE G. MANDATORY CONTINUING EDUCATION EXPANSION;  
279 RECONSTITUTING THE POLICE OFFICERS STANDARDS AND TRAINING BOARD

280           Sec. 110. The Metropolitan Police Department Application, Appointment, and Training  
281 Requirements of 2000, effective October 4, 2000 (D.C. Law 13-160; D.C. Official Code § 5-  
282 107.01 *et seq.*), is amended as follows:

283           (a) Section 203(b) (D.C. Official Code § 5-107.02(b)) is amended as follows:

284                   (1) Paragraph (2) is amended by striking the phrase “biased-based policing” and  
285 inserting the phrase “biased-based policing, racism, and white supremacy” in its place.

286                   (2) Paragraph (3) is amended to read as follows:

287                           “(3) Limiting the use of force and employing de-escalation tactics;”.

288                   (3) Paragraph (4) is amended to read as follows:

289                           “(4) The prohibition on the use of neck restraints;”.

290                   (4) Paragraph (5) is amended by striking the phrase “; and” and inserting a  
291 semicolon in its place.

292                   (5) Paragraph (6) is amended by striking the period and inserting a semicolon in its  
293 place.

294                   (6) New paragraphs (7) and (8) are added to read as follows:

295                           “(7) Obtaining voluntary, knowing, and intelligent consent from the subject of a  
296 search, when that search is based solely on the subject’s consent; and

297                           “(8) The duty of a sworn officer to report, and the method for reporting, suspected  
298 misconduct or excessive use of force by a law enforcement official that a sworn member observes  
299 or that comes to the sworn member’s attention, as well as any governing District laws and  
300 regulations and Department written directives.”.

301 (b) Section 204 (D.C. Official Code § 5-107.03) is amended as follows:

302 (1) Subsection (a) is amended by striking the phrase “the District of Columbia  
303 Police” and inserting the phrase “the Police” in its place.

304 (2) Subsection (b) is amended as follows:

305 (A) The lead-in language is amended by striking the phrase “11 persons”  
306 and inserting the phrase “15 persons” in its place.

307 (B) A new paragraph (2A) is added to read as follows:

308 “(2A) Executive Director of the Office of Police Complaints or the Executive  
309 Director’s designee;”.

310 (C) Paragraph (3) is amended to read as follows:

311 “(3) The Attorney General for the District of Columbia or the Attorney General’s  
312 designee;”.

313 (D) Paragraph (8) is amended by striking the period and inserting a  
314 semicolon in its place.

315 (E) Paragraph (9) is amended to read as follows:

316 “(9) Five community representatives appointed by the Mayor, one each with  
317 expertise in the following areas:

318 “(A) Oversight of law enforcement;

319 “(B) Juvenile justice reform;

320 “(C) Criminal defense;

321 “(D) Gender-based violence or LGBTQ social services, policy, or  
322 advocacy; and

323 “(E) Violence prevention or intervention.”.

324 (3) Subsection (i) is amended by striking the phrase “promptly after the  
325 appointment and qualification of its members” and inserting the phrase “by September 1, 2020” in  
326 its place.

327 (c) Section 205(a) (D.C. Official Code § 5-107.04(a)) is amended by adding a new  
328 paragraph (9A) to read as follows:

329 “(9A) If the applicant has prior service with another law enforcement or public  
330 safety agency in the District or another jurisdiction, information on any alleged or sustained  
331 misconduct or discipline imposed by that law enforcement or public safety agency;”.

332 SUBTITLE H. IDENTIFICATION OF MPD OFFICERS DURING FIRST  
333 AMENDMENT ASSEMBLIES AS LOCAL LAW ENFORCEMENT

334 Sec. 111. Section 109 of the First Amendment Assemblies Act of 2004, effective April 13,  
335 2005 (D.C. Law 15-352; D.C. Official Code § 5-331.09), is amended as follows:

336 (a) Designate the existing text as subsection (a).

337 (b) Add a new subsection (b) to read as follows:

338 “(b) During a First Amendment assembly, the uniforms and helmets of officers policing  
339 the assembly shall prominently identify the officers’ affiliation with local law enforcement.”.

340 SUBTITLE I. PRESERVING THE RIGHT TO JURY TRIAL

341 Sec. 112. Section 16-705(b)(1) of the District of Columbia Official Code is amended as  
342 follows:

343 (a) Subparagraph (A) is amended by striking the phrase “; or” and inserting a semicolon in  
344 its place.

345 (b) Subparagraph (B) is amended by striking the phrase “; and” and inserting the phrase “;  
346 or” in its place.

347 (c) A new subparagraph (C) is added to read as follows:

348 “(C)(i) The defendant is charged with an offense under:

349 “(I) Section 806 of An Act To establish a code of law for the  
350 District of Columbia, effective March 3, 1901 (31 Stat. 1322; D.C. Official Code § 22–404(a)(1));

351 “(II) Section 432a of the Revised Statutes of the District of  
352 Columbia (D.C. Official Code § 22–405.01); or

353 “(III) Section 2 of An Act To confer concurrent jurisdiction  
354 on the police court of the District of Columbia in certain cases, effective July 16, 1912 (67 Stat.  
355 98; D.C. Official Code § 22–407); and

356 “(ii) The person who is alleged to have been the victim of the offense  
357 is a law enforcement officer, as defined in section 432(a) of the Revised Statutes of the District of  
358 Columbia (D.C. Official Code § 22-405(a)); and”.

359 **SUBTITLE J. REPEAL OF FAILURE TO ARREST CRIME**

360 Sec. 113. Section 400 of the Revised Statutes of the District of Columbia (82 Stat. 618;  
361 D.C. Official Code § 5-115.03), is repealed.

362 **SUBTITLE K. OFFICER DISCIPLINE REFORMS**

363 Sec. 114. Subsection (a-1) of the Omnibus Public Safety Agency Reform Amendment Act  
364 of 2004, effective September 30, 2004 (D.C. Law 15-194; D.C. Official Code § 5-1031(a-1)), is  
365 amended as follows:

366 (a) Subsection (a-1) is amended as follows:

367 (1) Paragraph (1) is amended by striking the phrase “subsection (b) of this section”  
368 and inserting the phrase “subsection (b) of this section and paragraph (1A) of this subsection” in  
369 its place.

370 (2) A new paragraph (1A) is added to read as follows:

371 “(1A) If the act or occurrence allegedly constituting cause involves the serious use  
372 of force or indicates potential criminal conduct by a sworn member or civilian employee of the  
373 Metropolitan Police Department, the period for commencing a corrective or adverse action under  
374 this subsection shall be 180 days, not including Saturdays, Sundays, or legal holidays, after the  
375 date that the Metropolitan Police Department had notice of the act or occurrence allegedly  
376 constituting cause.”.

377 (3) Paragraph (2) is amended by striking the phrase “paragraph (1)” and inserting  
378 the phrase “paragraphs (1) and (1A)” in its place.

379 (b) Subsection (b) is amended by striking the phrase “the 90-day period” and inserting the  
380 phrase “the 90-day or 180-day period, as applicable” in its place.

381 Sec. 115. Section 6-A1001.5 of the District of Columbia Municipal Regulations is  
382 repealed.

383 SUBTITLE L. USE OF FORCE REFORMS

384 Sec. 116. Use of force.

385 (a) For purposes of this subtitle, the term:

386 (1) “Deadly force” means any force likely or to intended to create a substantial risk  
387 of serious bodily injury or death.

388 (2) “Deadly weapon” means any object, other than a body part or stationary object,  
389 that in the manner of its actual, attempted, or threatened use is likely to cause death or serious  
390 bodily injury.

391 (3) “Non-deadly force” means any use of force that is not likely or intended to  
392 create a substantial risk of serious bodily injury or death.



393 (4) “Serious bodily injury” means physical pain, physical injury, illness, or any  
394 impairment of physical condition that involves:

395 (A) A substantial risk of death;

396 (B) Protracted and obvious disfigurement;

397 (C) Protracted loss or impairment of the function of a bodily member or  
398 organ; or

399 (D) Protracted loss of consciousness.

400 (b)(1) A law enforcement officer shall not use non-deadly force against a person unless:

401 (A) There is probable cause to believe that the person committed a crime;

402 (B) The force is used to prevent:

403 (A) A person’s escape from lawful custody; or

404 (B) The commission of a crime; and

405 (C) The law enforcement officer uses no more force than what is reasonably  
406 necessary to effectuate the arrest or obtain a person’s compliance with lawful orders.

407 (2) A law enforcement officer shall not use deadly force against a person unless:

408 (A) The law enforcement officer actually believes that deadly force is  
409 immediately necessary to protect the law enforcement officer or another person from the threat of  
410 serious bodily injury or death;

411 (B) The law enforcement officer’s belief and actions are reasonable given  
412 the totality of the circumstances; and

413 (C) All other options have been exhausted or do not reasonably lend  
414 themselves to the circumstances.

415 (c) When a trier of fact is asked to determine the reasonableness of a law enforcement  
416 officer's belief or actions, it shall reach its determination from the perspective of a reasonable law  
417 enforcement officer and shall consider, as part of the totality of the circumstances:

418 (1) Whether the injured or deceased person:

419 (A) Possessed or appeared to possess a deadly weapon or object that could  
420 be used as a deadly weapon; and

421 (B) Refused to comply with the law enforcement officer's lawful order to  
422 forfeit an object believed to be a deadly weapon prior to the law enforcement officer using deadly  
423 force;

424 (2) Whether the law enforcement officer engaged in de-escalation measures prior  
425 to the use of non-deadly force or deadly force, including taking cover, waiting for back-up, trying  
426 to calm the injured or deceased person, and, if applicable, using non-deadly force prior to the use  
427 of deadly force; and

428 (3) Whether any conduct by the law enforcement officer prior to the use of non-  
429 deadly force or deadly force increased the risk of a confrontation resulting in non-deadly force or  
430 deadly force being used.

431 SUBTITLE M. RESTRICTIONS ON THE PURCHASE AND USE OF MILITARY  
432 WEAPONRY

433 Sec. 117. Limitations on military weaponry acquired by District law enforcement agencies.

434 (a) Beginning in Fiscal Year 2021, District law enforcement agencies shall not acquire the  
435 following property through any program operated by the federal government:

436 (1) Ammunition of .50 caliber or higher;

437 (2) Armed or armored aircraft or vehicles;

- 438 (3) Bayonets;
- 439 (4) Explosives or pyrotechnics, including grenades;
- 440 (5) Firearm mufflers or silencers;
- 441 (6) Firearms of .50 caliber or higher;
- 442 (7) Firearms, firearm accessories, or other objects designed or capable of launching
- 443 explosives or pyrotechnics, including grenade launchers; and
- 444 (8) Remotely piloted, powered aircraft without a crew aboard, including drones.

445 (b)(1) If a District law enforcement agency requests property through a program operated

446 by the federal government, the District law enforcement agency shall publish notice of the request

447 on a publicly accessible website within 14 days after the date of the request.

448 (2) If a District law enforcement agency acquires property through a program

449 operated by the federal government, the District law enforcement agency shall publish notice of

450 the acquisition on a publicly accessible website within 14 days after the date of the acquisition.

451 (c) District law enforcement agencies shall disgorge any property described in subsection

452 (a) which the agencies currently possess within 180 days after the effective date of this act.

453 TITLE II. BUILDING SAFE AND JUST COMMUNITIES

454 SUBTITLE A. RESTORE THE VOTE

455 Sec. 201. The District of Columbia Election Code of 1955, approved August 12, 1955 (69

456 Stat. 669; D.C. Official Code § 1-1001.01 *et seq.*), is amended as follows:

457 (a) Section 2(2)(D) (D.C. Official Code § 1-1001.02(2)(D)) is amended by striking the

458 phrase “the District; and” and inserting the phrase “the District; except, that this subparagraph shall

459 not apply to any person currently in the care of the Department of Corrections; and” in its place.

460 (b) Section 5(a) (D.C. Official Code § 1-1001.05(a)) is amended by adding a new paragraph  
461 (9B) to read as follows:

462 “(9B) For the November 3, 2020 General Election, and in advance of any applicable  
463 voter registration or absentee ballot request or submission deadlines, provide the following to  
464 every eligible individual in the Department of Corrections’ care:

465 “(A) A voter registration form;

466 “(B) A voter guide; and

467 “(C) Without first requiring an absentee ballot application to be submitted,  
468 an absentee ballot.”.

469 Sec. 202. Section 8 of An Act To create a Department of Corrections in the District of  
470 Columbia, approved June 27, 1946 (60 Stat. 320; D.C. Official Code § 24-211.08), is amended by  
471 adding a new subsection (b-1) to read as follows:

472 “(b-1) Within 10 business days after the effective date of the Comprehensive Policing and  
473 Justice Reform Emergency Amendment Act of 2020 (“act”), passed on emergency basis on June  
474 9, 2020 (Enrolled version of Bill 23-\_\_\_\_), the Department shall notify eligible individuals in its  
475 care of their voting rights pursuant to section 202 of the act.”.

476 SUBTITLE B. DEPARTMENT OF CORRECTIONS HOME CONFINEMENT  
477 EVALUATION REQUIREMENT

478 Sec. 203. Section 2(b) of An Act To create a Department of Corrections in the District of  
479 Columbia, approved June 27, 1946 (60 Stat. 320; D.C. Official Code § 24-211.02(b)), is amended  
480 as follows:

481 (a) Paragraph (5) is amended by striking the phrase “; and” and inserting a semicolon in its  
482 place.

483 (b) Paragraph (9) is amended by striking the period and inserting the phrase “; and” in its  
484 place.

485 (c) A new paragraph (10) is added to read as follows:

486 “(10) On a weekly basis, identify and evaluate individuals in the Department’s care  
487 for the purpose of recommending to the Bureau of Prisons their transition to home confinement  
488 pursuant to 18 U.S.C. § 3624(c)(2) and applicable guidance, and provide the names of the  
489 individuals identified and evaluated, and the outcomes of the evaluations and any transitions, to  
490 the Council Committee with jurisdiction over the Department of Corrections.”.

491 TITLE III. APPLICABILITY; FISCAL IMPACT STATEMENT; EFFECTIVE DATE

492 Sec. 301. Applicability

493 Section 109 shall apply as of August 1, 2020.

494 Sec. 302. Fiscal impact statement.

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

498 Sec. 303. Effective date.

499 (a) This act shall take effect following approval by the Mayor (or in the event of veto by  
500 the Mayor, action by the Council to override the veto), a 60-day period of congressional review as  
501 provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24,  
502 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of  
503 Columbia Register.

504 (b) This act shall expire after 225 days of its having taken effect.