
COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY

CHARLES ALLEN, CHAIRPERSON
FISCAL YEAR 2019
COMMITTEE BUDGET REPORT



TO: Members of the Council of the District of Columbia

FROM: Councilmember Charles Allen
Chairperson, Committee on the Judiciary & Public Safety

DATE: May 4, 2018

SUBJECT: Report and Recommendations of the Committee on the Judiciary and
Public Safety on the Fiscal Year 2019 Budget for the Agencies under its
Purview

The Committee on the Judiciary and Public Safety (“Committee”), having conducted hearings and received testimony on the Mayor’s proposed operating and capital budgets for Fiscal Year 2019 (“FY19”) for the agencies under its purview, reports its recommendations for review and consideration by the Committee of the Whole. The Committee also comments on several sections of the Fiscal Year 2019 Budget Support Act of 2018, as proposed by the Mayor, and proposes its own subtitles.

TABLE OF CONTENTS

I.	SUMMARY	4
A.	Summary of Committee Budget Recommendations	8
B.	Fiscal Year 2019 Agency Operating Budget Summary Table	21
C.	Fiscal Year 2019 Agency Operating Budget Summary Table by CSG.....	28
D.	Fiscal Year 2019 Agency Full-Time Equivalent Summary Table	37
E.	Fiscal Years 2019-2024 Agency Capital Budget Summary Table	41
F.	Transfers in from Other Committees Table	52
G.	Transfer out to Other Committees Table	53
H.	Revenue Adjustment Table	55
I.	Budget Support Act Subtitle Funding Table.....	56
J.	Funding of Bills Previously Passed Subject to Appropriations Table	57

II. AGENCY FISCAL YEAR 2019 BUDGET RECOMMENDATIONS..... 58

A.	Introduction	58
B.	Board of Elections (DL0)	61
C.	Board of Ethics and Government Accountability (AG0)	70
D.	Commission on Judicial Disabilities and Tenure (DQ0).....	78
E.	Corrections Information Council (FI0)	82
F.	Criminal Code Reform Commission (MA0)	90
G.	Criminal Justice Coordinating Council (FJ0)	93
H.	Department of Corrections (FL0).....	100
I.	Department of Forensic Sciences (FR0).....	113
J.	Deputy Mayor for Public Safety and Justice (FQ0)	121
K.	District of Columbia National Guard (FK0).....	124
L.	Fire and Emergency Medical Services Department (FB0)	127
M.	Homeland Security and Emergency Management Agency (BN0).....	147
N.	Judicial Nomination Commission (DV0)	152
O.	Metropolitan Police Department (FA0)	155
P.	Office of Campaign Finance (CJ0)	172
Q.	Office of Human Rights (HM0)	178
R.	Office of Neighborhood Safety and Engagement (NS0)	183
S.	Office of Police Complaints (FH0).....	185
T.	Office of the Attorney General (CB0).....	194
U.	Office of the Chief Medical Examiner (FX0).....	197
V.	Office of Unified Communications (UC0)	203
W.	Office of Victim Services and Justice Grants (FO0).....	211
X.	Sentencing Commission (FZ0)	228

**III. FISCAL YEAR 2019 LOCAL BUDGET ACT AND FEDERAL PORTION
 BUDGET REQUEST ACT RECOMMENDATIONS..... 233**

**IV. FISCAL YEAR 2019 BUDGET SUPPORT ACT RECOMMENDATIONS
 234**

A.	Recommendations on Budget Support Act Subtitles Proposed by the Mayor	234
1.	Title I, Subtitle A. Fair Elections Implementation Amendment	235
2.	Title I, Subtitle B. Information Sharing for Program Evaluation and Improvement	240
3.	Title III, Subtitle A. Criminal Code Reform Commission Term Extension Amendment	241
4.	Title III, Subtitle B. Retired Police Officer Redeployment Program Amendment	243

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

5.	Title III, Subtitle C. Emergency and Non-Emergency Number Telephone Calling Systems Fund Amendment.....	246
6.	Title III, Subtitle D. Neighborhood Engagement Achieves Results Amendment	250
7.	Title III, Subtitle E. Extension of the Comprehensive Homicide Elimination Strategy Task Force	253
8.	Title III, Subtitle F. Transfer of a Portion of the Roving Leaders Program to the Office of Neighborhood Safety and Engagement	254
9.	Title III, Subtitle G. Transfer of Administration of the Public Fund for Drug Prevention and Children at Risk to the Office of Neighborhood Safety and Engagement	255
10.	Title VI, Subtitle E. Rail Safety Office Implementation.....	256
B.	Recommendations for New Budget Support Act Subtitles	261
1.	Title --. Subtitle --. Clemency Board Establishment Act	262
2.	Title --. Subtitle --. Fatality Review Committee Amendments.....	272
3.	Title --. Subtitle --. Emergency Medical Services Transport Contract Authority Amendment	296
4.	Title --. Subtitle --. Returning Citizens Opportunity to Succeed Amendment	300
5.	Title --. Subtitle --. Voter Registration Agency Amendment.....	309
6.	Title --. Subtitle --. Street Harassment Prevention Act.....	311
7.	Title --. Subtitle --. BEGA Amendment	321
8.	Title --. Subtitle --. Expanding Access to Justice Amendment.....	342
9.	Title --. Subtitle --. Office of the Attorney General Information Technology Authority and Housing Receivership Costs Amendment	344
10.	Title --. Subtitle --. Subject to Appropriations Repeals Amendment .	346
V.	COMMITTEE ACTION AND VOTE	348
VI.	ATTACHMENTS.....	350
A.	March 29, 2018, FY19 Budget Oversight Hearing Witness List and Testimony	
B.	April 12, 2018, FY19 Budget Oversight Hearing Witness List and Testimony	
C.	April 13, 2018, FY19 Budget Oversight Hearing Witness List and Testimony	
D.	April 19, 2018, FY19 Budget Oversight Hearing Witness List and Testimony	

I. SUMMARY

Introductory Comments on the Committee's Fiscal Year 2019 Budget for Agencies under Its Purview

This Report of Recommendations of the Committee on the Judiciary and Public Safety on the FY19 Budget for the Agencies under its Purview was developed over several months of agency oversight and public and stakeholder engagement. The Committee's recommended budget:

Improves Public Safety

- Supports evidence-based public safety reforms for victims of crime and young adults by funding the ***“Youth Rehabilitation Amendment Act of 2018”***:
 - Requires the Corrections Information Council to ***report on the conditions of confinement of and programming provided to young adults*** convicted under the Act (“youth offenders”) in Federal Bureau of Prisons custody
 - Funds ***data analysis*** by the Criminal Justice Coordinating Council (“CJCC”) on the impact of the Act
 - Provides grants to enable victims of crime and youth offenders to better understand the sentencing process and the Act's provisions
 - Funds the ***development of a strategic plan*** for serving youth offenders and young people at risk of becoming youth offenders
- ***Doubles funding for violence prevention and intervention grants*** and supports the addition of ten “Roving Leaders” from the Department of Parks and Recreation to the ***Office of Neighborhood Safety and Engagement***
- Continues investments in ***first responder recruitment and retention incentives*** by:
 - Allocating \$850,000 for ***loan repayment and tuition assistance*** in the Police Officers Retention Program at the Metropolitan Police Department (“MPD”) and \$200,000 for ***rental housing assistance for new recruits***; and
 - Approving \$1.7 million to expand MPD's Cadet Program to 100 slots

- Fully funds the Committee’s 2016 omnibus juvenile justice legislation¹ by transferring youth charged as adults for felony crimes from the Department of Corrections to the more developmentally-appropriate Department of Youth Rehabilitation Services
- Creates a ***new Violence Fatality Review Committee*** within the Office of the Chief Medical Examiner to study homicides and suicides of District residents with the goal of reducing and preventing violence
- Funds ***juvenile justice data collection*** at the Office of the Attorney General (“OAG”) to better inform prosecutorial decision-making and diversion
- Provides necessary ***upgrades to the Justice Information System (“JUSTIS”)***, the District’s platform for the exchange of time-sensitive information for local law enforcement agencies
- Smooths reentry for ***returning citizens*** by creating a new pilot program for transportation assistance at the Mayor’s Office on Returning Citizen Affairs, and waives fees in FY19 for driver’s licenses, identification cards, and vital records for (1) individuals within one year of their release from the Federal Bureau of Prisons’ (“BOP”) custody, and (2) individuals in the custody of the BOP at a District halfway house
- Funds the Committee’s new ***Address Confidentiality Program***² in the Office of Victim Services and Justice Grants to protect the addresses of domestic violence, sexual assault, stalking, and human trafficking survivors, as well as individuals employed by organizations that serve those survivors or provide reproductive health care services
- Funds the ***Street Harassment Prevention Act*** by creating a new Advisory Committee on Street Harassment to develop model policies and training materials to be adopted by District agencies for preventing and responding to street harassment, and to work with the Office on Human Rights to create a street harassment survey and public information campaign
- ***Addresses critical overtime needs*** at the Department of Corrections by approving 65 new positions
- Funds a new grant to engage District residents and stakeholders around ***planning for a new correctional facility***

¹ [Comprehensive Youth Justice Amendment Act of 2016](#), effective April 4, 2017 (D.C. Law 21-238; 63 DCR 15312).

² [Address Confidentiality Act of 2018](#), passed on 2nd reading on April 10, 2018 (Enrolled version of Bill 22-0037).

- Provides ***financial assistance to small charitable special events*** in the District to defray fees assessed by District agencies for homeland security preparedness

Expands Access to Justice

- Identifies nearly \$750,000 dollars in new funding for reentry-related grants and \$500,000 for victim services grants
- Restores funding for the ***Civil Legal Counsel Projects Program***, which provides legal representation in eviction proceedings for low-income District residents
- ***Increases funding for the Access to Justice Initiative*** for grants for legal services for domestic violence survivors, individuals with disabilities, individuals experiencing homelessness, asylum seekers, and residents with criminal records seeking expungement, among others
- Provides educational loan repayment assistance through the ***Poverty Lawyer Loan Repayment Assistance Program*** to lawyers who live and work in the District and are employed in areas of legal practice that serve low-income residents
- ***Fights elder abuse*** by funding a new investigator at OAG
- ***Creates a new Clemency Board*** within OAG to review and submit to the President applications for clemency for deserving D.C. Code offenders

Invests in Fire, EMS, and 911/311

- Fully funds the remaining costs of the ***Fire and Emergency Medical Services Employee Presumptive Disability Amendment Act of 2012*** to ensure that FEMS personnel are properly treated for chronic diseases they contract on the job
- Advances design and construction planning funds for a ***new, modern fleet maintenance facility*** for the Fire and Emergency Medical Services Department (“FEMS”) by adding \$1 million to the project in FY19
- Funds the procurement of a ***new fireboat*** to replace the aging *John H. Glenn, Jr.*

- Invests more than \$100 million in ***fleet for FEMS and MPD*** over the six-year capital plan
- Approves funding for the second year of the new ***Right Care, Right Now Nurse Triage Line*** – launched in April 2018 – to improve patients’ health outcomes and to preserve critical FEMS resources for patients with life-threatening injuries and illnesses
- ***Keeps 42 firefighters on staff*** following the expiration of federal grants
- Invests in training for FEMS personnel by adding ***new staff at the FEMS training academy***

Prioritizes Accountability and Transparency

- ***Funds a residency fraud attorney*** at OAG to support investigations of improper enrollment in District public schools
- ***Strengthens open government and transparency*** by:
 - Enhancing funding for the now-co-equal ***Office of Open Government*** in the Board of Ethics and Government Accountability for community engagement on the District’s Open Meetings Act and Freedom of Information Act; and
 - Increasing the public’s access to more frequently-reported information about ***lobbyists’ communications with public officials and their staff on contracts, procurements, grants, and legislation***

Invests in Public Financing and Voter Registration

- ***Right-sizes funding for the management and implementation of the District’s new public financing program*** by funding a program administrator and a technology manager
- Increases ***voter registration for students and inmates*** by funding a new position at the Board of Elections to focus specifically on outreach to those populations
- ***Increases the opportunities available to District residents to register to vote*** by designating the District of Columbia Public Schools and the District of Columbia Public Library as “voter registration agencies”

A. SUMMARY OF COMMITTEE BUDGET RECOMMENDATIONS

The Committee approves the Fiscal Year 2019 operating and capital budgets of the agencies under its purview, as proposed by the Mayor, with the following modifications:

BOARD OF ELECTIONS

Operating Budget Recommendations

1. *Increase* FTEs by 1, and create a new position (Public Affairs Specialist) for year-round student and inmate voter registration outreach, with the accompanying local funds as follows:
 - a. Public Affairs Specialist: create a new position in Program 1000 (Agency Management), Activity 1080 (Communication): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$74,705 and CSG 14 (Fringe Benefits – Current Personnel) by \$13,521: *total PS increase = \$88,226*
2. *Increase* CSG 41 (Contractual Services – Other), Program 4000 (Election Operations), Activity 4001 (Voter Registration) by \$103,262 in recurring local funds for the agency to transfer to the District of Columbia Public Schools, as required to fund the Committee’s proposed subtitle, the “Voter Registration Agency Amendment Act of 2018”

BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY

Operating Budget Recommendations

1. *Increase* CSG 20 (Supplies and Materials), Program 1000 (Office of Open Government), Activity 1100 (Office of Open Government), by \$40,000 in one-time local funds for nonpersonal services related to technology and community outreach needs of the Office of Open Government.
2. *Increase* CSG 11 (Regular Pay – Continuing Full Time) by \$35,305 and CSG 14 (Fringe Benefits – Current Personnel) by \$8,881, in Program 2000 (Board of Ethics), Activity 2010 (Board of Ethics), to enhance the salary and fringe for existing Program Analyst and Paralegal Specialist FTEs: *total PS increase = \$44,186*

CORRECTIONS INFORMATION COUNCIL

Operating Budget Recommendations

1. *Increase* FTEs by 1, and create a new position (Policy Analyst) to analyze the conditions of confinement and programming provided to District of Columbia youth offenders in Federal Bureau of Prisons custody, as required to fund the fiscal impact of B22-0451, the “Youth Rehabilitation Amendment Act of 2018”, with the accompanying local funds as follows:
 - a. Policy Analyst: create a new position in Program 1000 (Prisoner Well-Being), Activity 1010 (Comprehensive Inspections District PRIS): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$66,085 and CSG 14 (Fringe Benefits – Current Personnel) by \$13,745: *total PS increase = \$79,830*
2. *Increase* CSG 40 (Other Services and Charges), Program 1000 (Prisoner Well-Being), Activity 1010 (Comprehensive Inspections District PRIS), by \$18,000 in one-time funds for nonpersonal services needs

CRIMINAL JUSTICE COORDINATING COUNCIL

Operating Budget Recommendations

1. *Increase* FTEs by 1, and create a new position (Public Affairs Specialist), as required to fund the fiscal impact of Section 3(g) (adding a new section 7b) of B22-0451, the “Youth Rehabilitation Amendment Act of 2018”, with the accompanying local funds as follows:
 - a. Public Affairs Specialist: create a new position in Program 2000 (Collab. and Plng Across Agencies), Activity 2010 (Operational Infrastructure): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$71,850 and CSG 14 (Fringe Benefits – Current Personnel) by \$13,150: *total PS increase = \$85,000*
2. *Increase* CSG 40 (Other Services and Charges), Program 1000 (Research Analysis and Evaluation), Activity 1010 (Research and Analysis), by \$1,500 in recurring local funds for technology costs, as required to fund the fiscal impact of B22-0451, the “Youth Rehabilitation Amendment Act of 2018”
3. *Increase* CSG 40 (Other Services and Charges), Program 1000 (Research Analysis and Evaluation), Activity 1010 (Research and Analysis), by \$325,000 in one-time local funds for an enhancement for the Phase II Development for the Justice Statistical Analysis Tool

4. *Increase* CSG 40 (Other Services and Charges), Program 3000 (Integrated Information System), Activity 3010 (JUSTIS), by \$65,000 in recurring local funds for an enhancement for the Microsoft Premier Service contract
5. *Increase* CSG 70 (Equipment and Equipment Rental), Program 1000 (Research Analysis and Evaluation), Activity 1010 (Research and Analysis), by \$75,000 in one-time local funds for an enhancement for the Phase II Development for the Justice Statistical Analysis Tool
6. *Increase* CSG 70 (Equipment and Equipment Rental), Program 3000 (Integrated Information System), Activity 3010 (JUSTIS), by \$85,000 in one-time local funds for an enhancement for the JUSTIS System-to-System Module Upgrade

DEPARTMENT OF CORRECTIONS

Operating Budget Recommendations

1. *Eliminate* 15 FTEs and *reduce* CSG 12 (Regular Pay – Other) by \$672,309 and CSG 14 (Fringe Benefits – Current Personnel) by \$204,381: *total PS reduction* = \$876,690, and by program as follows:
 - a. In Program 3600 (Inmate Custody), Activity 3605 (Institutional Security and Control): *eliminate* 8 FTEs (Correctional Officer), and *reduce* CSG 12 by \$362,272 and CSG 14 by \$110,130: *total PS reduction* = \$472,402
 - b. In Program 3600 (Inmate Custody), Activity 3605 (Institutional Security and Control): *eliminate* 7 FTEs (Correctional Officer), and *reduce* CSG 12 by \$310,037 and CSG 14 by \$94,251: *total PS reduction* = \$404,288

Capital Budget Recommendations

1. *Reduce* the available allotment balance for Project No. N7001C (Infrastructure System Upgrade - DOC) by \$1,674,176 and convert that amount into \$418,544 in recurring operating funds
2. *Reduce* the available allotment balance for Project No. CRF01C (Roof Refurbishment at DOC Facilities) by \$2,004 and transfer that amount to the Committee on Transportation & the Environment

FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT

Operating Budget Recommendations

1. *Increase* CSG 41 (Contractual Services – Other), Program 6000 (Support Services Bureau), Activity 6400 (Risk Management), by \$2,103,000 in recurring local funds for the chronic disease treatment (\$1,065,000) and retirement plan cost increase (\$1,038,000), as required to fund the fiscal impact of the Fire and Emergency Medical Services Employee Presumptive Disability Amendment Act of 2012 (D.C. Law 19-331)
2. *Increase* FTEs by 1, and create a new position (Compliance Officer), as required to fund the Police and Fire Clinic FTE fiscal impact of the Fire and Emergency Medical Services Employee Presumptive Disability Amendment Act of 2012 (D.C. Law 19-331), with the accompanying local funds as follows:
 - a. Compliance Officer: create a new position in Program 6400 (Risk Management), Activity 6403 (Employee Wellness): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$83,264 and CSG 14 (Fringe Benefits – Current Personnel) by \$15,736: *total PS increase = \$99,000*
3. *Eliminate* 1 FTE and *reduce* CSG 11 by \$76,084 and CSG 14 (Fringe Benefits – Current Personnel) by \$13,543: *total PS reduction = \$89,627*, and by program as follows:
 - a. In Program 100F (Agency Financial Operations), Activity 110F (Agency Fiscal Officer Operations): *eliminate* 1 FTE (Budget Analyst: Position No. 4645), and *reduce* CSG 11 by \$76,084 and CSG 14 (Fringe Benefits – Current Personnel) by \$13,543: *total PS reduction = \$89,627*
4. *Reduce* CSG 13 (Additional Gross Pay), Program 3000 (Operations Bureau), Activity 3100 (Operations (Deputy Chief Ops)), by \$40,373 in recurring local funds to reduce the budgeted amount for shift differential

Capital Budget Recommendations

1. *Reduce* the available allotment balance for Project No. LE737C (Engine 27 Major Renovation) by \$1,000,000 and transfer that amount to Project No. FMF01 (Fleet Maintenance Reserve Facility) in FY19
2. *Reduce* the available allotment balance for Project No. LC437C (E-22 Firehouse Replacement) by \$9,135 and transfer that amount to the Committee on Transportation & the Environment

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

3. *Reduce* the available allotment balance for Project No. LE337C (Engine 5 Complete Renovation) by \$5,955 and transfer that amount to the Committee on Transportation & the Environment

HOMELAND SECURITY AND EMERGENCY MANAGEMENT AGENCY

Operating Budget Recommendations

1. *Increase* CSG 40 (Other Services and Charges), Program 1000 (Agency Management), Activity 1320 (All Hazards Emergency Support Services), by \$50,000 in one-time local funds to enhance the Community Events Fund's financial assistance to defray fees for special events that fundraise to benefit District agencies, whether or not those special events have registration fees

METROPOLITAN POLICE DEPARTMENT

Operating Budget Recommendations

1. *Reduce* CSG 40 (Other Services and Charges), Program 1001 (Patrol Services Bureau North and South), Activity 1500 (Patrol Districts), by \$450,000 in recurring local funds, allocating \$850,000 for loan repayment and tuition assistance and \$200,000 for the six-month rental assistance program for new recruits
2. *Reduce* CSG 40 (Other Services and Charges), Program 1001 (Patrol Services Bureau North and South), Activity 1500 (Patrol Districts), by \$800,000 in one-time local funds from FY18 and bring forward to FY19 (recognizing savings in six-month rental assistance program)
3. *Reduce* CSG 40 (Other Services and Charges), Program AMP1 (Agency Management), Program 1040 (Information Technology), by \$350,000 in local funds from FY18 and bring forward to FY19 (recognizing savings in body-worn camera redaction costs)

Capital Budget Recommendations

1. *Reduce* the available allotment balance for Project No. ATE01C (2850 NY Ave Building) by \$2,600,000 and convert that amount to \$600,000 in recurring local funds and \$200,000 in one-time operating funds
2. *Reduce* the available allotment balance for Project No. PDR01C (6th District Relocation) by \$1,737,781 and transfer that amount to the Committee on Transportation & the Environment

3. *Reduce* the available allotment balance for Project No. PLT10C (Crime Fighting Technology) by \$730,000 and transfer that amount to the Committee on Transportation & the Environment
4. *Reduce* the available allotment balance for Project No. ECS10C (Automation of Report Generation & Purcha) by \$133 and transfer that amount to the Committee on Transportation & the Environment

OFFICE OF THE ATTORNEY GENERAL

Operating Budget Recommendations

1. *Increase* FTEs by 4, and create four new positions with the accompanying local funds as follows:
 - a. Residency Fraud Attorney: create a new position in Program 5400 (Public Advocacy Division), Activity 5402 (Public Integrity Unit): *increase* CSG 11 (Regular Pay – Continuing Full-Time) by \$107,567, CSG 14 (Fringe Benefits – Current Personnel) by \$22,266, and CSG 20 (Supplies and Materials) by \$5,070: *total PS increase = \$134,903*
 - b. Data Statistician: create a new position in Program 6100 (Public Safety Division), Activity 6113 (Office of Division Deputy): *increase* CSG 11 (Regular Pay – Continuing Full-Time) by \$117,625, CSG 14 (Fringe Benefits – Current Personnel) by \$24,348, and CSG 20 (Supplies and Materials) by \$3,500: *total PS increase = \$145,473*
 - c. Elder Abuse Investigator: create a new position in Program 6100 (Public Safety Division), Activity 6114 (Domestic Violence Section): *increase* CSG 11 (Regular Pay – Continuing Full-Time) by \$76,082, CSG 14 (Fringe Benefits – Current Personnel) by \$15,748, and CSG 20 (Supplies and Materials) by \$3,500: *total PS increase = \$95,330*
 - d. Clemency Board Attorney: create a new position in Program 3100 (Legal Counsel Division), Activity 3103 (Office of Division Deputy): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$94,915, CSG 14 (Fringe Benefits – Current Personnel) by \$19,647, and CSG 20 (Supplies and Materials) by \$3,500: *total PS increase = \$118,062*
2. *Reduce* CSG 35 (Occupancy Fixed Costs), Program 1000 (Agency Management), Activity 1030 (AMP Property Mgmt), by \$320,000 in recurring local funds to right-size the fixed costs budget with projected rent for One Judiciary Square

OFFICE OF CAMPAIGN FINANCE

Operating Budget Recommendations

1. *Increase FTEs by 2, and create two new positions to oversee and support the Fair Elections Program, with the accompanying local funds as follows:*
 - a. Fair Elections Manager: create a new position in Program 2000 (Oversight Support Services), Activity 2010 (Public Information and Record Management): *increase CSG 11 (Regular Pay – Continuing Full Time) by \$123,178 and CSG 14 (Fringe Benefits – Current Personnel) by \$28,207: total PS increase = \$151,385*
 - b. Technology Officer: create a new position in Program 2000 (Oversight Support Services), Activity 2010 (Public Information and Record Management): *increase CSG 11 (Regular Pay – Continuing Full Time) by \$88,831 and CSG 14 (Fringe Benefits – Current Personnel) by \$20,342: total PS increase = \$109,173*
2. *Increase CSG 40 (Other Services and Charges), Program 2000 (Oversight Support Services), Activity 2010 (Public Information and Record Management), by \$25,000 in recurring local funds for associated nonpersonal services costs for the two new positions*

OFFICE OF THE CHIEF MEDICAL EXAMINER

Operating Budget Recommendations

1. *Increase FTEs by 2, and create two new positions with the accompanying local funds as follows, as required to fund the fiscal impact of the Committee’s proposed subtitle, the “Fatality Review Committee Amendment Act of 2018”:*
 - a. Fatality Review Program Specialist: create a new position in Program 3000 (Fatality Review Committees), Activity 3100 (Child Fatality Review Committee): *increase CSG 11 (Regular Pay – Continuing Full Time) by \$97,006 and CSG 14 (Fringe Benefits – Current Personnel) by \$21,050: total PS increase = \$118,056*
 - b. Fatality Review Program Specialist: create a new position in Program 3000 (Fatality Review Committees), Activity 3100 (Child Fatality Review Committee): *increase CSG 11 (Regular Pay – Continuing Full Time) by \$97,006 and CSG 14 (Fringe Benefits – Current Personnel) by \$21,050: total PS increase = \$118,056*

OFFICE OF HUMAN RIGHTS

Operating Budget Recommendations

1. *Increase* CSG 41 (Contractual Services – Other), Program 1000 (Office of Human Rights), Activity 1040 (Information Technology), by \$25,000 in one-time local funds for the procurement of a new case management system
2. *Increase* CSG 41 (Contractual Services – Other), Program 1000 (Office of Human Rights), Activity 1040 (Information Technology), by \$50,000 in recurring local funds for the maintenance of a new case management system
3. *Increase* CSG 41 (Contractual Services – Other), Program 2000 (Equal Justice Program), Activity 2060 (Research and Compliance), by \$45,000 in one-time local funds, as required to fund the survey costs of the fiscal impact of the Committee’s proposed subtitle, the “Street Harassment Prevention Act of 2018”
4. *Increase* CSG 41 (Contractual Services – Other), Program 2000 (Equal Justice Program), Activity 2060 (Research and Compliance), by \$40,000 in recurring local funds, as required to fund the marketing and outreach costs of the fiscal impact of the Committee’s proposed subtitle, the “Street Harassment Prevention Act of 2018”
5. *Increase* FTEs by 1, and create a new position (Program Analyst), as required to fund the fiscal impact of the Committee’s proposed subtitle, the “Street Harassment Prevention Act of 2018”, with the accompanying local funds as follows:
 - a. (Program Analyst): create a new position in Program 2000 (Equal Justice Program), Activity 2060 (Research and Compliance): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$82,927 and CSG 14 (Fringe Benefits – Current Personnel) by \$19,073: *total PS increase = \$102,000*

OFFICE OF NEIGHBORHOOD SAFETY AND ENGAGEMENT

Operating Budget Recommendations

1. *Increase* CSG 50 (Subsidies and Transfers), Program 2000 (Neighborhood Safety and Engagement), Activity 2040 (Violence Intervention), by \$200,000 in one-time local funds for violence prevention and intervention grants

OFFICE OF UNIFIED COMMUNICATIONS

Operating Budget Recommendations

1. *Increase* FTEs by 1, and create a new position (311 Call Taker), as required to fund an update in 311 services to accept requests for services related to maintenance or cleaning services at the Department of Parks and Recreation and District of Columbia Public School locations managed by the Department of General Services, with the accompanying recurring local funds as follows:
 - a. (311 Call Taker): create a new position in Program 3000 (Non-Emergency Operations (311) Division), Activity 3020 (311 Call Taking Activity): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$40,000 and CSG 14 (Fringe Benefits – Current Personnel) by \$12,000: *total PS increase = \$52,000*
2. *Increase* CSG 41 (Contractual Services – Other), Program 4000 (Technology Operations Division), Activity 4030 (Information Technology Management Activity), by \$112,500 in one-time local funds to update 311 services to accept requests for services related to maintenance or cleaning services at the Department of Parks and Recreation and District of Columbia Public School locations managed by the Department of General Services
3. *Eliminate* 23 FTEs and *reduce* CSG 41 (Contractual Services – Other) by \$2,539,589, and by program as follows, as proposed in the Mayor’s Errata Letter:
 - b. In Program 4000 (Technology Operations Division), Activity 4020 (Radio Engineering Activity): *eliminate* 20 FTEs, and *reduce* CSG 41 by \$2,041,740: *total PS reduction = \$2,041,740*
 - c. In Program 4000 (Technology Operations Division), Activity 4030 (Information Technology Mgmt Activity): *eliminate* 3 FTEs, and *reduce* CSG 41 by \$497,849: *total PS reduction = \$497,849*
2. *Increase* FTEs by 23, with the accompanying local funds as follows, as proposed in the Mayor’s Errata Letter:
 - a. In Program 4000 (Technology Operations Division), Activity 4020 (Radio Engineering Activity): *increase* CSG 12 (Regular Pay – Other) by \$1,235,008 and CSG 14 (Fringe Benefits – Current Personnel) by \$366,797: *total PS increase = \$1,601,805*

- b. In Program 4000 (Technology Operations Division), Activity 4030 (Information Technology Mgmt Activity): *increase* CSG 12 (Regular Pay – Other) by \$329,934 and CSG 14 (Fringe Benefits – Current Personnel) by \$97,990: *total PS increase = \$427,924*

OFFICE OF VICTIM SERVICES AND JUSTICE GRANTS

Operating Budget Recommendations

1. *Increase* CSG 50 (Subsidies and Transfers), Program 2000 (Justice Grants), Activity 2010 (Justice Grants), by \$368,585 in recurring local funds to enhance grants for reentry-related services, including \$100,000 as required to fund the fiscal impact of B22-0451, the “Youth Rehabilitation Amendment Act of 2018”
2. *Increase* CSG 50 (Subsidies and Transfers), Program 2000 (Justice Grants), Activity 2010 (Justice Grants), by \$350,000 in one-time local funds to enhance grants for reentry-related services, including \$150,000 to fund a grant to build stakeholder engagement and solicit feedback related to the design and construction of a new correctional facility
3. *Increase* CSG 50 (Subsidies and Transfers), Program 3000 (Access to Justice), Activity 3010 (Access to Justice), by \$391,000 in recurring local funds for the Access to Justice Initiative for grants and loan repayment assistance
4. *Increase* CSG 50 (Subsidies and Transfers), Program 3000 (Access to Justice), Activity 3010 (Access to Justice), by \$600,000 in one-time local funds for the Civil Legal Counsel Projects Program
5. *Increase* CSG 50 (Subsidies and Transfers), Program 4000 (Victim Services), Activity 4010 (Victim Services), by \$500,000 in recurring local funds to enhance grants for victim services
6. *Increase* FTEs by 1, and create a new position (Program Analyst), as required to fund the fiscal impact of B22-0037, the “Address Confidentiality Amendment Act 2018”, with the accompanying recurring local funds as follows:
 - a. Program Analyst: create a new position in Program 4000 (Victim Services), new Activity 4020 (Address Confidentiality Program): *increase* CSG 11 by \$72,457 and CSG 14 by \$15,941: *total PS increase = \$88,398*
7. *Increase* CSG 40 (Other Services and Charges), Program 4000 (Victim Services), new Activity 4020 (Address Confidentiality Program), by \$45,000 in recurring local funds for nonpersonal services needs, including training,

mailing, and appeals, as required to fund the fiscal impact of B22-0037, the “Address Confidentiality Amendment Act 2018”

INTER-COMMITTEE TRANSFERS

Operating Budget Recommendations

Committee on Business & Economic Development

1. The Committee *accepts* \$600,000 in one-time local funds from the **Committee on Business & Economic Development** to fund the Civil Legal Counsel Projects Program at the Office of Victim Services and Justice Grants.
2. The Committee *accepts* \$200,000 in one-time local funds from the **Committee on Business & Economic Development** for violence prevention and intervention grants at the Office of Neighborhood Safety and Engagement

Committee on Health

3. The Committee *transfers* \$40,000 in one-time local funds to the **Committee on Health** to the Department of Health to fund an FY19 pilot program to waive the vital records fees for (1) individuals within one year of their release from the Federal Bureau of Prisons’ (“BOP”) custody, and (2) individuals in the custody of the BOP at a District halfway house. This pilot program will fund the fiscal impact of the Committee’s proposed subtitle, the “Returning Citizens Opportunity to Succeed Amendment Act of 2018”.

Committee on Human Services

4. The Committee *transfers* \$150,000 in one-time local funds to the **Committee on Human Services** to the Department of Youth Rehabilitation Services for the development of a strategic plan for serving youth offenders and young people at risk of becoming youth offenders, as required to fund the fiscal impact of B22-0451, the “Youth Rehabilitation Amendment Act of 2018”.

Committee on Housing & Neighborhood Revitalization

5. The Committee *accepts* \$95,330 in recurring local funds from the **Committee on Housing & Neighborhood Revitalization** to fund an Elder Abuse Investigator FTE at the Office of the Attorney General.

Committee on Transportation & the Environment

6. The Committee *accepts* \$164,500 in local funds from the **Committee on Transportation & the Environment** (\$52,000 in one-time funds and \$112,500 in recurring funds) to fund that Committee's budget subtitle to allow residents to submit 311 reports for maintenance and DGS-related service needs for DPS and DCPS facilities managed by DGS
7. The Committee *accepts* \$2,202,000 in recurring local funds from the **Committee on Transportation & the Environment**, as required to fund the chronic disease treatment (\$1,065,000), retirement plan cost increase (\$1,038,000), and Police and Fire Clinic FTE costs of the Fire and Emergency Medical Services Employee Presumptive Disability Amendment Act of 2012 (D.C. Law 19-331)
8. The Committee *accepts* \$103,262 in recurring local funds from the **Committee on Transportation & the Environment**, as required to fund the fiscal impact of the Committee's proposed subtitle, the "Voter Registration Agency Amendment Act of 2018".
9. The Committee *transfers* \$25,000 in one-time local funds to the **Committee on Transportation & the Environment** to the Department of General Services for a study of the needs and costs associated with the installation of bollards around Eastern Market, including across the north and south ends of 7th Street, SE, from North Carolina Avenue, SE, to Pennsylvania Avenue, SE, and from north to south along C Street, SE, as it intersects with 7th Street, SE.
10. The Committee *transfers* \$92,000 in one-time local funds to the **Committee on Transportation & the Environment** to the Department of Motor Vehicles to fund an FY19 pilot program to waive the driver's license and identification card fees for (1) individuals within one year of their release from the Federal Bureau of Prisons' ("BOP") custody, and (2) individuals in the custody of the BOP at a District halfway house. This pilot program will fund the fiscal impact of the Committee's proposed subtitle, the "Returning Citizens Opportunity to Succeed Amendment Act of 2018".

Tax Abatement

11. The Committee *funds* the fiscal impact of L21-30, the Naval Lodge Building, Inc. Real Property Tax Relief Act of 2015, beginning October 1, 2019, as recommended to be modified and included in a subject-to-appropriations repeals subtitle by the Committee of the Whole, in the amount of \$118,399 in recurring local funds.

Capital Budget Recommendations

Committee on Transportation & the Environment

1. The Committee *transfers* \$2,485,008 in capital funds to the **Committee on Transportation & the Environment** as follows:
 - a. To the Department of General Services: *transfer* \$985,008 to Project No. EST01 (Eastern Market Metro Park) in FY20 to implement the site master plan in coordination with the adjacent renovation of the Southeast Neighborhood Library
 - b. To the Department of Parks and Recreation:
 - i. *Transfer* \$100,000 to Project No. QN702 (Athletic Field and Park Improvements) in FY19 to fully implement the site design for Virginia Avenue Park improvements
 - ii. *Transfer* \$400,000 to Project No. QN754 (Lansburgh Park Improvements) in FY19 to upgrade lighting, seating, access to water, and other park amenities
 - iii. *Transfer* \$100,000 to Project No. QE437C (Hill East Parks) in FY19 to complete the installation of designs
 - iv. *Transfer* \$500,000 to Project No. QN752 (Southwest Playground Improvements) in FY19 to renovate the existing play space at 3rd and I Street Park in coordination with the adjacent renovation of the Southwest Neighborhood Library
 - c. To the Department of Transportation: *transfer* \$400,000 to create and fund a new project (Garfield Park Connector) in FY19 to restore and improve the portion of Garfield Park under the freeway overpass, creating an ADA-accessible connection to the Navy Yard/Canal Park area

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

B. FISCAL YEAR 2019 AGENCY OPERATING BUDGET SUMMARY TABLE

<i>Fund</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Committee Variance</i>	<i>Committee Approved</i>
<i>Board of Elections</i>					
FEDERAL GRANT FUND	\$1,350,843	\$1,000,000	\$0		\$0
LOCAL FUND	\$7,661,693	\$7,907,003	\$10,489,133	\$191,488	\$10,680,621
PRIVATE GRANT FUND	\$0	\$0	\$0		\$0
	\$9,012,537	\$8,907,003	\$10,489,133	\$191,488	\$10,680,621
<i>Commission on Judicial Disabilities and Tenure</i>					
FEDERAL PAYMENTS	\$306,039	\$295,000	\$295,000		\$295,000
	\$306,039	\$295,000	\$295,000		\$295,000
<i>Corrections Information Council</i>					
PRIVATE DONATIONS	\$1,727	\$0			\$0
LOCAL FUND	\$450,715	\$748,313	\$646,224	\$97,830	\$744,054
OPERATING INTRA-DISTRICT FUNDS	\$74,971	\$0			\$0
	\$527,412	\$748,313	\$646,224	\$97,830	\$744,054
<i>Criminal Code Reform Commission</i>					
LOCAL FUND	\$659,248	\$700,905	\$723,873		\$723,873
	\$659,248	\$700,905	\$723,873		\$723,873
<i>Criminal Justice Coordinating Council</i>					
FEDERAL PAYMENTS	\$2,237,628	\$1,900,000	\$1,900,000		\$1,900,000
LOCAL FUND	\$557,942	\$1,237,782	\$1,018,430	\$636,500	\$1,654,930
OPERATING INTRA-DISTRICT FUNDS	\$112,292	\$85,000	\$105,397		\$105,397
PRIVATE GRANT FUND	\$0	\$14,409	\$0		\$0
FEDERAL GRANT FUND	\$140,675	\$150,000	\$150,000		\$150,000
	\$3,048,536	\$3,387,191	\$3,173,827	\$636,500	\$3,810,327

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

<i>Fund</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Committee Variance</i>	<i>Committee Approved</i>
<i>D.C. Board of Ethics and Government Accountability</i>					
LOCAL FUND	\$2,070,775	\$2,178,719	\$2,213,520	\$84,186	\$2,297,706
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	\$95,042	\$150,000	\$152,652		\$152,652
	\$2,165,817	\$2,328,719	\$2,366,172	\$84,186	\$2,450,358
<i>DC Sentencing Commission</i>					
LOCAL FUND	\$947,750	\$1,178,839	\$1,185,927		\$1,185,927
	\$947,750	\$1,178,839	\$1,185,927		\$1,185,927
<i>Department of Corrections</i>					
FEDERAL GRANT FUND	(\$32,118)	\$0	\$0		\$0
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	\$19,936,169	\$21,111,206	\$21,020,425		\$21,020,425
LOCAL FUND	\$134,990,268	\$124,076,532	\$144,793,594	(\$876,690)	\$143,916,904
OPERATING INTRA-DISTRICT FUNDS	\$246,383	\$427,558	\$311,621		\$311,621
	\$155,140,703	\$145,615,296	\$166,125,640	(\$876,690)	\$165,248,950
<i>Department of Forensic Sciences</i>					
FEDERAL GRANT FUND	\$359,890	\$522,502	\$459,784		\$459,784
LOCAL FUND	\$20,528,970	\$25,786,572	\$26,100,720		\$26,100,720
OPERATING INTRA-DISTRICT FUNDS	\$3,142,324	\$1,791,596	\$1,480,262		\$1,480,262
PRIVATE GRANT FUND	\$0	\$0	\$0		\$0
	\$24,031,184	\$28,100,670	\$28,040,766		\$28,040,766
<i>District of Columbia National Guard</i>					
FEDERAL GRANT FUND	\$7,022,209	\$8,285,362	\$9,179,500		\$9,179,500

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

<i>Fund</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Committee Variance</i>	<i>Committee Approved</i>
FEDERAL PAYMENTS	\$465,004	\$435,000	\$435,000		\$435,000
LOCAL FUND	\$5,088,335	\$5,187,673	\$4,810,037		\$4,810,037
	\$12,575,547	\$13,908,035	\$14,424,537		\$14,424,537
<i>Emergency Planning and Security Fund</i>					
FEDERAL PAYMENTS	\$17,111,722	\$13,000,000	\$12,000,000		\$12,000,000
	\$17,111,722	\$13,000,000	\$12,000,000		\$12,000,000
<i>Fire and Emergency Medical Services Department</i>					
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	\$321,116	\$1,835,684	\$1,762,425		\$1,762,425
PRIVATE DONATIONS	\$363	\$0	\$0		\$0
OPERATING INTRA-DISTRICT FUNDS	\$5,070,293	\$0	\$259,213		\$259,213
FEDERAL GRANT FUND	\$4,353,222	\$3,053,770	\$0		\$0
LOCAL FUND	\$248,566,427	\$249,680,668	\$255,446,742	\$2,072,000	\$257,518,742
	\$258,311,421	\$254,570,123	\$257,468,380	\$2,072,000	\$259,540,380
<i>Homeland Security and Emergency Management Agency</i>					
FEDERAL GRANT FUND	\$93,332,441	\$131,743,035	\$137,068,542		\$137,068,542
LOCAL FUND	\$4,665,488	\$4,827,226	\$5,103,405	\$50,000	\$5,153,405
OPERATING INTRA-DISTRICT FUNDS	\$38,003	\$0	\$0		\$0
	\$98,035,932	\$136,570,261	\$142,171,948	\$50,000	\$142,221,948
<i>Homeland Security Grants</i>					
OPERATING INTRA-DISTRICT FUNDS	\$6,529,665	\$1,646,077	\$1,724,516		\$1,724,516
	\$6,529,665	\$1,646,077	\$1,724,516		\$1,724,516
<i>Judicial Nomination Commission</i>					

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

<i>Fund</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Committee Variance</i>	<i>Committee Approved</i>
FEDERAL PAYMENTS	\$266,118	\$270,000	\$270,000		\$270,000
	\$266,118	\$270,000	\$270,000		\$270,000
<i>Metropolitan Police Department</i>					
FEDERAL GRANT FUND	\$4,450,305	\$6,144,690	\$3,906,873		\$3,906,873
LOCAL FUND	\$507,188,231	\$503,729,442	\$510,230,108	(\$450,000)	\$509,780,108
OPERATING INTRA-DISTRICT FUNDS	\$39,049,821	\$30,629,338	\$31,355,802		\$31,355,802
PRIVATE DONATIONS	\$116,661	\$0	\$0		\$0
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	\$4,207,129	\$8,200,000	\$8,200,000		\$8,200,000
	\$555,012,147	\$548,703,469	\$553,692,783	(\$450,000)	\$553,242,783
<i>Office of Neighborhood Safety and Engagement</i>					
LOCAL FUND	\$0	\$2,129,416	\$4,731,411	\$200,000	\$4,931,411
	\$0	\$2,129,416	\$4,731,411	\$200,000	\$4,931,411
<i>Office of Campaign Finance</i>					
LOCAL FUND	\$2,688,238	\$2,908,335	\$3,847,103	\$285,558	\$4,132,661
	\$2,688,238	\$2,908,335	\$3,847,103	\$285,558	\$4,132,661
<i>Office of Human Rights</i>					
LOCAL FUND	\$4,035,494	\$4,599,752	\$4,738,346	\$262,000	\$5,000,346
OPERATING INTRA-DISTRICT FUNDS	\$200,800	\$0	\$200,000		\$200,000
FEDERAL GRANT FUND	\$246,827	\$330,100	\$338,778		\$338,778
PRIVATE GRANT FUND	\$49,400	\$0	\$27,445		\$27,445
	\$4,532,520	\$4,929,852	\$5,304,569	\$262,000	\$5,566,569
<i>Office of Police Complaints</i>					
LOCAL FUND	\$2,276,146	\$2,600,802	\$2,538,132		\$2,538,132

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

<i>Fund</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Committee Variance</i>	<i>Committee Approved</i>
	\$2,276,146	\$2,600,802	\$2,538,132		\$2,538,132
<i>Office of the Attorney General for the District of Columbia</i>					
FEDERAL GRANT FUND	\$18,393,374	\$23,039,547	\$23,583,475		\$23,583,475
LOCAL FUND	\$56,615,617	\$63,616,335	\$65,842,219	\$173,768	\$66,015,987
OPERATING INTRA-DISTRICT FUNDS	\$4,212,589	\$3,785,467	\$3,773,279		\$3,773,279
PRIVATE DONATIONS	\$479,766	\$539,030	\$548,461		\$548,461
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	\$3,373,651	\$10,503,720	\$12,819,443		\$12,819,443
	\$83,074,998	\$101,484,098	\$106,566,877	\$173,768	\$106,740,645
<i>Office of the Chief Medical Examiner</i>					
LOCAL FUND	\$11,315,894	\$11,445,208	\$12,154,153	\$236,114	\$12,390,267
OPERATING INTRA-DISTRICT FUNDS	\$1,221,393	\$715,000	\$679,296		\$679,296
	\$12,537,287	\$12,160,208	\$12,833,449	\$236,114	\$13,069,563
<i>Office of the Deputy Mayor for Public Safety and Justice</i>					
LOCAL FUND	\$1,682,824	\$1,613,365	\$1,596,270		\$1,596,270
OPERATING INTRA-DISTRICT FUNDS	\$48,304	\$0	\$0		\$0
FEDERAL GRANT FUND	(\$4,108)	\$0	\$0		\$0
	\$1,727,020	\$1,613,365	\$1,596,270		\$1,596,270
<i>Office of Unified Communications</i>					
LOCAL FUND	\$31,398,603	\$32,735,550	\$33,948,007	\$164,500	\$33,948,007
OPERATING INTRA-DISTRICT FUNDS	\$2,844,302	\$699,016	\$1,047,739		\$1,047,739
SPECIAL PURPOSE	\$13,204,909	\$15,356,809	\$14,197,084		\$14,197,084

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

<i>Fund</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Committee Variance</i>	<i>Committee Approved</i>
REVENUE FUNDS (O'TYPE)					
	\$47,447,814	\$48,791,375	\$49,192,829	\$164,500	\$49,357,329
<i>Office of Victim Services and Justice Grants</i>					
FEDERAL GRANT FUND	\$8,726,197	\$14,070,571	\$11,861,581		\$11,861,581
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	\$2,123,758	\$1,836,675	\$2,230,544		\$2,230,544
LOCAL FUND	\$22,830,693	\$28,941,300	\$28,823,996	\$2,342,983	\$31,166,979
OPERATING INTRA-DISTRICT FUNDS	\$1,500,000	\$0	\$6,561		\$6,561
	\$35,180,647	\$44,848,546	\$42,922,681	\$2,342,983	\$45,265,664
<i>Section 103 Judgements-Human Services</i>					
LOCAL FUND	\$2,600,000	\$0	\$0		\$0
	\$2,600,000	\$0	\$0		\$0
<i>Section 103 Judgments - Government Direction and Support</i>					
LOCAL FUND	\$4,346,342	\$0	\$0		\$0
	\$4,346,342	\$0	\$0		\$0
<i>Section 103 Judgments-Public Education System</i>					
LOCAL FUND	\$5,481,576	\$0	\$0		\$0
	\$5,481,576	\$0	\$0		\$0
<i>Section 103 Judgments-Public Safety and Justice</i>					
LOCAL FUND	\$340,000	\$0	\$0		\$0
	\$340,000	\$0	\$0		\$0
<i>Settlements and Judgments</i>					
LOCAL FUND	\$21,292,448	\$21,824,759	\$21,824,759		\$21,824,759
	\$21,292,448	\$21,824,759	\$21,824,759		\$21,824,759
<i>Uniform Law Commission</i>					
LOCAL FUND	\$46,529	\$51,250	\$60,250		\$60,250
	\$46,529	\$51,250	\$60,250		\$60,250

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

<i>Fund</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Committee Variance</i>	<i>Committee Approved</i>
TOTAL	\$1,367,253,347	\$1,403,271,906	\$1,446,217,058	\$5,430,237	\$1,451,687,295

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

C. FISCAL YEAR 2019 AGENCY OPERATING BUDGET SUMMARY TABLE BY CSG

<i>CSG</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
<i>Board of Elections</i>					
11	\$3,487,785	\$2,956,538	\$4,941,059	\$74,705	\$5,015,764
12	\$647,965	\$634,400	\$705,331		\$705,331
13	\$61,398	\$0			\$0
14	\$751,141	\$649,225	\$883,726	\$13,521	\$897,247
15	\$440,442	\$500,000	\$500,000		\$500,000
20	\$178,146	\$285,000	\$185,000		\$185,000
31	\$18,359	\$20,000	\$20,000		\$20,000
40	\$1,746,809	\$2,249,360	\$1,816,718		\$1,816,718
41	\$544,121	\$645,000	\$536,819	\$103,262	\$640,081
70	\$1,136,371	\$967,480	\$900,480		\$900,480
	\$9,012,537	\$8,907,003	\$10,489,133	\$191,488	\$10,680,621
<i>Commission on Judicial Disabilities and Tenure</i>					
11	\$218,093	\$216,250	\$225,417		\$225,417
13	\$4,744	\$0	\$0		\$0
14	\$25,086	\$14,926	\$26,599		\$26,599
20	\$3,000	\$2,500	\$0		\$0
31	\$2,926	\$6,756	\$6,619		\$6,619
40	\$25,225	\$26,232	\$16,365		\$16,365
41	\$24,666	\$26,037	\$20,000		\$20,000
70	\$2,300	\$2,300	\$0		\$0
	\$306,039	\$295,000	\$295,000		\$295,000
<i>Corrections Information Council</i>					
11	\$47,625	\$222,392	\$232,295	\$66,085	\$298,380
12	\$273,890	\$225,616	\$269,124		\$269,124
13	\$3,210	\$0	\$0		\$0
14	\$69,553	\$81,538	\$104,532	\$13,745	\$118,277
20	\$2,956	\$5,000	\$5,000		\$5,000
31	\$45	\$13,500	\$0		\$0
32	\$0	\$150,000	\$0		\$0
40	\$130,133	\$50,267	\$34,272	\$18,000	\$52,272
70	\$0	\$0	\$1,000		\$1,000
	\$527,412	\$748,313	\$646,224	\$97,830	\$744,054
<i>Criminal Code Reform Commission</i>					

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

<i>CSG</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
11	(\$1,916)	\$520,559	\$536,176		\$536,176
12	\$535,760	\$0	\$0		\$0
14	\$105,623	\$119,729	\$113,669		\$113,669
20	\$13,730	\$3,850	\$1,735		\$1,735
31	\$6,050	\$500	\$6,600		\$6,600
40	\$0	\$56,267	\$65,693		\$65,693
	\$659,248	\$700,905	\$723,873		\$723,873
<i>Criminal Justice Coordinating Council</i>					
11	\$1,646,812	\$1,905,949	\$1,985,331	\$71,850	\$2,057,181
12	\$59,113	\$59,249	\$62,286		\$62,286
13	\$1,390	\$0	\$0		\$0
14	\$352,664	\$332,119	\$374,714	\$13,150	\$387,864
20	\$75,040	\$16,800	\$10,000		\$10,000
31	\$24,007	\$0	\$0		\$0
40	\$157,733	\$161,909	\$38,969	\$391,500	\$430,469
41	\$731,778	\$541,166	\$702,526		\$702,526
70	\$0	\$370,000	\$0	\$160,000	\$160,000
	\$3,048,536	\$3,387,191	\$3,173,827	\$636,500	\$3,810,327
<i>D.C. Board of Ethics and Government Accountability</i>					
11	\$1,371,558	\$1,516,606	\$1,664,023	\$35,305	\$1,699,328
12	\$97,970	\$87,210	\$0		\$0
13	\$18,476	\$0	\$0		\$0
14	\$294,184	\$322,526	\$342,789	\$8,881	\$351,670
20	\$408	\$65,657	\$20,000	\$40,000	\$60,000
31	\$500	\$0	\$0		\$0
40	\$382,722	\$286,720	\$339,360		\$339,360
41	\$0	\$50,000	\$0		\$0
	\$2,165,817	\$2,328,719	\$2,366,172	\$84,186	\$2,450,358
<i>DC Sentencing Commission</i>					
11	\$471,407	\$552,419	\$583,204		\$583,204
13	\$0	\$9,700	\$0		\$0
14	\$95,196	\$114,351	\$123,639		\$123,639
20	\$0	\$9,468	\$10,468		\$10,468
31	\$300	\$4,003	\$3,648		\$3,648
40	\$67,915	\$82,538	\$78,752		\$78,752

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

<i>CSG</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
41	\$307,039	\$403,360	\$386,215		\$386,215
70	\$5,894	\$3,000	\$0		\$0
	\$947,750	\$1,178,839	\$1,185,927		\$1,185,927
<i>Department of Corrections</i>					
11	\$56,104,578	\$75,515,413	\$71,735,821		\$71,735,821
12	\$6,931,472	\$811,930	\$10,714,300	(\$672,309)	\$10,041,991
13	\$5,134,855	\$4,300,000	\$4,871,896		\$4,871,896
14	\$18,396,489	\$22,527,657	\$25,064,642	(\$204,381)	\$24,860,261
15	\$15,888,083	\$2,728,472	\$8,621,956		\$8,621,956
20	\$9,121,401	\$7,454,073	\$9,405,604		\$9,405,604
31	\$154,596	\$81,200	\$81,200		\$81,200
32	\$1,295,500	\$0	\$0		\$0
40	\$5,073,076	\$3,783,247	\$4,949,901		\$4,949,901
41	\$34,558,781	\$27,314,630	\$29,073,219		\$29,073,219
50	\$390,594	\$483,000	\$505,000		\$505,000
70	\$2,091,278	\$615,674	\$1,102,100		\$1,102,100
	\$155,140,703	\$145,615,296	\$166,125,640	(\$876,690)	\$165,248,950
<i>Department of Forensic Sciences</i>					
11	\$9,850,672	\$14,935,727	\$14,152,197		\$14,152,197
12	\$3,833,438	\$2,218,342	\$3,488,174		\$3,488,174
13	\$580,032	\$541,794	\$541,794		\$541,794
14	\$2,852,606	\$3,889,890	\$3,972,520		\$3,972,520
15	\$423,828	\$264,000	\$264,000		\$264,000
20	\$1,413,393	\$1,656,713	\$1,247,374		\$1,247,374
31	\$5,768	\$42,537	\$42,537		\$42,537
40	\$1,761,045	\$1,543,355	\$1,385,833		\$1,385,833
41	\$2,498,795	\$2,167,014	\$2,277,716		\$2,277,716
70	\$811,607	\$841,297	\$668,620		\$668,620
	\$24,031,184	\$28,100,670	\$28,040,766		\$28,040,766
<i>District of Columbia National Guard</i>					
11	\$3,175,368	\$3,935,377	\$4,092,992		\$4,092,992
12	\$3,428,647	\$3,296,828	\$3,567,076		\$3,567,076
13	\$90,194	\$47,367	\$83,000		\$83,000
14	\$1,631,092	\$1,699,568	\$1,884,377		\$1,884,377
15	\$149,270	\$337,991	\$715,054		\$715,054

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

CSG	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
20	\$182,255	\$205,365	\$213,462		\$213,462
31	\$24,028	\$29,000	\$34,056		\$34,056
40	\$2,732,662	\$3,718,863	\$3,127,630		\$3,127,630
41	\$502,873	\$0	\$0		\$0
50	\$594,973	\$562,462	\$616,855		\$616,855
70	\$64,185	\$75,215	\$90,035		\$90,035
	\$12,575,547	\$13,908,035	\$14,424,537		\$14,424,537
<i>Emergency Planning and Security Fund</i>					
50	\$17,111,722	\$13,000,000	\$12,000,000		\$12,000,000
	\$17,111,722	\$13,000,000	\$12,000,000		\$12,000,000
<i>Fire and Emergency Medical Services Department</i>					
11	\$152,457,071	\$157,240,838	\$158,655,625	\$7,179	\$158,662,804
12	\$993,496	\$959,701	\$679,513		\$679,513
13	\$8,033,453	\$8,018,990	\$8,195,009	(\$40,373)	\$8,154,636
14	\$28,619,307	\$28,127,447	\$27,191,119	\$2,194	\$27,193,313
15	\$22,370,444	\$16,504,189	\$18,219,706		\$18,219,706
20	\$5,660,724	\$5,049,000	\$5,900,973		\$5,900,973
30	\$74,162	\$0	\$0		\$0
31	\$41,667	\$61,800	\$50,000		\$50,000
40	\$8,967,635	\$6,754,151	\$4,601,470		\$4,601,470
41	\$18,947,374	\$20,796,006	\$23,028,966	\$2,103,000	\$25,131,966
50	\$10,796,000	\$10,796,000	\$10,796,000		\$10,796,000
70	\$1,350,089	\$262,000	\$150,000		\$150,000
	\$258,311,421	\$254,570,123	\$257,468,380	\$2,072,000	\$259,540,380
<i>Homeland Security and Emergency Management Agency</i>					
11	\$6,875,917	\$7,823,989	\$8,723,161		\$8,723,161
12	\$2,057,871	\$2,469,669	\$3,130,991		\$3,130,991
13	\$245,235	\$156,618	\$207,318		\$207,318
14	\$1,819,015	\$2,398,422	\$2,726,455		\$2,726,455
15	\$251,483	\$220,263	\$293,843		\$293,843
20	\$106,420	\$166,541	\$201,791		\$201,791
31	\$2,067	\$30,000	\$31,302		\$31,302
40	\$1,902,661	\$3,297,127	\$3,797,789	\$50,000	\$3,847,789
41	\$580,613	\$2,764,679	\$2,782,635		\$2,782,635
50	\$83,985,116	\$116,693,499	\$118,965,884		\$118,965,884

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

<i>CSG</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
70	\$209,534	\$549,455	\$1,310,780		\$1,310,780
	\$98,035,932	\$136,570,261	\$142,171,948	\$50,000	\$142,221,948
<i>Homeland Security Grants</i>					
20	\$15,346	\$0	\$0		\$0
40	\$515,534	\$0	\$0		\$0
41	\$2,644,670	\$1,646,077	\$1,649,516		\$1,649,516
70	\$3,354,116	\$0	\$75,000		\$75,000
	\$6,529,665	\$1,646,077	\$1,724,516		\$1,724,516
<i>Judicial Nomination Commission</i>					
11	\$191,792	\$198,204	\$206,404		\$206,404
13	\$356	\$0	\$0		\$0
14	\$48,114	\$35,691	\$43,139		\$43,139
15	\$52	\$500	\$0		\$0
20	\$4,150	\$6,400	\$750		\$750
31	\$5,427	\$5,581	\$5,751		\$5,751
40	\$3,096	\$14,746	\$13,783		\$13,783
41	\$10,989	\$5,238	\$173		\$173
70	\$2,142	\$3,640	\$0		\$0
	\$266,118	\$270,000	\$270,000		\$270,000
<i>Metropolitan Police Department</i>					
11	\$341,594,677	\$340,005,866	\$335,485,994		\$335,485,994
12	\$11,915,047	\$5,045,607	\$17,151,978		\$17,151,978
13	\$21,821,872	\$29,036,383	\$25,153,281		\$25,153,281
14	\$60,029,742	\$58,361,945	\$62,995,534		\$62,995,534
15	\$41,233,463	\$30,687,075	\$28,283,998		\$28,283,998
20	\$3,831,553	\$4,052,804	\$5,045,518		\$5,045,518
30	\$272,603	\$3,000	\$3,000		\$3,000
31	\$1,378,531	\$80,000	\$1,584,000		\$1,584,000
40	\$14,646,322	\$25,077,144	\$19,695,711	(\$450,000)	\$19,245,711
41	\$56,520,063	\$53,333,064	\$56,345,000		\$56,345,000
50	\$57,063	\$2,400	\$102,500		\$102,500
70	\$1,711,210	\$3,018,181	\$1,846,269		\$1,846,269
	\$555,012,147	\$548,703,469	\$553,692,783	(\$450,000)	\$553,242,783
<i>Office of Neighborhood Safety and Engagement</i>					
11	\$0	\$1,014,161	\$1,812,404		\$1,812,404

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

<i>CSG</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
12	\$0	\$48,933	\$0		\$0
13	\$0	\$25,000	\$75,614		\$75,614
14	\$0	\$209,497	\$359,567		\$359,567
15	\$0	\$25,000	\$25,000		\$25,000
20	\$0	\$500	\$50,500		\$50,500
31	\$0	\$15,000	\$15,000		\$15,000
40	\$0	\$41,326	\$258,326		\$258,326
50	\$0	\$750,000	\$2,075,000	\$200,000	\$2,275,000
70	\$0	\$0	\$60,000		\$60,000
	\$0	\$2,129,416	\$4,731,411	\$200,000	\$4,931,411
<i>Office of Campaign Finance</i>					
11	\$2,069,634	\$2,253,652	\$2,598,804	\$212,009	\$2,810,813
13	\$31,508	\$0	\$0		\$0
14	\$448,103	\$518,340	\$548,902	\$48,549	\$597,451
15	\$545	\$0	\$0		\$0
20	\$0	\$10,000	\$10,000		\$10,000
40	\$138,448	\$126,343	\$627,397	\$25,000	\$652,397
70	\$0	\$0	\$62,000		\$62,000
	\$2,688,238	\$2,908,335	\$3,847,103	\$285,558	\$4,132,661
<i>Office of Human Rights</i>					
11	\$2,043,124	\$2,677,791	\$2,771,919	\$82,927	\$2,854,846
12	\$1,013,558	\$1,112,140	\$1,062,201		\$1,062,201
13	\$61,670	\$0	\$0		\$0
14	\$709,591	\$835,718	\$881,847	\$19,073	\$900,920
15	\$719	\$0	\$0		\$0
20	\$22,959	\$11,748	\$11,749		\$11,749
31	\$1,367	\$0	\$0		\$0
40	\$177,200	\$98,626	\$195,580		\$195,580
41	\$428,235	\$186,553	\$373,998	\$160,000	\$533,998
70	\$74,098	\$7,277	\$7,277		\$7,277
	\$4,532,520	\$4,929,852	\$5,304,569	\$262,000	\$5,566,569
<i>Office of Police Complaints</i>					
11	\$1,529,886	\$1,657,636	\$1,718,640		\$1,718,640
12	\$237,942	\$244,046	\$259,525		\$259,525
13	\$5,089	\$7,374	\$7,374		\$7,374

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

<i>CSG</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
14	\$342,243	\$356,712	\$416,725		\$416,725
15	\$3,183	\$5,000	\$5,000		\$5,000
20	\$20,000	\$40,000	\$48,875		\$48,875
31	\$924	\$1,000	\$1,000		\$1,000
40	\$67,053	\$48,278	\$16,350		\$16,350
41	\$64,536	\$233,657	\$64,645		\$64,645
70	\$5,291	\$7,099	\$0		\$0
	\$2,276,146	\$2,600,802	\$2,538,132		\$2,538,132
<i>Office of the Attorney General for the District of Columbia</i>					
11	\$46,145,121	\$53,531,905	\$55,866,143	\$396,189	\$56,262,332
12	\$7,624,006	\$7,060,392	\$7,007,283		\$7,007,283
13	\$918,931	\$1,018,388	\$946,328		\$946,328
14	\$11,054,996	\$12,358,694	\$13,382,818	\$82,009	\$13,464,827
15	\$124,150	\$0	\$0		\$0
20	\$296,655	\$720,862	\$619,587	\$15,570	\$635,157
30	\$651,879	\$685,071	\$717,341		\$717,341
31	\$739,733	\$355,897	\$424,517		\$424,517
34	\$428,280	\$438,931	\$272,687		\$272,687
35	\$810,543	\$933,506	\$1,471,800	(\$320,000)	\$1,151,800
40	\$3,362,806	\$5,331,167	\$7,434,449		\$7,434,449
41	\$9,173,447	\$16,344,644	\$16,328,189		\$16,328,189
50	\$1,043,846	\$1,474,977	\$1,474,977		\$1,474,977
70	\$700,605	\$1,229,663	\$620,758		\$620,758
	\$83,074,998	\$101,484,098	\$106,566,877	\$173,768	\$106,740,645
<i>Office of the Chief Medical Examiner</i>					
11	\$6,483,221	\$7,595,311	\$8,237,108	\$194,013	\$8,431,121
12	\$893,046	\$812,218	\$553,743		\$553,743
13	\$367,596	\$304,604	\$304,604		\$304,604
14	\$1,538,690	\$1,765,581	\$1,907,615	\$42,101	\$1,949,716
15	\$199,404	\$149,350	\$149,350		\$149,350
20	\$757,116	\$632,985	\$693,984		\$693,984
31	\$5,747	\$9,500	\$9,500		\$9,500
40	\$1,015,840	\$224,283	\$281,048		\$281,048
41	\$401,587	\$666,377	\$696,498		\$696,498
70	\$875,040	\$0	\$0		\$0

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

CSG	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
	\$12,537,287	\$12,160,208	\$12,833,449	\$236,114	\$13,069,563
<i>Office of the Deputy Mayor for Public Safety and Justice</i>					
11	\$702,207	\$1,121,595	\$1,035,162		\$1,035,162
12	\$53,436	\$0	\$0		\$0
13	\$17,086	\$0	\$0		\$0
14	\$141,022	\$225,292	\$215,314		\$215,314
15	\$423	\$0	\$0		\$0
20	\$4,320	\$10,995	\$10,800		\$10,800
31	\$26,991	\$27,082	\$0		\$0
40	\$780,992	\$218,797	\$326,994		\$326,994
41	\$544	\$0	\$0		\$0
70	\$0	\$9,604	\$8,000		\$8,000
	\$1,727,020	\$1,613,365	\$1,596,270		\$1,596,270
<i>Office of Unified Communications</i>					
11	\$19,818,857	\$22,373,479	\$22,682,415	\$113,120	\$22,795,535
12	\$442,778	\$413,389	\$1,087,711	\$46,880	\$1,134,591
13	\$1,993,342	\$2,172,120	\$2,346,747		\$2,346,747
14	\$5,633,796	\$6,775,104	\$6,966,292		\$6,966,292
15	\$2,251,246	\$1,310,583	\$1,310,583		\$1,310,583
20	\$119,601	\$886,000	\$292,000		\$292,000
31	\$10,037	\$0	\$15,000		\$15,000
40	\$14,480,130	\$6,750,968	\$7,775,104		\$7,775,104
41	(\$13,000)	\$7,789,732	\$6,324,977	\$117,500	\$6,442,477
70	\$2,711,028	\$320,000	\$392,000		\$392,000
	\$47,447,814	\$48,791,375	\$49,192,829	\$277,500	\$49,470,329
<i>Office of Victim Services and Justice Grants</i>					
11	\$1,268,899	\$1,370,733	\$1,558,542	\$72,457	\$1,630,999
12	\$165,694	\$156,718	\$173,341		\$173,341
13	\$1,394	\$0	\$0		\$0
14	\$314,628	\$320,765	\$381,066	\$15,941	\$397,007
20	\$29,883	\$47,000	\$45,500		\$45,500
31	\$3,436	\$0	\$0		\$0
40	\$81,409	\$225,542	\$245,983	\$45,000	\$290,983
50	\$33,315,304	\$42,727,790	\$40,518,249	\$2,189,585	\$42,707,834
	\$35,180,647	\$44,848,546	\$42,922,681	\$2,322,983	\$45,245,664

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

CSG	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
<i>Section 103 Judgements-Human Services</i>					
50	\$2,600,000	\$0	\$0		\$0
	\$2,600,000	\$0	\$0		\$0
<i>Section 103 Judgments - Government Direction and Support</i>					
50	\$4,346,342	\$0	\$0		\$0
	\$4,346,342	\$0	\$0		\$0
<i>Section 103 Judgments-Public Education System</i>					
40	\$5,481,576	\$0	\$0		\$0
	\$5,481,576	\$0	\$0		\$0
<i>Section 103 Judgments-Public Safety and Justice</i>					
50	\$340,000	\$0	\$0		\$0
	\$340,000	\$0	\$0		\$0
<i>Settlements and Judgments</i>					
40	\$21,292,448	\$21,824,759	\$21,824,759		\$21,824,759
	\$21,292,448	\$21,824,759	\$21,824,759		\$21,824,759
<i>Uniform Law Commission</i>					
40	\$46,529	\$51,250	\$60,250		\$60,250
	\$46,529	\$51,250	\$60,250		\$60,250
TOTAL	\$1,367,253,347	\$1,403,271,906	\$1,446,217,058	\$5,563,237	\$1,451,780,295

D. FISCAL YEAR 2019 AGENCY FULL-TIME EQUIVALENT SUMMARY TABLE

<i>Fund</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Committee Variance</i>	<i>Committee Approved</i>
<i>Board of Elections</i>					
LOCAL FUND	60.00	56.00	48.00	1.00	49.00
	60.00	56.00	48.00	1.00	49.00
<i>Commission on Judicial Disabilities and Tenure</i>					
FEDERAL PAYMENTS	2.00	2.00	2.00		2.00
	2.00	2.00	2.00		2.00
<i>Corrections Information Council</i>					
LOCAL FUND	5.70	7.00	7.00	1.00	8.00
	5.70	7.00	7.00	1.00	8.00
<i>Criminal Code Reform Commission</i>					
LOCAL FUND	5.00	5.00	5.00		5.00
	5.00	5.00	5.00		5.00
<i>Criminal Justice Coordinating Council</i>					
FEDERAL PAYMENTS	14.70	14.87	14.98		14.98
LOCAL FUND	2.50	3.27	3.27	1.00	4.27
OPERATING INTRA-DISTRICT FUNDS	0.80	0.72	0.75		0.75
PRIVATE GRANT FUND	0.00	0.14	0.00		0.00
	18.00	19.00	19.00	1.00	20.00
<i>D.C. Board of Ethics and Government Accountability</i>					
LOCAL FUND	16.01	16.50	15.50		15.50
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	1.00	0.00	1.00		1.00
	17.01	16.50	16.50		16.50
<i>DC Sentencing Commission</i>					
LOCAL FUND	5.40	6.00	6.00		6.00
	5.40	6.00	6.00		6.00
<i>Department of Corrections</i>					
LOCAL FUND	841.70	1,005.20	1,079.20	-15.00	1,064.20
OPERATING INTRA-DISTRICT FUNDS	1.80	1.80	1.80		1.80

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

<i>Fund</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Committee Variance</i>	<i>Committee Approved</i>
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	201.60	240.00	240.00		240.00
	1,045.10	1,247.00	1,321.00	-15.00	1,306.00
<i>Department of Forensic Sciences</i>					
FEDERAL GRANT FUND	3.00	5.00	5.00		5.00
LOCAL FUND	179.50	207.00	207.00		207.00
OPERATING INTRA-DISTRICT FUNDS	7.60	7.15	6.25		6.25
	190.10	219.15	218.25		218.25
<i>District of Columbia National Guard</i>					
FEDERAL GRANT FUND	82.38	93.75	94.50		94.50
LOCAL FUND	45.99	37.25	36.50		36.50
	128.37	131.00	131.00		131.00
<i>Fire and Emergency Medical Services Department</i>					
FEDERAL GRANT FUND	42.00	42.00	0.00		0.00
LOCAL FUND	1,920.10	2,111.00	2,152.00		2,152.00
OPERATING INTRA-DISTRICT FUNDS	4.00	0.00	0.00		0.00
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	0.00	1.00	1.00		1.00
	1,966.10	2,154.00	2,153.00		2,153.00
<i>Homeland Security and Emergency Management Agency</i>					
FEDERAL GRANT FUND	87.87	84.02	90.81		90.81
LOCAL FUND	30.02	28.00	28.25		28.25
	117.89	112.02	119.06		119.06
<i>Judicial Nomination Commission</i>					
FEDERAL PAYMENTS	2.00	2.00	2.00		2.00
	2.00	2.00	2.00		2.00
<i>Metropolitan Police Department</i>					
FEDERAL GRANT FUND	53.18	26.00	8.00		8.00
LOCAL FUND	4,401.09	4,699.50	4,742.50		4,742.50

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

<i>Fund</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Committee Variance</i>	<i>Committee Approved</i>
OPERATING INTRA-DISTRICT FUNDS	5.50	0.00	5.00		5.00
	4,459.77	4,725.50	4,755.50		4,755.50
<i>Office of Campaign Finance</i>					
LOCAL FUND	30.00	30.00	33.00	2.00	35.00
	30.00	30.00	33.00	2.00	35.00
<i>Office of Human Rights</i>					
FEDERAL GRANT FUND	2.40	2.40	1.85		1.85
LOCAL FUND	35.93	41.60	42.15	1.00	43.15
	38.33	44.00	44.00	1.00	45.00
<i>Office of Neighborhood Safety and Engagement</i>					
LOCAL FUND	0.00	16.00	26.00		26.00
	0.00	16.00	26.00		26.00
<i>Office of Police Complaints</i>					
LOCAL FUND	22.39	24.25	24.25		24.25
	22.39	56.25	24.25		24.25
<i>Office of the Attorney General for the District of Columbia</i>					
FEDERAL GRANT FUND	128.43	152.42	152.23		152.23
LOCAL FUND	365.44	440.11	447.62	4.00	451.62
OPERATING INTRA-DISTRICT FUNDS	20.22	25.11	25.32		25.32
PRIVATE DONATIONS	7.00	8.00	8.00		8.00
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	5.40	13.72	21.38		21.38
	526.49	639.36	654.55	4.00	658.55
<i>Office of the Chief Medical Examiner</i>					
LOCAL FUND	88.69	86.00	89.00	2.00	91.00
OPERATING INTRA-DISTRICT FUNDS	5.91	6.00	4.00		4.00
	94.60	92.00	93.00	2.00	95.00
<i>Office of the Deputy Mayor for Public Safety and Justice</i>					
LOCAL FUND	15.81	11.00	10.00		10.00
	15.81	11.00	10.00		10.00

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

<i>Fund</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Committee Variance</i>	<i>Committee Approved</i>
<i>Office of Unified Communications</i>					
LOCAL FUND	331.40	361.30	354.30	1.00	355.30
OPERATING INTRA-DISTRICT FUNDS	6.00	6.00	6.00		6.00
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	0.00	0.00	7.00		7.00
	337.40	367.30	367.30	1.00	368.30
<i>Office of Victim Services and Justice Grants</i>					
FEDERAL GRANT FUND	3.90	3.43	2.53		2.53
LOCAL FUND	11.10	10.68	12.48	1.00	13.48
OPERATING INTRA-DISTRICT FUNDS	0.00	0.00	0.05		0.05
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	0.80	1.90	1.95		1.95
	15.80	16.01	17.01	1.00	18.01
TOTAL FTEs	9,103.26	9,974.09	10,072.42	-1.00	10,071.42

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

E. FISCAL YEARS 2019-2024 AGENCY CAPITAL BUDGET SUMMARY TABLE

Owner Agency	Project No.	Project Title	Allotment Scenario	Available Allotments	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	Total
CB0 – Office of the Attorney General	EN240C	INFORMATION SYSTEMS - CHILD SUPPORT ENFO	Available	1,312,671.73	0.00	0.00	0.00	0.00	0.00	0.00	1,312,671.73
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	EN240C Total			1,312,671.73	0.00	0.00	0.00	0.00	0.00	1,312,671.73	
	EN701	OAG - OFFICE EQUIPMENT & FLEET UPGRADES	Available	113,845.00	0.00	0.00	0.00	0.00	0.00	0.00	113,845.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	EN701C Total			113,845.00	0.00	0.00	0.00	0.00	0.00	0.00	113,845.00
CB0 – OFFICE OF THE ATTORNEY GENERAL Total				1,426,516.73	0.00	0.00	0.00	0.00	0.00	0.00	1,426,516.73
DL0 – Board of Elections	VTS02C	BOARD OF ELECTIONS MANAGEMENT SYSTEM	Available	1,000,000.00	0.00	0.00	0.00	0.00	0.00	0.00	1,000,000.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	VTS02C Total			1,000,000.00	0.00	0.00	0.00	0.00	0.00	0.00	1,000,000.00
DL0 – BOARD OF ELECTIONS Total				1,000,000.00	0.00	0.00	0.00	0.00	0.00	1,000,000.00	
FA0 – Metropolitan Police Department	ATE01C	2850 NY AVE BUILDING	Available	5,540,657.62	0.00	0.00	0.00	0.00	0.00	0.00	5,540,657.62
			Committee's Recommendation	(2,600,000.00)	0.00	0.00	0.00	0.00	0.00	(2,600,000.00)	
	ATE01C Total			2,940,657.62	0.00	0.00	0.00	0.00	0.00	2,940,657.62	
	BRM09C	EVIDENCE IMPOUND LOT RENOVATION	FY18-23 Approved CIP	0.00	3,850,000.00	0.00	0.00	0.00	0.00	3,850,000.00	
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	BRM09C Total			0.00	3,850,000.00	0.00	0.00	0.00	0.00	3,850,000.00	
	BRM10C	ADA UPGRADES (1D SUB & 4D SUB) MPD STATI	Available	1,513,600.00	0.00	0.00	0.00	0.00	0.00	1,513,600.00	
			FY18-23 Approved CIP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
			Mayor's Proposed Change	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	BRM10C Total			1,513,600.00	0.00	0.00	0.00	0.00	0.00	1,513,600.00	
	ECS10C	AUTOMATION OF REPORT GENERATION & PURCHA	Available	133.00	0.00	0.00	0.00	0.00	0.00	133.00	
			Committee's Recommendation	(133.00)	0.00	0.00	0.00	0.00	0.00	(133.00)	
ECS10C Total			0.00	0.00	0.00	0.00	0.00	0.00	0.00		
EPI20C	MPD--DISASTER RECOVERY	Available	1,850,000.00	0.00	0.00	0.00	0.00	0.00	1,850,000.00		

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

Owner Agency	Project No.	Project Title	Allotment Scenario	Available Allotments	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	Total
			FY18-23 Approved CIP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
			Mayor's Proposed Change	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	EPI20C Total			1,850,000.00	0.00	0.00	0.00	0.00	0.00	0.00	1,850,000.00
	FAV01C	MOTOR CYCLES, SCOOTERS & TRAILERS - MPD	Mayor's Proposed Change	0.00	344,580.00	0.00	332,619.00	0.00	885,733.00	181,731.00	1,744,663.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	FAV01C Total			0.00	344,580.00	0.00	332,619.00	0.00	885,733.00	181,731.00	1,744,663.00
	FAV02C	WRECKERS & TRAILERS - MPD	Mayor's Proposed Change	0.00	496,800.00	0.00	0.00	141,667.00	91,830.00	236,463.00	966,760.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	FAV02C Total			0.00	496,800.00	0.00	0.00	141,667.00	91,830.00	236,463.00	966,760.00
	FAV03C	UNMARKED VEHICLES - MPD	Mayor's Proposed Change	0.00	663,937.00	266,998.00	869,908.00	513,135.00	183,836.00	1,609,487.00	4,107,301.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	FAV03C Total			0.00	663,937.00	266,998.00	869,908.00	513,135.00	183,836.00	1,609,487.00	4,107,301.00
	FAV04C	MARKED CRUISERS - MPD	Mayor's Proposed Change	0.00	1,362,096.00	3,452,253.00	3,214,722.00	5,438,128.00	3,673,306.00	4,254,643.00	21,395,148.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	FAV04C Total			0.00	1,362,096.00	3,452,253.00	3,214,722.00	5,438,128.00	3,673,306.00	4,254,643.00	21,395,148.00
	FAV05C	OTHER MARKED VEHICLES - MPD	Mayor's Proposed Change	0.00	1,818,351.00	667,573.00	522,109.00	1,682,191.00	995,282.00	2,167,019.00	7,852,525.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	FAV05C Total			0.00	1,818,351.00	667,573.00	522,109.00	1,682,191.00	995,282.00	2,167,019.00	7,852,525.00
	PDB23C	CCTV/SHOTSPOTTER INTEGRATION	Available	965,027.86	0.00	0.00	0.00	0.00	0.00	0.00	965,027.86
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	PDB23C Total			965,027.86	0.00	0.00	0.00	0.00	0.00	0.00	965,027.86
	PDR01C	6TH DISTRICT RELOCATION	Available	1,737,781.04	0.00	0.00	0.00	0.00	0.00	0.00	1,737,781.04
			Committee's Recommendation	(1,737,781.04)	0.00	0.00	0.00	0.00	0.00	0.00	
	PDR01C Total			0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	PEQ22C	SPECIALIZED VEHICLES - MPD	Available	628,408.45	0.00	0.00	0.00	0.00	0.00	0.00	628,408.45

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

Owner Agency	Project No.	Project Title	Allotment Scenario	Available Allotments	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	Total
			FY18-23 Approved CIP	0.00	6,500,000.00	6,500,000.00	6,500,000.00	6,500,000.00	7,195,000.00	0.00	33,195,000.00
			Mayor's Proposed Change	0.00	(6,500,000.00)	(6,500,000.00)	(6,500,000.00)	(6,500,000.00)	(7,195,000.00)	0.00	(33,195,000.00)
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	PEQ22C Total			628,408.45	0.00	0.00	0.00	0.00	0.00	0.00	628,408.45
	PL110C	MPD BUILDING RENOVATIONS/CONSTRUCTION	Available	1,173,827.19	0.00	0.00	0.00	0.00	0.00	0.00	1,173,827.19
			FY18-23 Approved CIP	0.00	2,000,000.00	2,750,000.00	3,000,000.00	3,000,000.00	1,500,000.00	0.00	12,250,000.00
			Mayor's Proposed Change	0.00	0.00	(1,250,000.00)	(1,500,000.00)	(1,500,000.00)	0.00	3,500,000.00	(750,000.00)
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	PLT10C Total			1,173,827.19	2,000,000.00	1,500,000.00	1,500,000.00	1,500,000.00	1,500,000.00	3,500,000.00	12,673,827.19
	PLT10C	CRIME FIGHTING TECHNOLOGY	Available	1,729,716.37	0.00	0.00	0.00	0.00	0.00	0.00	1,729,716.37
			Committee's Recommendation	(730,000.00)	0.00	0.00	0.00	0.00	0.00	0.00	(730,000.00)
	PLT10C Total			999,716.37	0.00	0.00	0.00	0.00	0.00	0.00	999,716.37
	PMR01C	GENERAL IMPROVEMENTS-MR	Available	(3,936.00)	0.00	0.00	0.00	0.00	0.00	0.00	(3,936.00)
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	PMR01C Total			(3,936.00)	0.00	0.00	0.00	0.00	0.00	0.00	(3,936.00)
FA0 – METROPOLITAN POLICE DEPARTMENT Total				10,067,301.49	10,535,764.00	5,886,824.00	6,439,358.00	9,275,121.00	7,329,987.00	11,949,343.00	61,483,698.49
FB0 Fire & Emergency Medical Services Department	206	FIRE APPAR	Available	26,318.25	0.00	0.00	0.00	0.00	0.00	0.00	26,318.25
			FY18-23 Approved CIP	0.00	15,000,000.00	15,000,000.00	15,000,000.00	13,500,000.00	10,241,000.00	0.00	68,741,000.00
			Mayor's Proposed Change	0.00	(15,000,000.00)	(15,000,000.00)	(15,000,000.00)	(13,500,000.00)	(10,241,000.00)	0.00	(68,741,000.00)
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	20600C Total			26,318.25	0.00	0.00	0.00	0.00	0.00	0.00	26,318.25
	20630C	FIRE APPARATUS	Available	58,800.00	0.00	0.00	0.00	0.00	0.00	0.00	58,800.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	20630C Total			58,800.00	0.00	0.00	0.00	0.00	0.00	0.00	58,800.00
	206AMC	AMBULANCE VEHICLES - FEMS	Mayor's Proposed Change	0.00	8,002,441.00	1,256,680.00	1,165,101.00	3,354,024.00	2,615,995.00	0.00	16,394,241.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	206AMC Total			0.00	8,002,441.00	1,256,680.00	1,165,101.00	3,354,024.00	2,615,995.00	0.00	16,394,241.00

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

Owner Agency	Project No.	Project Title	Allotment Scenario	Available Allotments	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	Total
	206AVC	ADMINISTRATIVE VEHICLES - FEMS	Mayor's Proposed Change	0.00	647,933.00	498,410.00	497,615.00	746,820.00	747,615.00	747,615.00	3,886,008.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	206AVC Total			0.00	647,933.00	498,410.00	497,615.00	746,820.00	747,615.00	747,615.00	3,886,008.00
	206CVC	COMMAND VEHICLES - FEMS	Mayor's Proposed Change	0.00	198,230.00	198,230.00	198,230.00	277,522.00	198,230.00	317,168.00	1,387,610.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	206CVC Total			0.00	198,230.00	198,230.00	198,230.00	277,522.00	198,230.00	317,168.00	1,387,610.00
	206LTC	LADDER TRUCKS - FEMS	Mayor's Proposed Change	0.00	2,921,360.00	4,144,962.00	2,282,440.00	2,479,387.00	2,688,150.00	0.00	14,516,299.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	206LTC Total			0.00	2,921,360.00	4,144,962.00	2,282,440.00	2,479,387.00	2,688,150.00	0.00	14,516,299.00
	206MPC	MP - FLEET VEHICLES - FEMS	Mayor's Proposed Change	0.00	802,393.00	620,416.00	510,047.00	502,979.00	904,577.00	737,284.00	4,077,696.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	206MPC Total			0.00	802,393.00	620,416.00	510,047.00	502,979.00	904,577.00	737,284.00	4,077,696.00
	206PTC	PUMPERS - FEMS	Mayor's Proposed Change	0.00	4,430,624.00	4,196,462.00	3,978,250.00	4,276,945.00	4,093,561.00	0.00	20,975,842.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	206PTC Total			0.00	4,430,624.00	4,196,462.00	3,978,250.00	4,276,945.00	4,093,561.00	0.00	20,975,842.00
	206RSC	RESCUE SQUAD VEHICLES - FEMS	Mayor's Proposed Change	0.00	2,775,292.00	2,441,810.00	2,118,118.00	1,152,709.00	1,751,871.00	1,856,983.00	12,096,783.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	206RSC Total			0.00	2,775,292.00	2,441,810.00	2,118,118.00	1,152,709.00	1,751,871.00	1,856,983.00	12,096,783.00
	206RVC	OTHER RESPONSE VEHICLES - FEM	Mayor's Proposed Change	0.00	2,221,727.00	143,031.00	0.00	709,616.00	0.00	0.00	3,074,374.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	206RVC Total			0.00	2,221,727.00	143,031.00	0.00	709,616.00	0.00	0.00	3,074,374.00
	BRM01C	NEW HARBOR PATROL FACILITY	FY18-23 Approved CIP	0.00	0.00	0.00	8,500,000.00	12,000,000.00	0.00	0.00	20,500,000.00
			Mayor's Proposed Change	0.00	0.00	0.00	(8,500,000.00)	(12,000,000.00)	8,500,000.00	12,000,000.00	0.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	BRM01C Total			0.00	0.00	0.00	0.00	0.00	8,500,000.00	12,000,000.00	20,500,000.00

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

Owner Agency	Project No.	Project Title	Allotment Scenario	Available Allotments	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	Total
	BRM23C	ENGINE COMPANY 15 RENOVATIONS	Mayor's Proposed Change	0.00	0.00	0.00	0.00	0.00	1,730,000.00	12,520,000.00	14,250,000.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	BRM23C Total			0.00	0.00	0.00	0.00	0.00	1,730,000.00	12,520,000.00	14,250,000.00
	FMF01C	FLEET MAINTENANCE RESERVE FACILIT	FY18-23 Approved CIP	0.00	0.00	0.00	0.00	20,000,000.00	25,000,000.00	0.00	45,000,000.00
			Mayor's Proposed Change	0.00	0.00	0.00	0.00	(20,000,000.00)	(25,000,000.00)	47,000,000.00	2,000,000.00
			Committee's Recommendation	0.00	1,000,000.00	0.00	0.00	0.00	0.00	0.00	0.00
	FMF01C Total			0.00	1,000,000.00	0.00	0.00	0.00	0.00	47,000,000.00	47,000,000.00
	LC437C	E-22 FIREHOUSE REPLACEMENT	Available	9,135.11	0.00	0.00	0.00	0.00	0.00	0.00	9,135.11
			Committee's Recommendation	(9,135.11)	0.00	0.00	0.00	0.00	0.00	0.00	(9,135.11)
	LC437C Total			0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	LC537C	ENGINE COMPANY 23 RENOVATION	FY18-23 Approved CIP	0.00	3,750,000.00	3,750,000.00	0.00	0.00	0.00	0.00	7,500,000.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	LC537C Total			0.00	3,750,000.00	3,750,000.00	0.00	0.00	0.00	0.00	7,500,000.00
	LC837C	RELOCATION OF ENGINE COMPANY 26	Available	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
			FY18-23 Approved CIP	0.00	4,000,000.00	4,750,000.00	0.00	0.00	0.00	0.00	8,750,000.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	LC837C Total			0.00	4,000,000.00	4,750,000.00	0.00	0.00	0.00	0.00	8,750,000.00
	LE337C	ENGINE 5 COMPLETE RENOVATION	Available	5,955.00	0.00	0.00	0.00	0.00	0.00	0.00	5,955.00
			Committee's Recommendation	(5,955.00)	0.00	0.00	0.00	0.00	0.00	0.00	(5,955.00)
	LE337C Total			0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	LE537C	ENGINE 14 MAJOR RENOVATION	Available	339,035.09	0.00	0.00	0.00	0.00	0.00	0.00	339,035.09
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	LE537C Total			339,035.09	0.00	0.00	0.00	0.00	0.00	0.00	339,035.09
	LE737C	ENGINE 27 MAJOR RENOVATION	Available	3,388,532.39	0.00	0.00	0.00	0.00	0.00	0.00	3,388,532.39
			Committee's Recommendation	(1,000,000.00)	0.00	0.00	0.00	0.00	0.00	0.00	(1,000,000.00)
	LE737C Total			2,388,532.39	0.00	0.00	0.00	0.00	0.00	0.00	2,388,532.39
	LF239C	FEMS SCHEDULED CAPITAL IMPROVEMEN	Available	3,178,193.70	0.00	0.00	0.00	0.00	0.00	0.00	3,178,193.70

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

Owner Agency	Project No.	Project Title	Allotment Scenario	Available Allotments	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	Total
			FY18-23 Approved CIP	0.00	1,500,000.00	3,500,000.00	3,500,000.00	3,500,000.00	1,500,000.00	0.00	13,500,000.00
			Mayor's Proposed Change	0.00	1,000,000.00	(2,500,000.00)	(2,500,000.00)	(3,500,000.00)	2,000,000.00	3,500,000.00	(2,000,000.00)
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	LF239C Total			3,178,193.70	2,500,000.00	1,000,000.00	1,000,000.00	0.00	3,500,000.00	3,500,000.00	14,678,193.70
	NFB01C	NEW FIRE BOAT-1	Mayor's Proposed Change	0.00	0.00	0.00	0.00	0.00	12,290,000.00	0.00	12,290,000.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	NFB01C Total			0.00	0.00	0.00	0.00	0.00	12,290,000.00	0.00	12,290,000.00
	FB0 – FIRE & EMERGENCY MEDICAL SERVICES DEPARTMENT Total				5,990,879.43	32,250,000.00	23,000,001.00	11,749,801.00	13,500,002.00	39,019,999.00	78,679,050.00
FK0 – District of Columbia National Guard	NG715C	YOUTH CHALLENGE EDUCATIONAL CAMPUS	Available	197,636.00	0.00	0.00	0.00	0.00	0.00	0.00	197,636.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	NG715C Total			197,636.00	0.00	0.00	0.00	0.00	0.00	0.00	197,636.00
FK0 – DISTRICT OF COLUMBIA NATIONAL GUARD Total				197,636.00	0.00	0.00	0.00	0.00	0.00	0.00	197,636.00
FL0 – Department of Corrections	CEV01C	DOC ELEVATOR REFURBISHMENT	Available	766,292.09	0.00	0.00	0.00	0.00	0.00	0.00	766,292.09
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	CEV01C Total			766,292.09	0.00	0.00	0.00	0.00	0.00	766,292.09	
	CGN01C	GENERAL RENOVATIONS AT DOC FACILITIE	Available	24,309.29	0.00	0.00	0.00	0.00	0.00	24,309.29	
			Mayor's Proposed Change	0.00	2,000,000.00	0.00	0.00	0.00	0.00	2,000,000.00	
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00		
	CGN01C Total			24,309.29	2,000,000.00	0.00	0.00	0.00	0.00	2,024,309.29	
	CGN02C	CTF GENERAL RENOVATION	Mayor's Proposed Change	0.00	3,500,000.00	0.00	0.00	0.00	0.00	3,500,000.00	
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00		
	CGN02C Total			0.00	3,500,000.00	0.00	0.00	0.00	0.00	3,500,000.00	
	CGN06C	PORTAL OF ENTRY	Reprogramming	1,300,000.00	0.00	0.00	0.00	0.00	0.00	1,300,000.00	
	CGN06C Total			1,300,000.00	0.00	0.00	0.00	0.00	0.00	1,300,000.00	
	CR001C	MASTER EQUIPMENT LEASE - FL CORRECTION	Available	349,999.25	0.00	0.00	0.00	0.00	0.00	349,999.25	
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00		
	CR001C Total			349,999.25	0.00	0.00	0.00	0.00	0.00	349,999.25	

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

Owner Agency	Project No.	Project Title	Allotment Scenario	Available Allotments	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	Total
	CR004C	UPGRD CNTRL SECURITY COMD CT	Available	762,132.75	0.00	0.00	0.00	0.00	0.00	0.00	762,132.75
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	CR004C Total			762,132.75	0.00	0.00	0.00	0.00	0.00	762,132.75	
	CR104C	HVAC REPLACEMENT FOR CDF	Available	169,833.53	0.00	0.00	0.00	0.00	0.00	0.00	169,833.53
			FY18-23 Approved CIP	0.00	2,000,000.00	1,000,000.00	0.00	0.00	0.00	3,000,000.00	
			Mayor's Proposed Change	0.00	1,000,000.00	2,000,000.00	0.00	0.00	0.00	3,000,000.00	
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	CR104C Total			169,833.53	3,000,000.00	3,000,000.00	0.00	0.00	0.00	6,169,833.53	
	CRF01C	ROOF REFURBISHMENT AT DOC FACILITIES	Available	8,452.21	0.00	0.00	0.00	0.00	0.00	0.00	8,452.21
			Committee's Recommendation	(2,004.00)	0.00	0.00	0.00	0.00	0.00	(2,004.00)	
	CRF01C Total			6,448.21	0.00	0.00	0.00	0.00	0.00	0.00	6,448.21
	FL4FLC	SUICIDE RISK MITIGATION	Available	123,624.00	0.00	0.00	0.00	0.00	0.00	0.00	123,624.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	FL4FLC Total			123,624.00	0.00	0.00	0.00	0.00	0.00	0.00	123,624.00
	MA203C	EXTERIOR STRUCTURAL FINISHING	Mayor's Proposed Change	0.00	2,000,000.00	0.00	0.00	0.00	0.00	0.00	2,000,000.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	MA203C Total			0.00	2,000,000.00	0.00	0.00	0.00	0.00	0.00	2,000,000.00
	MA220	EMERGENCY POWER SYSTEM UPGRADE	Available	700,000.00	0.00	0.00	0.00	0.00	0.00	0.00	700,000.00
			FY18-23 Approved CIP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
			Mayor's Proposed Change	0.00	3,000,000.00	3,000,000.00	0.00	0.00	0.00	6,000,000.00	
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	MA220C Total			700,000.00	3,000,000.00	3,000,000.00	0.00	0.00	0.00	0.00	6,700,000.00
	N7001C	INFRASTRUCTURE SYSTEM UPGRADE - DOC	Available	1,674,176.16	0.00	0.00	0.00	0.00	0.00	0.00	1,674,176.16
			Committee's Recommendation	(1,674,176.16)	0.00	0.00	0.00	0.00	0.00	0.00	(1,674,176.00)
	N7001C Total			0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.16
	N7002C	DOC APPLICATION MODERNIZATION	On Hold	286,644.00	0.00	0.00	0.00	0.00	0.00	0.00	286,644.00
	N7002C Total			286,644.00	0.00	0.00	0.00	0.00	0.00	0.00	286,644.00

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

Owner Agency	Project No.	Project Title	Allotment Scenario	Available Allotments	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	Total
FL0 – DEPARTMENT OF CORRECTIONS Total				4,489,280.28	13,500,000.00	6,000,000.00	0.00	0.00	0.00	0.00	23,989,283.28
FR0 – Department of Forensic Services	DCI16C	DFS CAPITAL IMPROVEMENT PROGRAM	Available	66,419.04	0.00	0.00	0.00	0.00	0.00	0.00	66,419.04
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	DCI16C Total			66,419.04	0.00	0.00	0.00	0.00	0.00	0.00	66,419.04
	DCI19C	CAPITAL AND I.T. EQUIPMENT - DFS	Mayor's Proposed Change	0.00	1,210,620.00	0.00	0.00	0.00	0.00	0.00	1,210,620.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	DCI19C Total			0.00	1,210,620.00	0.00	0.00	0.00	0.00	0.00	1,210,620.00
	DIG01C	DFS DIGITAL FORENSICS CAPITAL REQUIREMEN	Available	115,685.04	0.00	0.00	0.00	0.00	0.00	0.00	115,685.04
			FY18-23 Approved CIP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
			Mayor's Proposed Change	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	DIG01C Total			115,685.04	0.00	0.00	0.00	0.00	0.00	0.00	115,685.04
	DIG19C	FORENSIC EVIDENCE DIGITAL STORAGE	Mayor's Proposed Change	0.00	802,629.00	0.00	0.00	0.00	0.00	0.00	802,629.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	DIG19C Total			0.00	802,629.00	0.00	0.00	0.00	0.00	0.00	802,629.00
	FLE19C	CRIME SCENE SPECIALIZATION VEHICLES	Mayor's Proposed Change	0.00	221,562.00	153,845.00	0.00	0.00	0.00	0.00	375,407.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	FLE19C Total			0.00	221,562.00	153,845.00	0.00	0.00	0.00	0.00	375,407.00
	FR019C	CAPITAL RENOVATIONS - DFS	Mayor's Proposed Change	0.00	250,000.00	0.00	0.00	0.00	0.00	0.00	250,000.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	FR019C Total			0.00	250,000.00	0.00	0.00	0.00	0.00	0.00	250,000.00
	FR0GRC	DFS CAPITAL GENERAL RENOVATIONS	Available	56,425.00	0.00	0.00	0.00	0.00	0.00	0.00	56,425.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	FR0GRC Total			56,425.00	0.00	0.00	0.00	0.00	0.00	0.00	56,425.00
	HDW02C	LABRATORY & HOSPITAL EQUIPMENT - DFS	Mayor's Proposed Change	0.00	140,000.00	80,000.00	200,000.00	200,000.00	200,000.00	0.00	820,000.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

Owner Agency	Project No.	Project Title	Allotment Scenario	Available Allotments	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	Total
	HDW02C Total			0.00	140,000.00	80,000.00	200,000.00	200,000.00	200,000.00	0.00	820,000.00
	LIM01C	DFS LABORATORY INFORMATION MANAGEMENT SY	Available	32,395.41	0.00	0.00	0.00	0.00	0.00	0.00	32,395.41
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	LIM01C Total			32,395.41	0.00	0.00	0.00	0.00	0.00	32,395.41	
	LIM20C	DFS LABORATORY INFORMATION MANAGEMENT SY	Mayor's Proposed Change	0.00	500,000.00	4,000,000.00	0.00	0.00	0.00	0.00	4,500,000.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	LIM20C Total			0.00	500,000.00	4,000,000.00	0.00	0.00	0.00	0.00	4,500,000.00
FR0 – DEPARTMENT OF FORENSIC SERVICES Total				270,924.51	3,124,811.00	4,233,845.00	200,000.00	200,000.00	200,000.00	0.00	8,229,580.51
FX0 – Office of the Chief Medical Examiner	AA416C	RENOVATION OF HVAC SYSTEM	Available	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
			On Hold	5,223.80	0.00	0.00	0.00	0.00	0.00	0.00	5,223.80
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	AA416C Total			5,223.80	0.00	0.00	0.00	0.00	0.00	0.00	5,223.80
	AA517C	RENOVATION OF MORTUARY, PHOTOGRAPHIC AND	Available	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	AA517C Total			0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	FX0FRC	OCME FACILITY RENOVATION AT THE CFL	Available	100,000.00	0.00	0.00	0.00	0.00	0.00	0.00	100,000.00
			Mayor's Proposed Change	0.00	1,375,000.00	0.00	0.00	0.00	0.00	0.00	1,375,000.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	FX0FRC Total			100,000.00	1,375,000.00	0.00	0.00	0.00	0.00	0.00	1,475,000.00
	FX0VRC	OCME VEHICLE REPLACEMENT PROGRAM	Available	23,920.79	0.00	0.00	0.00	0.00	0.00	0.00	23,920.79
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	FX0VRC Total			23,920.79	0.00	0.00	0.00	0.00	0.00	0.00	23,920.79
	FXEERC	EQUIPMENT REPLACEMENT AT THE CFL	Mayor's Proposed Change	0.00	1,500,000.00	0.00	0.00	0.00	0.00	0.00	1,500,000.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
	FXEERC Total			0.00	1,500,000.00	0.00	0.00	0.00	0.00	0.00	1,500,000.00
VRPVRC	OCME VEHICLE REPLACEMENT PROGRAM	Mayor's Proposed Change	0.00	100,000.00	175,000.00	0.00	0.00	0.00	0.00	275,000.00	
		Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

Owner Agency	Project No.	Project Title	Allotment Scenario	Available Allotments	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	Total
	VRPVRC Total			0.00	100,000.00	175,000.00	0.00	0.00	0.00	0.00	275,000.00
FX0 – OFFICE OF THE CHIEF MEDICAL EXAMINER Total				129,144.59	2,975,000.00	175,000.00	0.00	0.00	0.00	0.00	3,279,144.59
FZ0 – District of Columbia Sentencing Commission	FZ038C	IT UPGRADE - DC IJIS INTEGRATION	Available	65,129.16	0.00	0.00	0.00	0.00	0.00	0.00	65,129.16
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	FZ038C Total			65,129.16	0.00	0.00	0.00	0.00	0.00	0.00	65,129.16
FZ0 – DISTRICT OF COLUMBIA SENTENCING COMMISSION Total				65,129.16	0.00	0.00	0.00	0.00	0.00	0.00	65,129.16
UC0 – Office of Unified Communications	AFC02C	IT HARDWARE 911/311 SYSTEMS	FY18-23 Approved CIP	0.00	0.00	800,000.00	300,000.00	300,000.00	300,000.00	0.00	1,700,000.00
			Mayor's Proposed Change	0.00	0.00	0.00	0.00	0.00	0.00	300,000.00	300,000.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	AFC02C Total			0.00	0.00	800,000.00	300,000.00	300,000.00	300,000.00	300,000.00	2,000,000.00
	CERCEC	UCC ELECTRICAL RECONFIGURATION	FY18-23 Approved CIP	0.00	1,800,000.00	0.00	0.00	0.00	0.00	0.00	1,800,000.00
			Mayor's Proposed Change	0.00	1,200,000.00	0.00	0.00	0.00	0.00	0.00	1,200,000.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	CERCEC Total			0.00	3,000,000.00	0.00	0.00	0.00	0.00	0.00	3,000,000.00
	DCCUCC	911/311 DISPATCH CONSOLES	FY18-23 Approved CIP	0.00	4,000,000.00	0.00	0.00	0.00	0.00	0.00	4,000,000.00
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	DCCUCC Total			0.00	4,000,000.00	0.00	0.00	0.00	0.00	0.00	4,000,000.00
	DWB02C	IT SOFTWARE (911/311 APPLICATIONS)	FY18-23 Approved CIP	0.00	750,000.00	750,000.00	750,000.00	250,000.00	250,000.00	0.00	2,750,000.00
			Mayor's Proposed Change	0.00	0.00	0.00	(750,000.00)	(250,000.00)	0.00	750,000.00	(250,000.00)
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	DWB02C Total			0.00	750,000.00	750,000.00	0.00	0.00	250,000.00	750,000.00	2,500,000.00
PL403C	UNDERGROUND COMMERCIAL POWER FEED TO UCC	Available	132,674.32	0.00	0.00	0.00	0.00	0.00	0.00	132,674.32	
		Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
PL403C Total			132,674.32	0.00	0.00	0.00	0.00	0.00	0.00	132,674.32	
UC201C	PUBLIC SAFETY RADIO SYSTEM UPGRADE	On Hold	404,135.21	0.00	0.00	0.00	0.00	0.00	0.00	404,135.21	
UC201C Total			404,135.21	0.00	0.00	0.00	0.00	0.00	0.00	404,135.21	
UC2TDC	IT AND COMMUNICATIONS UPGRADES	Available	8,583.29	0.00	0.00	0.00	0.00	0.00	0.00	8,583.29	

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

Owner Agency	Project No.	Project Title	Allotment Scenario	Available Allotments	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	Total
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	UC2TDC Total			8,583.29	0.00	0.00	0.00	0.00	0.00	0.00	8,583.29
	UC302C	MDC REPLACEMENT FOR MPD & FEMS	FY18-23 Approved CIP	0.00	0.00	9,500,000.00	0.00	0.00	0.00	0.00	9,500,000.00
			Mayor's Proposed Change	0.00	0.00	(1,500,000.00)	0.00	0.00	0.00	0.00	(1,500,000.00)
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	UC302C Total			0.00	0.00	8,000,000.00	0.00	0.00	0.00	0.00	8,000,000.00
	UC303C	MPD/ FEMS RADIO REPLACEMENT	FY18-23 Approved CIP	0.00	0.00	5,000,000.00	7,200,000.00	6,750,000.00	6,750,000.00	0.00	25,700,000.00
			Mayor's Proposed Change	0.00	0.00	(1,000,000.00)	(1,000,000.00)	(2,257,000.00)	0.00	0.00	(4,257,000.00)
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	UC303C Total			0.00	0.00	4,000,000.00	6,200,000.00	4,493,000.00	6,750,000.00	0.00	21,443,000.00
	UC304C	911/311 RADIO CRITICAL INFRASTRUCTURE	Available	4,489,914.01	0.00	0.00	0.00	0.00	0.00	0.00	4,489,914.01
			FY18-23 Approved CIP	0.00	1,900,000.00	4,900,000.00	0.00	0.00	0.00	0.00	6,800,000.00
			Mayor's Proposed Change	0.00	0.00	(1,000,000.00)	0.00	0.00	0.00	0.00	(1,000,000.00)
			Committee's Recommendation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	UC304C Total			4,489,914.01	1,900,000.00	3,900,000.00	0.00	0.00	0.00	0.00	10,289,914.01
UC0 - OFFICE OF UNIFIED COMMUNICATIONS Total				5,035,306.83	9,650,000.00	17,450,000.00	6,500,000.00	4,793,000.00	7,300,000.00	1,050,000.00	51,778,303.83
GRAND TOTAL				28,672,119.02	73,035,575.00	56,745,670.00	24,889,159.00	27,768,123.00	53,849,986.00	91,678,393.00	355,639,025.02

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

F. TRANSFERS IN FROM OTHER COMMITTEES TABLE

<i>Sending Committee</i>	<i>Amount</i>	<i>FTEs</i>	<i>Receiving Agency</i>	<i>Amount</i>	<i>FTEs</i>	<i>Program / Activity</i>	<i>Purpose</i>	<i>Recurring or One-Time</i>
Business & Economic Development	\$200,000	0	Office of Neighborhood Safety and Engagement	\$200,000	0	2000/2040	Additional violence prevention and intervention grants	One-time
	\$600,000	0	Office of Victim Services and Justice Grants	\$600,000	0	3000/3010	Restore the Civil Legal Counsel Projects Program to the FY18 Committee approved level	One-time
Housing & Neighborhood Revitalization	\$95,330	0	Office of the Attorney General	\$95,330	1	6100/6114	New Elder Abuse Investigator FTE	Recurring
Human Services	\$142,000	0	Office of Human Rights	\$142,000	1	2000/2060	New FTE and NPS	Recurring
Transportation & the Environment	\$103,262	0	Board of Elections	\$103,262	0	4000/4001	Fund MOU to DCPS for voter registration (fiscal impact of Committee's proposed subtitle, the "Voter Registration Agency Amendment Act of 2018")	Recurring
	\$2,202,000	0	Fire and Emergency Medical Services Department	\$2,202,000	1	6000/6400 (CSG 41) 6400/6403 (FTE)	Fund the fiscal impact of the chronic disease prong of the Fire and Emergency Medical Services Employee Presumptive Disability Amendment Act of 2012 (L19-331)	Recurring
	\$164,500	0	Office of Unified Communications	\$164,500	1	3000/3020	Funding for a Transportation & the Environment Committee subtitle to allow residents to submit 311 reports for maintenance and DGS-related service needs for DPS and DCPS facilities managed by DGS	Recurring (\$52,000) One-time \$112,500

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

G. TRANSFERS OUT TO OTHER COMMITTEES TABLE

<i>Receiving Committee</i>	<i>Amount</i>	<i>FTEs</i>	<i>Receiving Agency</i>	<i>Amount</i>	<i>FTEs</i>	<i>Program / Activity / Project</i>	<i>Purpose</i>	<i>Recurring or One-Time</i>
Health	\$40,000	0	Department of Health	\$40,000	0	8200/8260	Fund fee waiver of vital records for returning citizens (fiscal impact of Committee's proposed subtitle, the "Returning Citizens Opportunity to Succeed Amendment Act of 2018")	One-time operating
Human Services	\$150,000	0	Department of Youth Rehabilitation Services	\$150,000	0	7000/7200	Fund the development of a strategic plan for serving youth offenders and young people at risk of becoming youth offenders (fiscal impact of B22-0451, the "Youth Rehabilitation Amendment Act of 2018")	One-time operating
Transportation & the Environment	\$25,000	0	Department of General Services	\$25,000	0	2000/2006	Fund a study of the needs and costs associated with the installation of bollards around Eastern Market, including across the north and south ends of 7th Street, SE, from North Carolina Avenue, SE, to Pennsylvania Avenue, SE, and from north to south along C Street, SE, as it intersects with 7th Street, SE	One-time operating
	\$985,008	0		\$985,008	0	Project No. EST01 (Eastern Market Metro Park)	Additional funds to implement the site master plan in coordination with the adjacent renovation of the Southeast Neighborhood Library	Capital in FY20
	\$92,000	0	Department of Motor Vehicles	\$92,000	0	4000/4010	Fund the fee waiver of licenses and identification for returning citizens (fiscal impact of Committee's proposed subtitle, the "Returning Citizens Opportunity to Succeed Amendment Act of 2018")	One-time operating
	\$100,000	0	Department of Parks & Recreation	\$100,000	0	Project No. QN702 (Athletic Field and Park Improvements)	Additional funds to fully implement the site design for Virginia Avenue Park improvements	Capital in FY19
	\$400,000	0		\$400,000	0	Project No. QN754 (Lansburgh Park Improvements)	Additional funds to upgrade lighting, seating, access to water, and other park amenities	Capital in FY19
	\$100,000	0		\$100,000	0	Project No. QE437C (Hill East Parks)	Additional funds to complete installation of designs	Capital in FY19
	\$500,000	0		\$500,000	0	Project No. QN752 (Southwest	Additional funds to renovate the existing play space at 3rd and I Street Park in coordination with	Capital in FY19

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

<i>Receiving Committee</i>	<i>Amount</i>	<i>FTEs</i>	<i>Receiving Agency</i>	<i>Amount</i>	<i>FTEs</i>	<i>Program / Activity / Project</i>	<i>Purpose</i>	<i>Recurring or One-Time</i>
						Playground Improvements)	the adjacent renovation of the Southwest Neighborhood Library	
	\$400,000	0	Department of Transportation	\$400,000	0	New Project (Garfield Park Connector)	New project to restore and improve the portion of Garfield Park under the freeway overpass, creating an ADA-accessible connection to the Navy Yard/Canal Park area	Capital in FY19
N/A	\$118,399	0	N/A	\$118,399	0	N/A	Funding the fiscal impact of L21-30, the Naval Lodge Building, Inc. Real Property Tax Relief Act of 2015, beginning on October 1, 2019 (recommend COW subtitle to modify subject-to-appropriations language)	Recurring operating

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

H. REVENUE ADJUSTMENT TABLE

<i>Agency</i>	<i>Fund Type</i>	<i>Amount</i>	<i>Use</i>	<i>BSA Subtitle</i>
N/A	Tax Abatement	\$118,399 (recurring)	Fund the fiscal impact of L21-30, the Naval Lodge Building, Inc. Real Property Tax Relief Act of 2015, beginning October 1, 2019	Recommending either the COW identify funding for past years or the inclusion of a new COW subtitle to amend the bill to only abate prospectively

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

I. BUDGET SUPPORT ACT FUNDING SUBTITLE TABLE

Subtitle	Agency	Program	Amount	FTEs
“Clemency Board Establishment Act of 2018”	Office of the Attorney General	<ul style="list-style-type: none"> • CSG 11/Program 3100/Activity 3103: \$94,915 (salary for 1 new FTE) • CSG 14/Program 3100/Activity 3103: \$19,647 (associated fringe for 1 new FTE) • CSG 20/Program 3100/Activity 3103: \$3,500 (associated NPS for 1 new FTE) 	\$118,062	1
“Fatality Review Committee Amendment Act of 2018”	Office of the Chief Medical Examiner	<ul style="list-style-type: none"> • CSG 11/Program 3000/Activity 3100: \$194,013 (salary for 2 new FTEs) • CSG 14/Program 3000/Activity 3100: \$42,101 (associated fringe for 2 new FTEs) 	\$236,114	2
“Returning Citizens Opportunity to Succeed Amendment Act of 2018”	Department of Motor Vehicles/ Department of Health	<u>DMV</u> <ul style="list-style-type: none"> • CSG 50/Program 4000/Activity 4010: \$92,000 <u>DOH</u> <ul style="list-style-type: none"> • CSG 11/Program 8200/Activity 8260: \$8,000 • CSG 50/Program 8200/Activity 8260: \$32,000 	\$132,000	0
“Voter Registration Agency Amendment Act of 2018”	District of Columbia Public Library/ Board of Elections	<u>DCPL (funds sent from T&E to Education)</u> <ul style="list-style-type: none"> • CSG 11/Program L300/Activity L335: \$91,045 (salary for 1 new FTE) • CSG 14/Program L300/Activity L335: \$23,307 (associated fringe for 1 new FTE) <u>BOE</u> <ul style="list-style-type: none"> • CSG 41/Program 4000/Activity 4001: \$103,262 (salary for MOU to DCPS) 	<u>DCPL</u> \$114,352 <u>BOE</u> \$103,262	1
“Street Harassment Prevention Act of 2018”	Office of Human Rights	<ul style="list-style-type: none"> • CSG 11/Program 2000/Activity 2060: \$82,926 (salary for 1 new FTE) • CSG 14/Program 2000/Activity 2060: \$19,073 (associated fringe for 1 new FTE) • CSG 41/Program 2000/Activity 2060: \$85,000 (associated NPS for survey, marketing, and outreach) 	\$187,000	1
“BEGA Amendment Act of 2018”	Board of Ethics and Government Accountability	<ul style="list-style-type: none"> • CSG 11/Program 2000/Activity 2010: \$35,305 (salary enhancement for 2 FTEs to absorb costs) • CSG 14/Program 2000/Activity 2010: \$8,881 (associated fringe enhancement for 2 FTEs) 	\$44,186	0

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

J. FUNDING OF BILLS PREVIOUSLY PASSED SUBJECT TO APPROPRIATIONS TABLE

<i>Law Number</i>	<i>Section</i>	<i>Agency</i>	<i>Program</i>	<i>Amount</i>	<i>FTEs</i>	<i>Notes</i>
L21-30	3 and 4 (needs to be amended at COW)	N/A (tax abatement)	N/A	\$118,399	N/A	Need to amend at COW (see revenue adjustment table)
L21-238	701	Department of Youth Rehabilitation Services/ Department of Corrections	N/A	N/A	N/A	Was absorbed by DYRS in proposed FY19 budget, but S2A language was mistakenly not included in the BSA
L19-311	656(c)	Fire and Emergency Medical Services Department	6000/6400 (CSG 41) 6400/6403 (FTE)	\$2,202,000	1	Funds the chronic disease treatment and retirement plan increase costs, in addition to a Police and Fire Clinic FTE
B22-37	301	Office of Victim Services and Justice Grants	CSGs 11, 14, and 20/Program 4000/Activity 4020	\$133,398	1	Add 1 new FTE and NPS

II. AGENCY FISCAL YEAR 2019 BUDGET RECOMMENDATIONS

A. INTRODUCTION

The Committee on the Judiciary and Public Safety is responsible for matters affecting the judiciary and judicial procedure that are within the authority of the Council; matters affecting decedents' estates and fiduciary affairs; matters affecting the Freedom of Information Act; matters affecting criminal law and procedure; human rights; juvenile justice; elections; government ethics; campaign finance; matters arising from or pertaining to the police and fire regulations of the District of Columbia; and other matters related to police protection, correctional institutions (including youth corrections), fire prevention, emergency medical services, homeland security, criminal justice, and public safety.³

The Committee additionally serves as the Council's liaison to federal partners in the justice system, including the United States Attorney for the District of Columbia, the Public Defender Service for the District of Columbia, the District of Columbia Courts, the Court Services and Offender Supervisory Agency, the Pretrial Services Agency, the Federal Bureau of Prisons, and the United States Parole Commission.

The District agencies, boards, and commissions that come under the Committee's purview are as follows:

• Board of Elections	• Judicial Nomination Commission
• Board of Ethics and Government Accountability	• Metropolitan Police Department/Police Officer Standards and Training Board
• Child Support Guidelines Commission	• Office of Campaign Finance
• Commission on Judicial Disabilities and Tenure	• Office of Human Rights/Commission on Human Rights
• Corrections Information Council	• Office of Neighborhood Safety and Engagement
• Criminal Code Reform Commission	• Office of Police Complaints/Police Complaints Board
• Criminal Justice Coordinating Council	• Office of the Attorney General
• Department of Corrections	• Office of the Chief Medical Examiner/Child Fatality Review Committee/Developmental Disabilities

³ See Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 22, Rule 239.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

	Fatality Review Committee/Maternal Mortality Review Committee
• Department of Forensic Sciences/Science Advisory Board	• Office of the Deputy Mayor for Public Safety and Justice/Motor Vehicle Theft Prevention Commission
• District of Columbia National Guard	• Office of Unified Communications
• District of Columbia Sentencing Commission	• Office of Victim Services and Justice Grants/Access to Justice Initiative/Domestic Violence Fatality Review Board/Juvenile Justice Advisory Group
• Fire and Emergency Medical Services Department	• Uniform Law Commission
• Homeland Security and Emergency Management Agency/Homeland Security Commission	

The Committee is charged with oversight of the performance and annual operating and capital budgets of the agencies listed. In total, *the Committee oversees 35 agencies, boards, and commissions, which, in the Mayor's proposed budget for FY19, comprise a total budget of more than \$1.45 billion in gross funds and approximately 10,070 full-time equivalents ("FTEs").*

Committee Chairperson Charles Allen began his tenure with the Committee in January 2017. He is joined by Councilmembers Anita Bonds, Mary M. Cheh, Vincent C. Gray, and David Grosso.

The Committee held performance and budget oversight hearings to solicit public input on the proposed budgets for the agencies under its purview on the following dates:

<i>Performance Oversight Hearings</i>	
February 8, 2018	Commission on Judicial Disabilities and Tenure, Office of Unified Communications, Office of Victim Services and Justice Grants, Board of Ethics and Government Accountability
February 15, 2018	Judicial Nomination Commission, Criminal Justice Coordinating Council, Department of Corrections, Corrections Information Council, District of Columbia National Guard, Criminal Code Reform Commission
February 22, 2018	Deputy Mayor for Public Safety and Justice, Office of Neighborhood Safety & Engagement, Office of Police Complaints, Sentencing Commission, Office of Human Rights, Homeland Security and Emergency Management Agency

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

March 1, 2018	Metropolitan Police Department, Fire and Emergency Medical Services Department, Office of the Attorney General, Department of Forensic Sciences, Office of the Chief Medical Examiner
March 8, 2018	Board of Elections, Office of Campaign Finance

<i>Budget Oversight Hearings</i>	
March 29, 2018	Deputy Mayor for Public Safety & Justice, Office of Neighborhood Safety & Engagement, Metropolitan Police Department, Criminal Justice Coordinating Council, Office of Police Complaints
April 12, 2018	Fire and Emergency Medical Services Department, Office of Unified Communications, Homeland Security and Emergency Management Agency
April 13, 2018	Office of the Attorney General, Office of Victim Services and Justice Grants, Board of Ethics and Government Accountability, Board of Elections, Office of Campaign Finance
April 19, 2018	District of Columbia National Guard, Office of Human Rights, Department of Corrections, Corrections Information Council, Department of Forensic Sciences, Office of the Chief Medical Examiner

The Committee received comments from members of the public and government witnesses during these hearings. Copies of witness testimony from the Committee’s budget oversight hearings are included in this report as *Attachments A, B, C, and D*. Copies of witness testimony from the Committee’s performance oversight hearings have been filed with the Office of the Secretary and are available on the [Legislative Information Management System](#) (“LIMS”). Video recordings of all hearings can be obtained through the Office of Cable Television, Film, Music and Entertainment at <https://entertainment.dc.gov/page/demand-2018-0> or at <http://dccouncil.us/videos/archive/>. The Committee continues to welcome public input on the agencies and activities within its purview.

B. BOARD OF ELECTIONS

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The Board of Elections (“the Board”) is an independent agency comprised of a three-member Board, an Executive Director, a General Counsel, and support staff. The Board’s mission is to enfranchise eligible residents, conduct elections, and assure the integrity of the electoral process. The Board is also responsible for rulemaking and adjudication matters related to elections. In addition to the activities related to the actual conduct of an election, the Board maintains the District’s voter registration rolls, identifies polling places, trains poll workers, maintains the District’s voting equipment, operates a website, and maps election district boundaries.

b. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Analysis and Comments

Operating Budget: The Board’s proposed budget for FY19 is \$10,489,133, including \$7,030,000 in personal services (“PS”) and \$3,459,000 in nonpersonal services (“NPS”). At the agency’s oversight hearing, Director Miller commented that the Board had requested \$12 million from the Executive to meet its needs – approximately \$1.5 million more than was included in the proposed budget. However, the Board will use federal funding (as discussed below) to make up the difference. Additionally, the Committee is pleased to see that the proposed budget has included funds to cover the historic deficit that has existed in the agency’s personal services funding.⁴ The Committee thanks the Executive for the investment made in the agency.

Federal Funding: Under the 2018 Help America Vote Act (“HAVA”), the District is slated to receive \$3 million in federal funds to be used for improvements to the administration, accessibility, and cybersecurity of elections for federal office. To receive the funds, the Board must write a short narrative description of how it plans to use the funds, along with a line-item budget. The District also must match the federal funds by 5% (\$150,000) within two years.

At the agency’s budget oversight hearing, Director Alice Miller testified that the HAVA funds can be used to cover the shortfall of \$1.5 million in the proposed FY19 budget. She stated that the Board is planning to use the funding to purchase new voting equipment for early voting and regular voting, to make cybersecurity updates, and to address the accessibility of polling sites. She testified that she expects the Board to receive the funds this fiscal year.

⁴ Last year, this deficit was covered through a contingency cash transfer.

Agency Leadership: Under the current Director, the Board has flourished and is much-improved than it was prior to her tenure. The Director has extensive experience in elections administration and has shown strong operational and fiscal management skills. Under her leadership, the Board has strengthened its voter outreach, its use of technology to streamline and improve elections, and its community engagement. The agency has become more public-facing and has instilled confidence in its operations in the Committee and the public. The Committee commends the agency and Director Miller for these improvements.

Initiative on the Primary Election Ballot: The Board recently certified a ballot initiative, Initiative Measure No. 77, which will be on the ballot for the June 19 primary election. As all registered voters would be eligible to vote for the initiative, the Board will have to print two ballots – one for registered party voters who can vote for candidates in the primary, and one for independent and minor-party voters who are only eligible to vote on the ballot initiative. At the agency’s performance oversight hearing, Director Miller testified about the measures the Board is taking to ensure that independent and minor-party voters are aware of the ballot initiative’s presence on the primary election ballot. She stated that the Board is planning an aggressive messaging campaign, including mailing postcards to all unaffiliated and minor party voters, posting the information on the Board’s new website, including it in the Voter Guide, on social media, and in advertising, and conducting voter education and outreach events. The Committee commends that Board for moving speedily and thinking creatively to ensure that independent and minor-party voters are enfranchised in the primary election.

Early Voting: Early voting for the District’s June 19, 2018, primary election begins on June 4. At the agency’s performance oversight hearing, Director Miller testified about the Board’s efforts to make the public aware of early voting opportunities. She stated that the Board will be sending out mailers to alert registered voters of their eligibility to vote, along with the start date and locations for early voting.

In the District, early voting is very popular – in fact, one-third of all votes cast are during early voting. Despite its popularity, most Wards only have one Early Voting Center (except for Wards 4 and 6, which have two each). Director Miller testified that the Board would like to expand early voting by increasing the number of Early Voting Centers across the District. By the 2020 election, she would like to double the number of Early Voting Centers and ensure there are at least two in each Ward. To effectuate the expansion, the Board would need to identify facilities to use as Early Voting Centers and identify funding for and acquire additional voting equipment to be used at these sites. Director Miller testified that the Board would need more voting equipment because the equipment used for early voting cannot be reused for Election Day voting. The early voting equipment is set up so that all voters

can use it, while election day equipment is set up so only voters from that precinct can use it. In a follow-up letter to the Committee, the Director further commented that the Board would need to obtain the following equipment: 14 DS200 Optical Scanners and tabulators, 14 wireless modems, and 70 ExpressVote Machines and kiosks. Director Miller stated that the incoming HAVA funds will provide the necessary resources for the Board to expand early voting initially, but the agency may need additional funding in the future to support this effort. The Committee applauds the Board for its desire to expand early voting given its ability to lessen Election Day pressures on the agency and increase access to the polls.

Automatic Voter Registration: The Automatic Voter Registration Amendment Act of 2016 – authored by Chairperson Allen and effective from October 1, 2017 – permits a voter to register with the Board by applying for identification from the Department of Motor Vehicles (“DMV”) and requires the DMV to transmit electronic records to the Board.⁵ In the FY18 budget, the Committee identified funding for two permanent FTEs at a cost of \$56,575 each to implement the law. The Committee also transmitted \$200,000 to the DMV to fund a necessary system upgrade. Both FTEs have been hired, and the DMV anticipates that its system upgrade will be fully ready in June 2018. The Committee eagerly awaits the law’s full implementation.

Voter Registration and Election Management Database: The Board’s current voter registration system is more than twenty years old and has been fraught with difficulties in recent years. In June 2016, the Office of the District of Columbia Auditor released a report, finding that the voter file contained inaccuracies as a result of improper voter file maintenance.⁶ The report found that the Board lacked effective policies and procedures to ensure the removal of deceased voter records, duplicate voter records, and voter records with inaccurate birth dates from the District’s voter file, as required. The report recommended that the Board improve its voter file maintenance by using new information systems, as well as improved communications with the District’s voter registration agencies.

Fortunately, in May 2017, the Executive made a significant investment in the system’s improvement when it reprogrammed \$3 million in capital funds authority from various agencies to the Board to “solicit proposals for the development, implementation, data conversion, testing, and installation of a new centralized, integrated citywide voter registration and election management database system”. The Office of Contracting and Procurement’s (“OCP”) review of the request for

⁵ Automatic Voter Registration Amendment Act of 2016, effective February 18, 2017 (D.C. Law 21-208; D.C. Official Code § 1-1001.07 *et seq.*).

⁶ Office of the District of Columbia Auditor, *The District of Columbia Voter File: Compliance with Law and Best Practices* (June 7, 2016), http://www.dcauditor.org/sites/default/files/The%20District%20of%20Columbia%20Voter%20File%20Compliance%20with%20Law%20and%20Best%20Practices_0.pdf.

proposals took longer than anticipated, but at the agency's performance oversight hearing, Director Miller testified that solicitations for this project were scheduled to close on March 26, 2018, and then OCP would select a contractor. As of the date of this report, the Technical Evaluation Panel is currently reviewing the proposals of the approximately six vendors that applied. This process – which entails reviewing lengthy submissions, calling in vendors for demonstrations, and making recommendations – should be completed in the next three weeks. Director Miller expects that the project will not be completed until after the current election cycle. However, she believes that the Board may be able to run the new database parallel to the current one in the November 2018 general election, if the vendor is in place in time.

This project is of the utmost importance to the Committee and to District voters. A clean voter file ensures that District residents who are registered to vote are enfranchised and not turned away from the polls based on an inaccurate or incomplete voter record. The Committee requests that the Board keep it apprised of the project's progress.

Voter Registration Agency Subtitle: On June 27, 2017, Councilmember Mary Cheh introduced B22-0345, the “Voter Registration Agency Amendment Act of 2017”. The Committee held a hearing on the bill on January 25, 2018, where it heard testimony from two students from Wilson High School, in addition to representatives from the District of Columbia Public Schools (“DCPS”) and the District of Columbia Public Library (“DCPL”). The Committee is recommending the bill as a new subtitle for inclusion in the Fiscal Year 2019 Budget Support Act of 2018. The subtitle would add DCPS and DCPL to the list of voter registration agencies, which are selected agencies that are required to provide voter registration services. The bill would also require that the Board transmit an annual report to the Council containing the number of voter registration forms received by each voter registration agency. Funding for the District of Columbia Public Library costs associated with the subtitle were identified by the Committee on Transportation and the Environment and transferred to the Committee on Education. Funds for the District of Columbia Public Schools (“DCPS”) costs were also identified by that Committee but have been transferred to this Committee. The Board will need to transfer them to via MOU to DCPS. This subtitle is also described further later in the report.

Ballot Access Modernization: The Ballot Access Modernization Amendment Act of 2016 – authored by Chairperson Allen – requires the Board to implement a mobile application system to allow a candidate, campaign, or person proposing an initiative or referendum to gather signatures. The Committee funded the law's implementation in the Fiscal Year 2017 Budget Support Act of 2016, effective October 8, 2016 (D.C. Law 21-160), and the Board used its HAVA funds in FY18 to absorb the remaining \$81,581 in costs for the development, programming, and configuration of the software for the mobile application system and for hardware.

At the agency's performance oversight hearing, Director Miller testified that currently, seven or eight candidates are using this technology for the June 2018 primary election. She stated that she would like to see more candidates using it, but that the Denver program, on which the Board modeled its program, also had a slow start as candidates and signature gathers became accustomed to the new technology. The Committee is hopeful that more candidates will participate in future elections, and to increase accessibility to the technology, it recommends that the Board allow candidates to securely download the application at home rather than requiring them to bring their tablets to the Board's office for download.

Student Enfranchisement: District law allows 16- and 17-year-olds to pre-register to vote. At the agency's performance oversight hearing and in a follow-up letter to the Committee, Director Miller spoke to the Board's efforts to engage students in anticipation of the primary and general elections. She noted that the Board has a long-standing relationship with DCPS, and throughout 2016, the Board visited several high schools to conduct voter registration seminars and drives, as well as to recruit Student Election Workers. During FY16-17, the Board registered 548 District students. For the 2018 election cycle, the Board is again working with DCPS to register students and recruit workers. Recently, the Board was invited to Wilson High School to conduct a voter registration drive, where the Board identified 418 students as eligible to pre-register or register. The event yielded 228 newly registered voters, many of whom are eligible to vote in the June 2018 primary election. At the Committee's recommendation, the Board will hold similar events at additional high schools in Wards 7 and 8. To further support this effort, the Committee is funding an additional FTE for year-round voter outreach to specific populations, including students, returning citizens, and inmates.

On April 10, 2018, Councilmember Allen introduced the "Youth Vote Amendment Act of 2018", with six of his colleagues as co-introducers. The bill would lower the voting age in the District to 16, allowing 16- and 17-year-olds to vote in all District-wide elections, including the presidential election. The Committee plans to hold a hearing on this bill before the summer recess.

Voter Registration at the D.C. Jail: For several years, the Committee has prioritized voter outreach to the Department of Corrections ("DOC") to ensure that eligible inmates at the Central Detention and Central Treatment Facilities have access to the polls. At the Committee's performance and budget oversight hearings for the Board and for DOC, both agencies testified to their enhanced efforts in this area. During election season, the Board's staff takes ballots to both facilities, treating them as absentee ballots. Same-day registration is available for eligible inmates who are not currently registered to vote. However, the Committee will conduct continued oversight on these issues, because in this past election cycle, only 94 inmates voted in the primary election, and 141 inmates voted in the general election, compared to

the 2014 election cycle, in which 227 inmates voted during the primary, and 115 inmates voted during the general.

The Board's staff also has increased its collaboration with the Mayor's Office on Returning Citizens Affairs ("MORCA") and DOC to provide a means for communicating voter registration eligibility to returning citizens. The Board has participated in community outreach events to educate newly-released returning citizens on their eligibility, and it has also participated in orientations conducted by the Court Services and Offender Supervision Agency, where it distributed voter registration applications. The Board plans to continue to use such events to inform returning citizens about their voting rights.

During the 2018 election cycle, the Board is partnering with MORCA to engage returning citizens who are projected to reintegrate into the District within the next twelve months. The Board will also travel to several federal Bureau of Prisons correctional facilities where District residents are housed to conduct outreach about voting rights and the process by which returning citizens can update existing information or register for the first time. The Board has also reached out to two halfway houses – Hope Village and Fairwood – to coordinate voter education workshops and voter registration drives.

Director Miller, upon questioning at the agency's oversight hearing, noted that the Board does not play a role when individuals are exiting the correctional facilities. The Committee recommends that the Board reconsider this practice, particularly given the 3rd quarter launch of DOC's Portal of Entry, and establish a relationship with inmates as they are released. There is significant misinformation in the community about voting rights in the District for individuals with criminal records, and particularly with felony convictions. The Board may be able to combat some of this misinformation by connecting with returning citizens upon their release. The Portal of Entry represents an opportunity for the Board to connect with this population – and the Committee recommends that the Board engage with DOC to discuss this possibility. The Committee also recommends that the Board update its website specifically on this topic and make information about voting rights for individuals with criminal records readily available. Additionally, as noted above, the Committee is funding an FTE for year-round voter outreach to specific populations, including inmates, returning citizens, and students.

Cybersecurity: The Committee supports the Board's efforts in FY17 and FY18, to date, to secure the District's elections against cyber threats. In the District, election results are transmitted from the voting equipment, which is equipped with a modem and tabulation software. The software uses Virtual Private Network ("VPN") to securely transmit the election results from the precincts to headquarters and incorporates the latest in election security, including built-in audit controls, encrypted election data, and access level use credentials designed to keep election

data safe and secure. The software is certified by the Election Assistance Commission for usability, accessibility, and security requirements. The equipment security features also create security codes that control access to voting equipment. All USB media/flash drives are encrypted for each individually-designated machine. At the agency's performance oversight hearing, Director Miller stated that the Board works closely with the Department of Homeland Security, the National Association of Secretaries of States, and the Federal Bureau of Investigations on cybersecurity matters, and staff attend cybersecurity conferences to ensure that they are current on best practices in security recommendations. The Committee commends the Board for its attention to cybersecurity in the current climate and supports its continued engagement with the Department of Homeland Security on cybersecurity critical infrastructure issues.

Americans with Disabilities Act ("ADA") Compliance: At the agency's budget oversight hearing, Director Miller testified to the Board's continued efforts to ensure that all polling places are ADA-accessible. She noted that all early voting locations for the June 19, 2018, primary election are accessible, and eleven sites have temporary ramps for Election Day. However, she stated, and the Committee agrees, that the issue of accessibility is larger than just elections – these public sites, such as schools, should be accessible every day. She said that the Board attempts to work with locations to become accessible, but there is only so much the Board can do to force a location to make the necessary changes. When polling locations are inaccessible, Director Miller stated that the Board provides alternatives for voters with disabilities: the Board offers curbside voting, transfer of voters to precincts with accessible polling places, and "no excuses" absentee voting. She testified that the Board is also working with University Legal Services to identify inaccessible sites and to move these to accessible locations. At the hearing, University Legal Services noted that in its review of the Board's proposed notices of polling site relocations for the primary election, the Board had relocated one inaccessible polling place but continued to use several sites with which the organization took issue, including Precincts 4 (School Without Walls), 5 (Christ Episcopal Church), 25 (Goodwill Baptist Church), and 69 (Perry Street Preparatory School).

Director Miller further testified that, for the primary election, the Board expects to have full use of schools for polling locations, as schools will be closed for summer. This is in large part why the Committee moved the primary date to the third week in June in the "Primary Date Alteration Amendment Act of 2017" – to allow the Board use of the schools without conflicts with school scheduling.⁷ However, Director Miller reiterated the Board's belief that schools should always be closed on Election Day, or that Election Day should be an in-service day for the District. Doing so would eliminate security concerns with leaving doors open when school is in session, which would improve access to the buildings for individuals with disabilities. She noted that

⁷ See the Primary Date Alteration Amendment Act of 2017, effective August 19, 2017 (D.C. Law 22-13; D.C. Official Code § 1-1001.04 *et seq.*).

schools in the nearby jurisdictions of Maryland, Virginia, Pennsylvania, and Delaware all close schools on Election Day. For this November's general election, DCPS will be closed, and the Committee hopes that this will be in the case in future elections, as well.

The Committee supports the Board's continued work to improve access to the polls and recommends that the Board continues to work with the community and organizations such as University Legal Services to relocate polling places currently located in structurally-inaccessible buildings.

New Office Space: In December 2017, the Board moved into new office space located at 1015 Half Street SE, Suite #750. The new space is a vast improvement from the Board's former offices, and Director Miller testified that the Board is happy with the change. However, the hearing room in the new space is not currently set up for electronic recording. At the agency's performance oversight hearing, Director Miller testified that the hearing room does have the capability to be wired for microphones and recording systems, and the Board plans to install these soon. She stated that the procurement process is underway, but she could not state an exact anticipated timeframe for completion. The Committee recommends that the Board get this equipment installed as soon as possible, as it is important for the public to be able to electronically access Board meetings and hearings.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 operating budget for the Board of Elections as proposed by the Mayor, with the following modifications:

1. *Increase* FTEs by 1, and create a new position (Public Affairs Specialist) for year-round student and inmate voter registration outreach, with the accompanying local funds as follows:
 - a. Public Affairs Specialist: create a new position in Program 1000 (Agency Management), Activity 1080 (Communication): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$74,705 and CSG 14 (Fringe Benefits – Current Personnel) by \$13,521: *total PS increase = \$88,226*
2. *Increase* CSG 41 (Contractual Services – Other), Program 4000 (Election Operations), Activity 4001 (Voter Registration) by \$103,262 in recurring local funds for the agency to transfer to the District of Columbia Schools, as required to fund the Committee's proposed subtitle, the "Voter Registration Agency Amendment Act of 2018"

b. Policy Recommendations

1. Given the ongoing concerns about the accessibility of polling sites, the Committee recommends that the Board continue to work with District agencies and community-based organizations such as University Legal Services to identify inaccessible polling sites and make modifications, or if necessary, relocate the sites if they cannot be altered to accommodate the needs of voters with disabilities.
2. The Committee recommends that the Board develop a plan to annually pre-register 16- and 17-year-olds at all DCPS and public charter high schools in the District, the Youth Services Center, and New Beginnings, and then provide that plan to the Committee.
3. The Committee recommends that the Board continue to conduct outreach and coordinate with DOC and MORCA to ensure that eligible inmates and halfway house residents are fully enfranchised, including by contacting returning citizens upon release from DOC (through the Portal of Entry) and BOP custody to provide them with voting information.
4. The Committee recommends that the Board transfer costs associated with compliance with the Committee's proposed subtitle, the "Voter Registration Agency Amendment Act of 2018", to DCPS via MOU.
5. The Committee recommends that the Board consider ways to increase the usage of the ballot access mobile application system by candidates and signature gatherers in future elections.
6. The Committee recommends that the Board consider how to expand the use of voting and voter registration data on its new, improved website.
7. The Committee recommends that the Board keep the Committee apprised of its efforts to expand early voting.
8. The Committee recommends that the Board continue to seek Department of Homeland Security assistance with elections cybersecurity preparedness.

C. BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The Board of Ethics and Government Accountability (“BEGA”) comprises two offices: the Office of Government Ethics (“OGE”) and the Office of Open Government (“OOG”). The OGE administers and enforces the District’s Code of Conduct. The OGE issues *sua sponte* and requested advisory opinions relating to the Code of Conduct and the District’s Ethics Manual, provides ethics training to District government employees, receives and reviews public financial disclosure statements from officials and certification statements from Advisory Neighborhood Commissioners, and receives and audits lobbyist registration forms and activity reports. The OOG enforces the Open Meetings Act (“OMA”), monitors the District’s compliance with the Freedom of Information Act (“FOIA”), and resolves disputes between agencies and the public regarding access to government records. OOG works to ensure that government operations are transparent, open to the public, and promote civic engagement.

b. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Report and Analysis

Agency Activities: OGE continues to conduct ethics trainings for more than 34,000 District government employees, Councilmembers and their staff, board and commission members, Advisory Neighborhood Commissioners, and lobbyists. In FY17, OGE conducted a total of 129 trainings, and in FY18, to date, it has conducted 59.

In FY17 and FY18, to date, OGE has issued eight formal written Advisory Opinions, with seven opinions based on requests and one *sua sponte* opinion. Informal ethics advice was given to 700 employees or elected officials who called or emailed during FY17 and to 236 employees or elected officials during FY18, to date.

In FY17 and FY18, to date, OGE initiated 70 investigations and closed 63 of those investigations. Twelve of the 70 closed investigations resulted in negotiated dispositions, with fines totaling \$15,350. Enforcement actions concerned matters such as nepotism, misuse of government resources, misuse of Fleet Share and Zipcar vehicles, financial conflicts of interest involving official actions benefiting a spouse, failure to disclose membership in outside entities, and gifts from prohibited sources. The individuals involved included high-level officials, such as a Councilmember, a former agency head, a former contracting officer, as well as mid- and low-level

employees. As required by the Ethics Act, OGE publishes quarterly reports listing all the investigations and any resulting dispositions.

OGE also continued to handle lobbyist registration and activity reporting. As of January 2018, 4,323 lobbyists have registered. OGE collected \$100,175 in lobbyist registration fees in FY17 and \$19,304 in FY18, to date. OGE also collected \$2,620 in lobbyist fines in FY17 and FY18, to date, which is a decrease from prior years.

On October 19, 2016, BEGA held its annual Ethics Day, a day-long event at which the agency offered sessions on nine different ethics-related subject areas. OOG Director Traci Hughes facilitated a panel at Ethics Day entitled “DCGOV Best Practices on the Release and Retention of Government Records Created on Social Media Platforms”. The program was attended by approximately 400 District employees and received positive reviews. OGE also produced a new ethics training video, which debuted during Ethics Day.

On December 31, 2017, BEGA issued its annual Best Practices Report, as required by the Ethics Act.⁸ The report focused on the need to pass the Comprehensive Code of Conduct legislation pending before this Committee.

In FY17 and FY18, to date, OOG responded to 320 formal and informal requests for advice on compliance with FOIA. OOG also conducted 26 OMA trainings. OOG has issued 23 opinions, including 10 binding OMA Advisory Opinions. In addition, OOG continues to work collaboratively with the Mayor’s Office of Talent and Appointments (“MOTA”) and the Mayor’s Office of Legal Counsel (“MOLC”) to conduct OMA trainings of newly-sworn public body members and yearly trainings for FOIA officers. OOG has also conducted trainings upon request by public bodies, agencies, and entities. In FY17 and FY18, to date, OOG conducted one training facilitated by MOLC and 20 separate FOIA trainings for agencies. The Committee commends OOG for its successful trainings and advice efforts on the OMA and FOIA.

In its first and only enforcement action, OOG filed suit in Superior Court in October 2016 against Michael Yates in his capacity as Chairperson of the Mayor’s Advisory Commission on Caribbean Community Affairs (“MACCCA”) for failure to comply with the OMA. On September 27, 2017, D.C. Superior Court Judge John Campbell ruled that MACCCA plainly violated the OMA, but he failed to order a fine. The Court granted OOG declaratory relief and noted that the need for and efficacy of such relief is not mooted by the defendant’s having now come into compliance.

New Director of OGE: In July 2017, OGE’s first Director, Darrin Sobin, stepped down from his position to accept another opportunity. On December 11, 2017, BEGA announced that it had hired Brentton Wolfingbarger as the new Director. Mr.

⁸ Board of Ethics and Government Accountability, *2017 Best Practices Report* (Dec. 2017), <http://bega.dc.gov/sites/bega/files/publication/attachments/2017%20BPR.pdf>.

Wolfigbarger has practiced law for more than 24 years, most recently directing a federal contractor's measurement of improper payments made by the Medicaid and CHIP programs in all 50 States and the District. Between November 2011 and July 2016, Mr. Wolfigbarger served in the Office of the Inspector General for the District of Columbia, serving first as the Deputy Director of the Medicaid Fraud Control Unit before being promoted to Director in May 2015. Prior to joining the Office of the Inspector General, Mr. Wolfigbarger served as an assistant prosecutor and operated his own private practice, handling a broad spectrum of matters including criminal defense, civil rights, and election law cases. The Committee looks forward to continuing to work with Director Wolfigbarger.

On October 17, 2017, Darrin Sobin was nominated to BEGA's Board, and the Council confirmed his appointment on January 26, 2018. The Committee thanks Mr. Sobin for his service to BEGA as Director of OGE and welcomes him back to the agency as a member of the Board.

Agency Budget Needs: Chairperson Tameka Collier testified at the Committee's budget oversight hearing that the agency will have several budget challenges in the upcoming year as they carry out the missions of both the OGE and OOG. First, the OGE must replace its antiquated e-filing system. She stated that the agency received capital funds for this project through a reprogramming, and she believes the system will be "live" for the upcoming Financial Disclosure Statements season.

Chairperson Collier testified that the second budget priority is a need for FTEs to meet increasing workload demands. To increase capacity, the current budget includes two administrative FTEs. She stated that OGE proposes to convert one administrative FTE to a program specialist and the other to an investigative auditor with salary increases. To reduce the budget impact of these conversions, OGE proposes that the salary of the investigative auditor be drawn from BEGA's O-Type funds collected from lobbyist registration. However, this will substantially deplete the account, and OGE will need to re-evaluate this recommendation in future years.

Chairperson Collier further testified about OOG's budget needs. She noted that the proposed budget incorrectly reflects that last year OOG was approved for 4 FTEs for FY18. Rather, OOG currently has 3 FTEs, which BEGA believes to be sufficient to handle the office's workload. At the hearing, there was some debate over how many FTE's OOG had been approved in the FY18 budget. From the Committee's research, it appears that Chairperson Collier is correct. Furthermore, Director Hughes' testimony at the hearing confirmed Chairperson Collier's. In addition, OOG expressed a desire to upgrade their computers, replace their printer, and develop new materials for outreach to the public. The Committee has identified \$40,000 in NPS funds for OOG for these purposes.

Lastly, Chairperson Collier testified that BEGA needs a new office space. The agency is currently housed at One Judiciary Square, where the agency does not pay rent. However, Chairperson Collier stated that the agency has outgrown the space and has begun evaluating other options. DGS conducted a study and estimates that the cost to relocate the agency to leased office space would exceed \$300,000 per year. Chairperson Collier noted that this issue was not ripe for inclusion in the FY19 budget, and the agency will seek assistance from the Committee if necessary.

Case Management System: At the agency's performance oversight hearing, Director Wolfingbarger testified that OGE was currently working with a vendor to make upgrades to its outdated case management system. He stated that a demo of the new system would be up and running in about 30 days. He noted that he did not believe that BEGA would need a budget enhancement this year to complete the upgrade – the agency is currently using O-type funds to finance the upgrade, but he hopes to not have to use these funds in the future. He expected the new system to create an approximate \$30,000 per year ongoing expenditure for a licensing fee, which is not currently in BEGA's budget. The Committee requests that BEGA keep it informed of the progress of this project and any unanticipated costs.

Lobbyist Activity Reporting: Currently, individuals who “communicat[e] directly with any official in the legislative or executive branch of the District government with the purpose of influencing any legislative action or an administrative decision” must register as lobbyists with OGE and file biannual reports of their activities each January and July. Activity reports must include information relating to lobbying expenditures; political expenditures, loans, gifts, honoraria, or contributions to benefit public officials or members of the officials' household or staff; business relationships with officials; and bundled political contributions. All activity reports are publicly available on the Board's website. However, because the reports are only filed twice a year, there are long periods of time between reports in which significant lobbying activity can occur. For example, Councilmembers may interact frequently with lobbyists if a controversial bill is under consideration. Depending on the timing of the reporting, these interactions may not become public until many months later, long after the vote on the bill has taken place. In addition, many of the reports filed include vague descriptions of the registrant's communication with an official, such as “meeting about a bill”. This kind of imprecise information is not useful to members of the public trying to obtain information about lobbyist activity.

On November 2, 2017, the Committee held a public hearing on Chairperson Allen's B22-0038, the “Lobbyist Activity Reporting Transparency Amendment Act of 2017”, which proposed increasing the lobbyist activity reporting requirement to monthly reports. At this hearing, witnesses and BEGA testified that monthly reporting requirements may be unduly burdensome on both registrants and the

agency staff. Witnesses testified that a quarterly requirement would be less burdensome and still achieve the goal of filling reporting gaps that currently exist.

At the agency's performance oversight hearing, Chairperson Allen questioned OGE about the vague descriptions often found in lobbyist reports. Director Wolfingbarger testified that he agreed with Chairperson Allen's assessment of the problem and that OCTO was currently evaluating the system. He stated that the existing system is too reliant on "open text boxes", and that he would like to see a more structured system to capture detailed information, such as a required box for "bill number". Director Wolfingbarger indicated that BEGA and OCTO were working towards an updated system. At the Committee's budget oversight hearing, Director Wolfingbarger testified that he believes the work with OCTO is largely completed, and he hopes the new system will be live before the next lobbyist filing date in July.

To address some of these issues, the Committee is recommending a new subtitle for inclusion in the Fiscal Year 2019 Budget Support Act of 2018, as discussed later in the report. The subtitle would provide that registrants file activity reports on a quarterly basis, rather than only twice per year. More frequent filing would enhance the ability of the public to see lobbyists' interactions with officials and staff closer to when these interactions occur. For example, if the public is interested in the lobbying taking place on a particular piece of legislation, they now will not have to wait more than six months after it occurs. The subtitle also adds a requirement that these reports include detailed descriptions of the subject matter contained in communications by registrants with officials. In addition, the subtitle expands the definition of lobbying to require disclosure of all communications with an official in the legislative or executive branch made for the purpose of influencing contracts, reprogrammings, or other procurement actions taken by the District government. This part of the subtitle is based on the introduced version of Councilmember Mary Cheh's B22-0344, the "Lobbying Disclosure Amendment Act of 2017".⁹

Office of Open Government: In recent months, there has been significant public and Council discussion of the role of OOG within the agency and in relation to the Executive branch, largely in response to the Ethics Board's decision not to reappoint Director Hughes at the end of her five-year term.¹⁰ Many – including this Committee – want to safeguard OOG's independence, both in terms of its role within the agency and in its insulation from pressures to alter its decision-making. This independence is critical because OOG, as the independent arbiter of OMA compliance and as an advisor on FOIA matters, must be able to provide objective and trustworthy opinions and advice to District agencies, boards, and commissions – both those subordinate to the Mayor and independent.

⁹ See, <http://lims.dccouncil.us/Download/38424/B22-0344-Introduction.pdf>.

¹⁰ See, D.C. Official Code § 2-594.

However, OOG's ability to execute its mission is compromised by the unsustainable structure that was created by the Ethics Act: BEGA (the agency) is governed by a board of five members (the Ethics Board), with government ethics matters being overseen by a Director of Government Ethics (who serves at the Board's pleasure). At the same time, the Open Government Office is "an independent office within the Board of Ethics and Government Accountability".¹¹ What is the meaning of "independent" in this context? An independent office within an independent agency? The Code is, frankly, unclear on how to resolve this odd structure, and this lack of clarity is impeding both OOG's and the agency's missions.

At the agency's performance oversight hearing, Ethics Board Chairperson Tameka Collier testified about the "untenable" nature of the current structure of the agency. She testified that, without oversight authority over the OOG and its Director, the Board can not properly support the office. She requested a "legislative fix" from the Council to either remove OOG from the Board's purview entirely or change the structure so that OOG explicitly reports to the Board in the same way that the OGE currently does.

This Committee's priorities are the following: (1) to ensure that the agency's structure will best promote government ethics and accountability *and* open government and transparency; (2) to build in checks and balances that allow for independence and, simultaneously, accountability; (3) to avoid making changes to agency structure or missions that are based on the individuals in the specific positions, rather than underlying policy interests; and (4) not to create redundant government bureaucracies.

The Committee believes that OGE and OOG should be co-equal and independent offices under the purview of a Board with expertise in issues relevant to both offices. For example, in the FY18 budget, the Committee included a subtitle that provided the Director of OOG with the authority to prepare and submit OOG's own annual budget to the Mayor, with the Board's approval. At the Committee's budget oversight hearing, OOG Director Traci Hughes testified that this process was successfully followed for this year's budget. This change was initiated in large part because the Committee felt that the needs of OGE were at times eclipsing those of OOG. For example, in the past, when the Committee provided OOG with an additional FTE, it was moved to OGE by the Board, and there have been similar issues with nonpersonal services funds.

The Committee heard testimony at its performance and budget hearings advocating for the creation of an independent agency for open government issues, to which the OOG Director would report. The Committee understands why this proposal was recommended but disagrees that it would be more structurally independent than

¹¹ D.C. Official Code § 2-592.

the existing board. If witnesses were concerned that the Board's current membership does not prioritize open government issues, then there is a remedy: testify at this Committee's confirmation hearings and recommend that the Executive identify suitable candidates with that background. That said, the Committee agrees that there should be more expertise on the Board in open government and transparency, and its recommended subtitle explicitly requires that at least one member have this specific background. Government ethics, open government, transparency, and accountability are interrelated concepts and should be the mission of a singular entity. BEGA was created in response to a clear need for enforcement and education on these issues within District government and having two agencies with similar missions would not make government ethics or open government and transparency issues easier to understand for officials or employees.

The Committee's subtitle reconciles these structural issues by making OOG a co-equal office to OGE, both of which will be accountable to the Board but preserve their independence with respect to their directors' terms, removal for cause, and staffing and financial resources. The Committee's subtitle also changes the "Ethics Board" to the "Board of Ethics and Government Accountability", thereby making clear the dual mission of the Board. The subtitle additionally strengthens the Board's responsibility to evaluate the District's OMA and FOIA statutes through those issues' incorporation into the Board's annual best practices report submitted to the Mayor and Council. The Committee's subtitle further allows OOG to pursue attorneys' costs and fees in OMA actions, to be held in a non-lapsing special purpose fund similar to those of OGE.

This Committee has been extremely supportive of BEGA's mission since the agency's creation, both financially and politically, and it takes its oversight responsibilities seriously. The public must have confidence in BEGA's independence and decision-making. The Committee, in its review of the agency's actions in recent months, did not find evidence of political pressure on the Board, Board members, or staff to alter its decision-making or to not renew Director Hughes' term. Rather, the Committee found a level of familiarity between the current Board Chair and senior officials in the Executive Branch that has the potential to undermine the public's trust in the agency. The Committee believes that it was appropriate and lawful for the Board to make the personnel decision not to reappoint Director Hughes while in executive session, to communicate with representatives of agencies against whom OOG was pursuing legal action in order to facilitate settlement, to work with the Mayor's Office of Talent and Appointments to fill open Board seats, and to have collegial relationships with the Executive branch more generally. Collegiality does not compromise independence, but the Board must simultaneously appreciate its enforcement and advisory mandates and the importance of the public's confidence in the agency's independence.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends approval of the FY19 operating budget for the Board of Ethics and Government Accountability, as proposed by the Mayor, with the following modifications:

1. *Increase* CSG 20 (Supplies and Materials), Program 1000 (Office of Open Government), Activity 1100 (Office of Open Government), by \$40,000 in one-time local funds for nonpersonal services related to technology and community outreach needs of the Office of Open Government.
2. *Increase* CSG 11 (Regular Pay – Continuing Full Time) by \$35,305 and CSG 14 (Fringe Benefits – Current Personnel) by \$8,881, in Program 2000 (Board of Ethics), Activity 2010 (Board of Ethics), to enhance the salary and fringe for existing Program Analyst and Paralegal Specialist FTEs: *total PS increase = \$44,186*

b. Policy Recommendations

1. The Committee recommends that BEGA make upgrades to its lobbyist activity report filing system, so that the public can better access reported information.
2. The Committee recommends that BEGA consider hiring a Chief of Staff or similar position to facilitate inter-office collaboration between OGE and OOG and enhance communication with the public and media.

D. COMMISSION ON JUDICIAL DISABILITIES AND TENURE

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The Commission on Judicial Disabilities and Tenure (“CJDT”) comprises seven members: two lay persons, four attorneys, and one federal judge. One is appointed by the President of the United States; two are appointed by the Board of Governors of the Bar; two are appointed by the Mayor; one is appointed by the Council; and one is appointed by the Chief Judge of the United States District Court for the District of Columbia. All terms are for six years, except for the presidential appointee’s term, which is a five-year term. The members do not receive a salary. An Executive Director and an Executive Assistant handle CJDT’s operational and administrative needs.

CJDT has the authority to remove a judge for willful misconduct in office, for willful and persistent failure to perform judicial duties, and for conduct prejudicial to the administration of justice. CJDT also has the authority to retire a judge involuntarily if it determines that the judge suffers from a mental or physical disability which is or is likely to become permanent and which prevents, or seriously interferes with, the proper performance of the judge’s duties. CJDT may, under appropriate circumstances, publicly censure or reprimand a judge. Finally, CJDT conducts fitness and qualification reviews of retiring and senior judges as well as performance evaluations of associate judges eligible for reappointment.

b. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Analysis and Comments

Agency Activities: The Commission met 11 times during FY17 for scheduled meetings. The Commission’s staff also responded to more than 100 requests for information from the Bar and the public. During the Committee’s performance oversight hearing, CJDT’s Chair, Jeannine Sanford, noted that, in FY17, the agency received 70 complaints. The Commission determined that no further inquiry was warranted in 28 cases. CJDT dismissed 21 matters for lack of jurisdiction and seven matters for lack of merit. The agency investigated 30 matters and then dismissed 21 complaints when it determined no further action was warranted. Three complaints were pending at the end of the fiscal year, one of which was dismissed for lack of jurisdiction in FY18. There are two pending complaints that concern judges with health issues that the Commission is continuing to monitor. The Commission disposed of two complaints through informal conferences with the judges involved, two complaints informally with a letter to each of the judges, and one matter with a letter to Chief Judge Robert Morin. Three complaints were dismissed when the

complainants failed to provide additional information that was requested, and one complaint was withdrawn by the complainant before the Commission took any action.

Since the beginning of FY18, CJDT has received 15 complaints and conducted five misconduct investigations. In nine cases, the Commission determined after the initial review that no further inquiry was warranted, and it dismissed eight complaints for lack of jurisdiction and one matter for lack of merit. Of the 23 matters investigated, 14 complaints were dismissed after investigation for lack of jurisdiction, and three were dismissed after investigation for lack of merit. Of the five matters investigated, two complaints were dismissed after investigation for lack of merit. Four complaints are currently pending.

Table 1: Commission on Judicial Disabilities & Tenure Activities, FY17 and FY18, to Date (As of February 8, 2018)

<i>Case Type</i>	<i>FY17</i>	<i>FY18, to Date</i>
Judicial Misconduct Complaints Reviewed	70	15
Judicial Misconduct Complaints Investigated	30	5
Senior Judge Fitness Reviews Completed	10	10
Associate Judge Reappointment Evaluations	1	1 – In Progress
Involuntary Retirement Proceedings	0	0

Source: Commission on Judicial Disabilities & Tenure

Table 2: Complaint Disposition Summary, FY16, FY17, and FY18, to Date (As of February 8, 2018)

<i>Complaint Summary</i>	<i>FY16</i>	<i>FY17</i>	<i>FY18, to Date</i>
Complaints Received	55	70	14
Complaints Investigated	27	30	5
Dismissed for Lack of Jurisdiction	34	30	8
Dismissed for Lack of Merit	17	28	3
No Further Action Warranted/Matter Moot	1 ¹²	4 ¹³	0
Length of Time Under Review			
a. 30 Days	32	42	9

¹² One complaint was dismissed because the complainant failed to provide the additional information that was requested.

¹³ Three complaints were dismissed because the complainants failed to provide the additional information that was requested, and one complaint was withdrawn before the Commission took any action.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

b. 60 Days	13	19	2
c. 90 Days	5	5	0
d. 120 Days	2	1	0
e. > 120 Days	3	3	0
Resulted in Disciplinary Action	0	0	0
Disposed of Informally (Conference or Letter to Judge)	1	5	0
Pending	2	3	4 ¹⁴

Source: Commission on Judicial Disabilities and Tenure

D.C. Judicial Financial Transparency Act: The Commission was tasked with the implementation and administration of the D.C. Judicial Financial Transparency Act in FY17.¹⁵ This law, enacted in December 2016, statutorily changed the method by which information must be reported, thereby requiring the Commission to develop a new financial report form. The law also requires the Commission to draft a set of filing regulations and instructions for judges, regulations and a form for judges who request a redaction of certain information before the report goes public, and instructions and a form for the public to use when requesting inspection or a copy of a judge's report.

In response to this legislation, the Commission developed a new financial disclosure form, drafted a 13-page booklet of filing instructions to assist judges in completing the form, added four pages to the Commission's existing Rules addressing every aspect of the new legislation, designed a public inspection request form, and developed procedures and form letters for judges to use when requesting redaction of information for security reasons. Most of these documents are on the Commission's website. The Commission does not yet know the full impact the legislation could have on administrative operations, as it has not received any public inspection requests as of February 2018.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 operating budget for the Commission on Judicial Disabilities and Tenure, as proposed by the Mayor.

¹⁴ Of the four complaints pending for FY18, three have been pending for fewer than 30 days, and one has been pending for 60 days.

¹⁵ District of Columbia Judicial Financial Transparency Act, 114 P.L. 257 (2016).

b. Policy Recommendations

1. The Committee recommends that CJDT keep the Committee apprised of the administrative and financial impact on the agency due to the District of Columbia Judicial Financial Transparency Act.

E. CORRECTIONS INFORMATION COUNCIL

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The Corrections Information Council (“CIC”) is an independent monitoring body mandated by the U.S. Congress and the Council to inspect, monitor, and report on the conditions of confinement at facilities where District residents are incarcerated for D.C. Code violations. These facilities include all Federal Bureau of Prison (“BOP”) facilities, Department of Corrections (“DOC”) facilities, and contract facilities where District residents are incarcerated.¹⁶ CIC reports its findings and recommendations on conditions of confinement to the Mayor, the Council, the District’s Congressional representatives, corrections agency heads, and the community. CIC’s independent prison monitoring ensures accurate and objective information about the status of specific prisons, jails, and halfway houses, as well as the system as a whole. Through the inspection and reporting process, CIC provides transparency and knowledge to government officials and the community, allowing for accountability and the reporting of best practices and recommendations.

b. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Analysis and Comments

Budgetary Needs: CIC’s proposed budget for FY19 includes \$232,000 for Personal Services (“PS”) and \$40,000 for Nonpersonal Services (“NPS”). The NPS funding represents a decrease of \$178,000 from FY18 – but much of that funding was for the agency’s new office space that was reallocated to the Department of General Services (see below). However, at the agency’s budget oversight hearing, Director Bonner testified that the agency did not receive sufficient funds for NPS. She noted that the \$40,000 allocated for NPS is less than the \$52,000 given to the agency in FY16, which did not include funds for a new office space. She requested that the Committee grant CIC an additional \$18,000 in NPS to bring the funding up to \$58,000 to meet the agency’s needs. The Committee has located this funding.

Reports: In July 2013, CIC entered into an MOU with BOP to access federal facilities. In July 2016, CIC renewed this MOU for another 3 years. In FY18, CIC has conducted an inspection of USP Pollock, LA. CIC also plans to visit USP Atwater, CA,

¹⁶ Rivers Correctional Institution in North Carolina, owned by GEP Group, is the most used contracted facility by BOP for District inmates. As of March 31, 2018, there were 251 District inmates incarcerated there. There are a few other contracted facilities that are occasionally used by BOP for District inmates: D. Ray James Correctional Center in Georgia (1 inmate as of March 31, 2018), McRae Correctional Institution in Georgia (2 inmates as of March 31, 2018), and Moshannon Valley Correctional Institution in Pennsylvania (3 inmates as of March 31, 2018).

FCC Butner, FMC Devens, MA, FMC Springfield, MO, and FCI Aliceville, AL, in the remainder of FY18. In April 2018, CIC issued reports on its inspections conducted in FY17 on FCI Beckley and USP Lewisburg SMU. The salient findings from these reports are as follows:

FCI Beckley Inspection Report¹⁷:

- FCI Beckley is a medium security facility in Beaver, West Virginia, located 302 miles from the District. It houses 70 D.C. Code offenders (4.7% of the prison's population) and the average sentence is 152 months.
- The largest concern reported by District inmates was the disrespectful and racist behavior of staff. They reported discriminatory treatment due to their status as District inmates and feel that they do not get the same access to programming and staff assistances. Several inmates also reported retaliatory treatment for filing grievances.
- Inmates also reported problems with receiving mail, including staff opening legal mail and removing documents related to filing grievances.
- Many inmates reported that they do not have access to grievance forms.
- The facility's BRAVE Program, which offers cognitive-behavioral therapy has 90 participants, seven of which are from the District.
- The facilities' Residential Drug Abuse Program, which offers counseling, has 116 participants, only one of which is from the District.
- The facility has few educational or vocational training programs. Only two District inmates reported being in an academic or vocational program, and almost everyone reported that getting into the existing programs is difficult.

USP Lewisburg SMU Inspection Report¹⁸:

- USP Lewisburg SMU is a high security facility in Lewisburg, Pennsylvania, located 185 miles from the District. It houses 83 D.C. Code offenders (12.44% of the prison's population).
- The Department of Justice has recommended limiting the maximum time an inmate may spend in SMU¹⁹ to 24 consecutive months. However, six District inmates have been in the SMU for three to five years.

¹⁷ FCI Beckley Inspection Report – April 6, 2018, <https://cic.dc.gov/sites/default/files/dc/sites/cic/publication/attachments/FCI%20Beckley%20Inspection%20Report%20and%204.5.18%20BOP%20Response%20.pdf>.

¹⁸ USP Lewisburg SMU Inspection Report – April 6, 2018, https://cic.dc.gov/sites/default/files/dc/sites/cic/publication/attachments/USP%20Lewisburg%20SMU%20Report%20FINAL%204.6.18_0.pdf.

¹⁹ An SMU is a Special Management Unit, in which inmates are housed that need enhanced management to ensure safety, security, or orderly operation of BOP facilities.

- District inmates reported that cells do not have emergency call buttons for life-threatening situations.
- District inmates reported instances of staff retaliation in response to inmates' use of the administrative remedy process, PREA complaints, and litigation.
- Nine out of ten District inmates reported that they did not have adequate access to mental health services.
- District inmates reported injuries stemming from restraints, including bruises, cuts, and extreme swelling around their wrists and waists. They also reported not being able to use the toilet while placed in four-point restraints for periods ranging from 48-120 hours.
- District inmates also reported not receiving mail sent from CIC that was sent on at least five separate occasions between March and June 2017.

Based on the findings of these reports, this Committee is concerned with the treatment of District inmates in BOP facilities. In the reports, CIC issued numerous recommendations to improve the conditions of confinement at these facilities for District inmates. However, because of the District's lack of oversight over federal facilities, the District has no control over its own residents housed in these facilities. This situation makes it extremely difficult to provide District inmates with resources and support to assist them while incarcerated and once they are preparing to return home. The Committee is strongly of the opinion that the District must regain control over its criminal justice system to be able to provide meaningful oversight over its incarcerated residents.

Additionally, in FY18, CIC also caught up on its annual reports and released the 2016 CIC Annual Report and the 2017 Annual Report. It also released its Inspection Reports of DOC for 2016 and 2017. Some of the findings contained in the 2017 Inspection Report of DOC²⁰ are as follows:

- Inmates commented on the conditions they experienced at the Intake Unit, including hot temperatures. Another inmate reported that two individuals committed suicide on the unit and the staff had been aware that of the individuals had mental health issues. CDF staff described the Intake Unit as one of the most dangerous units in the jail.
- Several inmates at CDF shared comments about the lack of programming and the fact that inmates must be sentenced in order to participate in any programs.
- Inmates stated that medical treatment was oftentimes delayed or did not come at all. Several inmates also stated that they were denied wheelchairs or walkers.

²⁰ CIC Inspection Report of DOC – FY 2017, <https://cic.dc.gov/sites/default/files/dc/sites/cic/publication/attachments/Updated%20-%20CIC%20Inspection%20Report%20on%20DOC%20FY%202017%20-%202.14.18.pdf>.

- CDF staff reported that there is little communication with outside mental health care providers. Additional Department of Behavioral Health staff were going to be added to work at DOC in order to connect inmates to services in the community.
- In FY17, there was one suicide by hanging, and one death following an attempted suicide by hanging. There were 39 suicide attempts in FY17, many of which (16) were attempted by swallowing batteries. Following the rise of this behavior, staff reported that they removed all batteries from the Acute Unit.
- Some inmates housed in the Acute Unit, which is a restrictive setting oftentimes without out of cell time, do not need to be in this setting. They are housed there only because they are waiting for an evaluation at St. Elizabeths Hospital.
- Inmates reported that the food provided by DOC was insufficient – often bologna sandwiches for lunch or dinner, rather than hot lunches. Many inmates buy food from the commissary instead, spending \$50-\$60 a week.
- Inmates also were concerned about video visitation: they reported that the screens are blurry, monitors are often broken, there is no privacy, and the area is dirty.
- Inmates reported that outdoor recreation time is not consistent and sometimes does not occur at all.

In March 2018, CIC presented at the Academic & Health Policy Conference on Correctional Health in Houston, TX, where it discussed continuity of care issues between DOC and BOP and the community. CIC plans to conduct further research and issue a report on the challenges and solutions to this issue. CIC also plans to produce more in-depth thematic reports, beginning with one on the topic of education at DOC facilities. CIC will engage an expert and embark on research and observation necessary for this report and expects it to be finished by the end of FY18.

Table 1: Agency Reports Published in Fiscal Years 2016, 2017, and 2018, To Date

Fiscal Year 2018

<i>State</i>	<i>Report Name</i>	<i>Date Published</i>
WV	FCI ²¹ Beckley Inspection Report	April 6, 2018
PA	USP ²² Lewisburg SMU	April 6, 2018
	CIC Inspection Report of DOC – FY 2017	January 8, 2018
	CIC Inspection Report of DOC – FY 2016	December 31, 2017
	2016 CIC Annual Report	December 31, 2017
	2017 CIC Annual Report	December 31, 2017

Fiscal Year 2017

<i>State</i>	<i>Report Name</i>	<i>Date Published</i>
AZ	USP Tucson Inspection Report	April 4, 2017
PA	FCI Allenwood Medium Inspection Report	January 7, 2017
WV	FCI Hazelton Inspection Report	October 21, 2016
WV	SFF ²³ Hazelton Inspection Report	October 21, 2016
SC	FCI Edgefield Inspection Report	May 12, 2017

Fiscal Year 2016

<i>State</i>	<i>Report Name</i>	<i>Date Published</i>
WV	USP Hazelton Inspection Report	September 30, 2016
SC	FCI Bennettsville Inspection Report	June 27, 2016
VA	FCI Petersburg Medium Inspection Report	April 26, 2016
VA	FCI Petersburg Low Inspection Report	April 26, 2016
PA	USP Canaan Inspection Report	January 7, 2016
NY	FCI Otisville Inspection Report	January 7, 2016
CA	USP Victorville Inspection Report	January 7, 2016
CA	FCI Victorville Medium II Inspection Report	January 7, 2016
CA	FCI Victorville Medium I Inspection Report	January 7, 2016
PA	USP Lewisburg Inspection Report	November 5, 2015

Source: Corrections Information Council

Staffing: Through FY16 budget modifications proposed by the Committee, CIC's staff capacity increased by three FTEs, adding an Executive Director and two

²¹ Federal Correctional Institution.

²² United States Penitentiary.

²³ Secure Female Facility.

Program Analysts. In FY18, CIC received an additional FTE to hire a Program Analyst to receive and respond to complaints, questions, and requests from incarcerated residents, their family members, and other concerned citizens.

In FY18, CIC hired a Georgetown University Law Center (“GULC”) Fellow to act as a Program Analyst dedicated primarily to DOC facilities. CIC received \$20,000 from GULC to support this position’s salary and benefits for one year. At the budget oversight hearing, Director Bonner testified that this employee has been brought on as a full-time employee. She noted that GULC is interested in funding another Fellow next year, and she is hopeful that CIC will be able to take advantage of this program again at that time.

Office Space: Currently, CIC is located in the Greater Washington Urban League building at 2901 14th Street NW, occupying a space that is approximately 600 sq. ft. In last year’s budget, the Committee identified a \$95,043 increase for rent in addition to the \$55,000 already allocated in the proposed budget to support the agency’s move to a bigger office space. At the agency’s budget oversight hearing, Director Bonner testified that the Department of General Services (“DGS”) has identified a 3,000 square foot space in a commercial building shared by the Office of Police Complaints. DGS estimates that CIC will be able to move into this space between June and August 2018. She noted that the funding for this office space for FY19 is included in the DGS budget rather than in CIC’s budget.

Department of Corrections: At the agency’s performance oversight hearing, Director Bonner testified that the CIC is committed to spending more time and attention to the inspection and monitoring of Department of Corrections (“DOC”) facilities. As discussed above, this year CIC released Inspection Reports of DOC for 2016 and 2017. Director Bonner also noted that the DC Jail Improvement Act of 2003 only references the D.C. Jail (CDF) for CIC inspections and does not reference the CTF facilities. She stated that CIC is exploring whether the Act should be changed to include CTF.

Director Bonner also testified that CIC has proposed a memorandum of understanding (“MOU”) with DOC that is similar to CIC’s MOU with BOP, to govern inspections, reporting, and information sharing. However, no MOU has been entered into by the two agencies at this time. At the budget oversight hearing, Director Bonner testified that CIC had met with DOC to discuss an MOU, and CIC had submitted a draft for DOC’s review. She is hopeful that the two agencies will reach an agreement soon. Currently, CIC is limited to reporting information that is collected during intermittent, announced inspections and limited information received from DOC on an informal, inconsistent basis. The Committee encourages the agencies to enter into a more formal agreement to facilitate CIC’s ability to report on the conditions of confinement of District residents.

Youth Rehabilitation Act: Pursuant to B22-0451, the “Youth Rehabilitation Amendment Act of 2017”, which the Committee plans to markup prior to the vote on the FY19 budget, CIC is required to submit an annual report on the conditions of confinement and programming provided to youth offenders in BOP custody. The Committee is giving CIC an additional FTE to account for the fiscal impact of this requirement.

Holiday Postcard Initiative: During FY17 and FY18, the CIC coordinated holiday postcard writing events with community partners and sent approximately 4,000 postcards to BOP prisons where District residents are incarcerated. In December 2017, the Committee hosted this event at the Council so that Councilmembers and staff could participate. The Committee thanks CIC for its partnership and hopes to continue to host the event during future holiday seasons.

Board Composition: On December 16, 2017, Calvin Woodland, Jr., the Mayor’s nominee for the CIC Board, was sworn in. On February 20, 2018, Chairman Phil Mendelson introduced a proposed resolution to reappoint Katharine Huffman to the Board, which took effect on April 10, 2018. On April 9, 2018, Chairman Mendelson nominated Nkechi Taifa to fill the Council-appointed vacancy on the Board. Ms. Taifa’s nomination is pending. There are no other current vacancies.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 budget for the Corrections Information Council as proposed by the Mayor, with the following modifications:

1. *Increase* FTEs by 1, and create a new position (Policy Analyst) to analyze the conditions of confinement and programming provided to District of Columbia youth offenders in Federal Bureau of Prisons custody, as required to fund the fiscal impact of B22-0451, the “Youth Rehabilitation Amendment Act of 2018”, with the accompanying local funds as follows:
 - a. Policy Analyst: create a new position in Program 1000 (Prisoner Well-Being), Activity 1010 (Comprehensive Inspections District PRIS): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$66,085 and CSG 14 (Fringe Benefits – Current Personnel) by \$13,745: *total PS increase = \$79,830*
2. *Increase* CSG 40 (Other Services and Charges), Program 1000 (Prisoner Well-Being), Activity 1010 (Comprehensive Inspections District PRIS), by \$18,000 in one-time funds for nonpersonal services needs

b. Policy Recommendations

1. The Committee recommends that CIC continue to actively pursue an MOU with DOC for inspections of its facilities.
2. The Committee recommends that CIC prepare for the implementation of the Youth Rehabilitation Amendment Act of 2018 by creating a position description for the FTE and planning for the agency's new responsibilities.
3. The Committee recommends that the agency evaluate its staffing and salary levels to ensure that they are commensurate with similar positions in the field.

F. CRIMINAL CODE REFORM COMMISSION

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The mission of the Criminal Code Reform Commission (“CCRC”) is to prepare comprehensive recommendations for the Council and Mayor on how to revise the District’s criminal laws to be clear, consistent, and proportionate. The Commission is an independent agency that began operation on October 1, 2016. Prior to that date, the Commission’s work was performed by the Criminal Code Revision Project within the District of Columbia Sentencing Commission.

The Commission’s enabling statute establishes ten requirements for criminal code reform recommendations, which include: using clear and plain language, reducing unnecessary overlap and gaps between criminal offenses, and adjusting the penalties and gradation of offenses to improve their proportionality.²⁴

The Commission, which consists of five attorneys, analyzes District law and gathers information on District criminal justice practices, criminal justice practices in other jurisdictions, and best practices recommended by criminal law experts. Based on these sources, the Commission develops draft recommendations which are circulated to its statutorily-designated Criminal Code Revision Advisory Group (“Advisory Group”). The seven-member Advisory Group is comprised of designees from the Office of the Attorney General for the District of Columbia, the United States Attorney for the District of Columbia, the Director of the Public Defender Service for the District of Columbia, the Deputy Mayor for Public Safety and Justice, the Chairperson of the D.C. Council committee with jurisdiction over the Commission, and two D.C. Council appointees from established organizations – including institutions of higher education – devoted to the research and analysis of criminal justices issues.²⁵ The Advisory Group has a minimum of one month to provide comments on all the Commission’s draft recommendations. The Commission’s final recommendations will be based on the Advisory Group’s comments and must receive at least majority approval by the Advisory Group.

b. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Analysis and Comments

²⁴ D.C. Official Code § 3-152(a).

²⁵ The designee for the Chairperson of the Council committee with jurisdiction over the Commission and the designee for the Deputy Mayor for Public Safety and Justice are non-voting members of the Advisory Group.

Criminal Code Reform Recommendations: The Commission's recommendations for code reform have and will be issued in the form of reports to the Council and Mayor. A first report was released on May 5, 2017.²⁶ Its recommendations included legislative enactment of existing Title 22 of the D.C. Code and recommendations for a number of minor changes to the District's criminal statutes. This first report was accompanied by a bill for the Council's consideration and available statistical information on affected statutes. To date, no additional reports have been issued to the Council and Mayor with recommendations, although the Commission has submitted quarterly reports of its activities.

The Commission has made substantial progress in developing draft recommendations for the District's most serious and frequently-sentenced crimes and their penalties. In 2017 and early 2018, the Commission has drafted and circulated to its Advisory Group recommendations for reforms to dozens of offenses against persons (e.g., murder, robbery, and assault) and property offenses (e.g., theft, fraud, and burglary). In addition, the Commission has drafted and circulated to its Advisory Group recommendations for general provisions which would create comprehensive, consistent definitions and rules for establishing criminal liability. Each of the Commission's draft recommendations has been accompanied by a detailed commentary explaining how and why the recommended reforms change existing District law, and the extent to which changes to District law would be in line with other jurisdictions' criminal statutes.²⁷

The Committee has also greatly benefitted from the Commission's testimony at several of our hearings in FY17 and FY18, to date, on pending legislation and for topical roundtables, including testimony concerning sentencing in the District and pending legislation relating to sexual offenses and fare evasion.

The Committee is pleased with the progress of the Commission thus far and, recognizing that the task before it is monumental, recommends extension of the Commission's authorization to October 1, 2019. This extension will allow the Commission to develop recommendations for reforms to additional District statutes before finalizing its work and issuing its recommendations to the Council and Mayor. Funding as proposed by the Mayor is sufficient for the extension.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

²⁶ District of Columbia Criminal Code Reform Commission, *Report #1: Recommendations for Enactment of D.C. Code Title 22 and Other Changes to Criminal Statutes* (May 5, 2017), available at <http://lims.dccouncil.us/Download/38043/RC22-0053-Introduction.pdf>.

²⁷ The Commission's annual reports, quarterly reports, D.C. Council hearing testimony, draft recommendations, and advisory group comments are available at <https://ccrc.dc.gov/page/ccrc-documents>.

The Committee recommends adoption of the FY19 operating budget for the Criminal Code Reform Commission, as proposed by the Mayor.

b. Policy Recommendations

1. The Committee recommends that the Commission continue to review pending criminal legislation and provide the Committee with comments.

G. CRIMINAL JUSTICE COORDINATING COUNCIL

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The mission of the Criminal Justice Coordinating Council (“CJCC”) is to serve as the forum in which public safety agencies and the criminal and juvenile justice systems of the District of Columbia can identify issues, propose solutions, and coordinate responses to improve the lives of the District residents.

CJCC operates through the following four programs:

(1) *Research, Analysis, and Evaluation*: collects and analyzes data to advise policymakers and inform strategic planning.

(2) *Collaboration and Planning Across Justice Agencies*: provides a framework for joint operations by District and federal agencies involved in the criminal and juvenile justice systems.

(3) *Integrated Information Sharing System*: connects criminal and juvenile justice agencies through technology to share public safety information and to improve interoperability among criminal justice and law enforcement agencies.

(4) *ASMP Information Management*: administers the criminal and juvenile justice information-sharing system for various agencies and jurisdictions.

CJCC plays a vital role in the coordination of resources and programmatic decisions amongst the various criminal justice entities in the District. The cornerstones of CJCC’s operations are enhancing public safety information sharing, conducting actionable research, issuing policy guidance, and providing technical assistance and training. In 2017, CJCC identified eight strategic priorities on which to focus its efforts: (1) the Justice Information System (“JUSTIS”); (2) Combatting Violent Crime; (3) Grants Planning; (4) Interagency Research Advisory Council; (5) Juvenile Justice; (6) Continuity of Operations Planning (“COOP”); (7) Substance Abuse Treatment and Mental Health Services; and (8) Adult Reentry.

b. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Analysis and Comments

***JUSTIS System*:** JUSTIS is the District’s Integrated Justice Information System (“IJIS”). JUSTIS allows its twenty-three partners – including District, regional, and federal agencies – to input, receive, and view criminal justice data

through two different technology platforms: the JUSTIS Information Portal and the JUSTIS System-to-System Exchange Module. The JUSTIS Information Portal provides Viewing Agencies with read-only access to data submitted by Contributing Agencies. The JUSTIS System Exchange allows data sets uploaded by Contributing Agencies to be transmitted to a Receiving Agency, which can download and integrate the data into their own internal information technology system.

Over the past three years, CJCC has pursued a phased approach to procurements related to the JUSTIS Information Portal and System-to-System Exchange Module. In FY18, the Committee enhanced CJCC's budget by \$320,000 to upgrade software required for the JUSTIS System-to-System Exchange. In addition to the Mayor's proposed budget for FY19, the agency is requesting an \$85,000 enhancement for the one-time purchase of hardware for the JUSTIS System-to-System Exchange Module. CJCC is further requesting a \$65,000 recurring enhancement to contract for Microsoft Premier Services, the software infrastructure upon which JUSTIS operates.

JUSTIS remains a critical information technology that centralizes data collected by District, neighboring state, and federal agencies. At the end of FY17, 87% of JUSTIS users stated they were "satisfied" or "very satisfied" with the system, and 85% of users identified JUSTIS as their primary source of information for carrying out their roles and responsibilities.²⁸ The Committee fully supports funding the planned improvements to the System-to-System Exchange Module and Microsoft Premier Services contract.

Automated Information Sharing: In FY17, CJCC continued several efforts to enhance information-sharing:

- CJCC has completed testing of the Disaster Recovery Site, which will allow partner agencies to access the JUSTIS Information Portal in a disaster scenario.
- The agency also updated its JUSTIS User Privacy Policy with respect to how personal information is collected and stored. CJCC also executed new memoranda of agreement and interconnection security agreements with its partner agencies that establish security and privacy policies for protected information.

²⁸ Criminal Justice Coordinating Council, *2017 Annual Report: An Evolving City, An Ever-Present Commitment to Public Safety and Justice* (February 27, 2018) at 13, available at https://cjcc.dc.gov/sites/default/files/dc/sites/cjcc/page_content/attachments/2017%20C2%A0-%20Criminal%20Justice%20Coordinating%20Council%20Annual%20Report.pdf.

- Decisions regarding JUSTIS' operation and functionality are governed by the Information Technology Advisory Committee ("ITAC"), the Inter-Agency Workgroup ("IWG"), the Information Security Workgroup ("ISW"), and the Inter-Agency Data Quality Workgroup ("IDQ"). At the behest of the IDQ, CJCC developed the JUSTIS Data Dictionary, which gives Receiving Agencies a greater understanding of the terms used. The ISW and ITAC are currently researching the impact cloud-based resources will have on JUSTIS System infrastructure and developing policies responsive to their concerns.
- In December 2017, CJCC and its partner agencies launched the Arrest Feed Enhancement Project, which increases the data points that the Metropolitan Police Department ("MPD") transmits to JUSTIS, including victim information and other alleged crimes that accompanied an incident.
- CJCC also continued work on the Juvenile Papering Project, which will allow for the electronic delivery of juvenile arrest and criminal case file data. The current juvenile papering process involves a law enforcement officer personally delivering hard copies of case materials to a prosecutor. Participating agencies have already begun internal testing of data feeds, and automation of the juvenile papering process is expected to be completed in Spring 2018.
- The Warrant Exchange Project will automate the exchange of warrant-related information between MPD and the D.C. Superior Court to allow for the electronic submission of warrant information. The Warrant Exchange Program is slated to be launched in FY19.
- CJCC continued its collaboration with Delaware, Maryland, and Pennsylvania. In 2017, CJCC worked to establish connections between JUSTIS and the Maryland Dashboard IJIS system, which will ultimately allow JUSTIS to receive arrest, warrant, supervision, and court information from each partner jurisdiction.

Research and Analysis: The Statistical Analysis Center ("SAC") was initially placed under the Office of Research, Analysis, and Evaluation for the Deputy Mayor for Public Safety and Justice. The SAC was transferred to CJCC in March 2006. The SAC's mission is to apply the highest level of scientific rigor and objectivity in the study of criminal justice policies, programs and practices, and to identify activities that improve the administration of justice. The SAC aims to produce empirical research and analysis that informs stakeholders and enhances policy decision-making in the District.

CJCC has continued its development of the Justice Statistical Analysis Tool ("JSAT"). JSAT enables automated criminal justice information sharing for research and analysis. JSAT is expected to improve the efficiency with which the SAC and

other justice system analysts respond to research requests. In FY17, CJCC developed a JSAT prototype. The agency will complete Phase I Development of JSAT – that is, the creation of a minimum viable product for both the enterprise system and public portal – in the remainder of 2018. In addition to the Mayor’s proposed budget for FY19, the agency requests a \$400,000 enhancement to cover Phase II Development, which will establish a full-scale enterprise system and improvements to the public facing portal.

CJCC has also continued to provide the District with actionable research and analysis. Recent reports issued by the agency include:

- ***Custodial Population Study:*** The Committee funded a study of the District’s jail population in FY16. The study was conducted by the Justice Research and Statistics Association and The Moss Group. The final report, titled “District of Columbia Custodial Population Study: Seeking Alignment between Evidence Based Practices and Jail Based Reentry Services,” was published in September 2017.²⁹ The Committee is extremely pleased with the end product, as it will provide useful recommendations for the improvement of the District’s reentry services and provide context for the consideration of a new jail facility.
- ***Youth Rehabilitation Act:*** At the request of the Mayor and Chairperson Allen, CJCC conducted a review of the Youth Rehabilitation Act of 1985 (“YRA”). The study focused on the proportion of offenders who were eligible for and received a YRA sentence, and how many have had their convictions set aside. The study also examined the recidivism rates of, and programming available for, the population sentenced under the YRA. The agency released its final report in September 2017.³⁰
- ***Human Trafficking:*** D.C. Official Code § 22-1841(b) instructs the District, with assistance of criminal justice agencies, to gather demographic information and criminal justice data related to human trafficking. In 2017, the Committee funded the fiscal impact of the statutory requirement. CJCC compiled data from local and federal criminal justice and law enforcement agencies, as well as victim services organizations. The agency’s final report on

²⁹ Justice Research and Statistics Association & The Moss Group, *District of Columbia Custodial Population Study: Seeking Alignment between Evidence Based Practices and Jail Based Reentry Services* (September 2017), available at https://cjcc.dc.gov/sites/default/files/dc/sites/cjcc/page_content/attachments/DC%20Custodial%20Population%20Study%2009.2017.pdf.

³⁰ Ellen P. McCann, Statistical Analysis Center, Criminal Justice Coordinating Council, *The District’s Youth Rehabilitation Act: An Analysis* (September 8, 2017), available at https://cjcc.dc.gov/sites/default/files/dc/sites/cjcc/page_content/attachments/District%27s%20YRA-An%20Analysis.pdf.

human trafficking was published in February 2018 and provided an excellent baseline for future reports.³¹

- ***Forthcoming Projects:*** In 2018, the SAC will begin work on a study, also funded by the Committee, regarding the root causes of youth crime and the prevalence of adverse childhood experiences among system-involved youth. The SAC will also oversee a public opinion survey of police-community relations in the District as required by the Neighborhood Engagement Achieves Results (NEAR) Act.³²

Community Events: CJCC hosted several events to facilitate the exchange of data, best practices, and other information related to the juvenile and criminal justice systems among government agencies, service providers, and the community at large. On November 2, 2017, the agency convened its Annual Fall Public Meeting focused on Sentencing Guidelines, specifically as they relate to violent crimes. CJCC held its 2nd Annual Criminal Justice Summit on March 14, 2018. The theme of the event was “Mental Health at the Intersection: Exploring Best Practices for Addressing the Mental Health Needs of Adults in the Criminal Justice System.” Attendees included criminal justice professionals, mental health practitioners, and community stakeholders. On April 19, 2018, CJCC held its Annual Spring Public Meeting. The event focused on how correctional facilities can prepare incarcerated persons for their successful re-entry into civil society and included panel discussion with members from the Department of Youth Rehabilitation Services, the Department of Corrections, the Federal Bureau of Prisons, and a returning citizen currently working as a re-entry specialist.

In FY17, CJCC procured the services of a communications consultant to manage inquiries from media outlets and the public and to coordinate communication strategies. In FY18, Office of Contracts and Procurement advised CJCC that the communication services sought by the agency were inherently governmental and recommended the creation of a part-time Public Affairs Specialist Position. In addition to the Mayor’s proposed budget for FY19, the agency requests a \$85,000 enhancement to fund this part-time position. The Committee supports the creation of a Public Affairs Specialist and has identified funds for this purpose.

³¹ Charleá S.L. Robison, Statistical Analysis Center, Criminal Justice Coordinating Council, *An Analysis of Human Trafficking in the District of Columbia* (February 2018), available at https://cjcc.dc.gov/sites/default/files/dc/sites/cjcc/page_content/attachments/An%20Analysis%20of%20Human%20Trafficking%20in%20the%20District%20of%20Columbia%20%282016%29.pdf.

³² The Neighborhood Engagement Achieves Results Amendment Act of 2016, effective June 30, 2016, § 501 (D.C. Law 21-0125), <http://lims.dccouncil.us/Download/34496/B21-0360-Enrollment.pdf>.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 operating budget for the Criminal Justice Coordinating Council, as proposed by the Mayor, with the following modifications:

1. *Increase* FTEs by 1, and create a new position (Public Affairs Specialist), as required to fund the fiscal impact of Section 3(g) (adding a new section 7b) of B22-0451, the “Youth Rehabilitation Amendment Act of 2018”, with the accompanying local funds as follows:
 - a. Public Affairs Specialist: create a new position in Program 2000 (Collab. and Plng Across Agencies), Activity 2010 (Operational Infrastructure): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$71,850 and CSG 14 (Fringe Benefits – Current Personnel) by \$13,150: *total PS increase = \$85,000*
2. *Increase* CSG 40 (Other Services and Charges), Program 1000 (Research Analysis and Evaluation), Activity 1010 (Research and Analysis), by \$1,500 in recurring local funds for technology costs, as required to fund the fiscal impact of B22-0451, the “Youth Rehabilitation Amendment Act of 2018”
3. *Increase* CSG 40 (Other Services and Charges), Program 1000 (Research Analysis and Evaluation), Activity 1010 (Research and Analysis), by \$325,000 in one-time local funds for an enhancement for the Phase II Development for the Justice Statistical Analysis Tool
4. *Increase* CSG 40 (Other Services and Charges), Program 3000 (Integrated Information System), Activity 3010 (JUSTIS), by \$65,000 in recurring local funds for an enhancement for the Microsoft Premier Service contract
5. *Increase* CSG 70 (Equipment and Equipment Rental), Program 1000 (Research Analysis and Evaluation), Activity 1010 (Research and Analysis), by \$75,000 in one-time local funds for an enhancement for the Phase II Development for the Justice Statistical Analysis Tool
6. *Increase* CSG 70 (Equipment and Equipment Rental), Program 3000 (Integrated Information System), Activity 3010 (JUSTIS), by \$85,000 in one-time local funds for an enhancement for the JUSTIS System-to System Module Upgrade

a. Policy Recommendations

1. At the agency's budget oversight hearing, Director Mannone Butler testified that a survey to help identify the number of justice-involved veterans in the District is being developed.³³ Director Butler anticipated sharing the results of that survey at a CJCC Principals meeting in the coming months. The Committee looks forward to learning the results of that survey and will look to CJCC for recommendations on policy responses to help serve that population.
2. The Committee recommends that CJCC facilitate collaboration between District agencies related to court-ordered community service. Specifically, the Committee is interested in seeing the D.C. Superior Court or Court Services and Offender Supervision Agency ("CSOSA") connect individuals ordered to complete community service with District agencies that accommodate volunteers, such as the Department of Public Works.
3. The Committee recommends that CJCC explore the implementation to date of Title III of the Comprehensive Youth Justice Amendment Act of 2016, the "Incarceration Reduction Amendment Act of 2016".

³³ *Criminal Justice Coordinating Council: Budget Oversight Hearing before the Committee on the Judiciary & Public Safety* (March 29, 2018) (oral testimony of Mannone Butler, Executive Director, Criminal Justice Coordinating Council), available at http://dc.granicus.com/MediaPlayer.php?view_id=2&clip_id=4448.

H. DEPARTMENT OF CORRECTIONS

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The mission of the Department of Corrections (“DOC”) is to provide a safe, secure, and orderly environment for the confinement of pretrial detainees and sentenced inmates, while affording those in custody meaningful rehabilitative opportunities that will assist them in constructively re-integrating into the community. DOC operates the Central Detention Facility (“CDF”) and, as of February 2017, the Correctional Treatment Facility (“CTF”), the operations of which had previously been contracted out to the Corrections Corporation of America (“CCA”). CDF houses an all-male population comprised of individuals awaiting adjudication of cases or who are sentenced to misdemeanor offenses. It is also a holding space for inmates sentenced for felonies awaiting transfer to a federal prison. CTF is a specialized medium-security institution, which houses females and juveniles charged as adults. Both facilities are accredited by the American Correctional Association and the National Commission on Correctional Healthcare.

b. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Analysis and Comments

Lack of Progress on a New Jail: The existing DOC facilities are outdated, inefficient, ill-conceived, and lacking in programmatic space. A new facility is desperately needed to better provide support services and inmate programs, including mental health counseling, substance abuse treatment, adult education, job training, recreation, and health care. DOC’s administrative offices, currently located off-site, should also be co-located with a new facility to allow for more efficient operations. The Committee is displeased to see that, despite this dire need for a new complex, funding is not included in the capital budget. It is the Committee’s understanding that the Office of Public-Private Partnerships (“OP3”) and the Deputy Mayor of Public Safety & Justice (“DMPSJ”) initially misjudged this project’s effect on the debt cap, and it will now have to be funded through the District’s capital budget. The Committee would like to stress the importance of this capital project – it is one of the Committee’s highest capital priorities. The Committee also strongly recommends that, even though funding has not been included in the six-year plan, the Executive and DOC continue to actively engage stakeholders and community members in thinking through what a new complex would look like.

Portal of Entry Program: The FY18 budget funded the Portal of Entry (“the Portal”) program, which aims to connect returning citizens to critical resources that can help reduce recidivism. The Portal will offer single location-access to services

from several District agencies, including: DOC, the Department of Human Services (“DHS”), the Department of Behavioral Health (“DBH”), the Department of Motor Vehicles (“DMV”), the Office on Returning Citizen Affairs (“ORCA”), and the Department of Employment Services (“DOES”). The initial phase of the Portal will serve all individuals released from DOC during working hours. The Portal will be a physical office on site to which individuals can be transported upon release from DOC custody. At the office, individuals will be assigned a case manager, who will conduct a risk and needs assessment of the individual. The returning citizen will have immediate access to all District agency services recommended by his or her case manager in the assessment. This office will be open from 9:00 a.m. to 5:00 p.m., Monday through Friday, and is resourced to serve approximately 365 returning citizens each month.

At the agency’s oversight hearing, Director Booth testified the Portal was scheduled to be up and running in the third quarter of FY18. He believes DOC will be able to announce a start date in the next month or so. DOC has identified a physical location for the program: a sizable “demountable” located in the parking lot of the D.C. Jail. This demountable previously served as a temporary fire station and has two floors. This location is where staff for the Portal will work and where returning citizens will go to receive services. Director Booth also testified that a Program Director, Jemea Goso, has been hired to oversee the Portal. Ms. Goso will report directly to Director Booth. She previously worked at the Annie E. Casey Foundation in Baltimore as a program associate in the Juvenile Justice Strategy Group and at DCPS as an attendance specialist. Director Booth stated that Ms. Goso has a strong background in family reunification, reentry work, and capacity building. In addition to Ms. Goso, DOC has hired Eric Weaver, who worked closely with DOC in the planning stages of the Portal, as a Deputy Director. Four other FTEs, case managers who will be called “Navigators”, are in the process of being hired by DOC.

The Committee was pleased to hear at the oversight hearing that DOC has been engaging community stakeholders, such as the Reentry Action Network, in the Portal’s development, but encourages the agency to provide financial support to any community-based organizations from whom services are requested. The Committee looks forward to seeing the program up and running and recommends that DOC actively consider a second phase to serve individuals returning from BOP custody.

Overtime and Staffing:

Table 1: DOC Overtime Use: Actual Expenditures Compared to Approved Budgets, FY19 – FY13

<i>Fiscal Year</i>	<i>Approved Budget</i>	<i>Actual Expenditures</i>
FY19	\$8,621,956 (<i>proposed</i>)	N/A
FY18	\$2,728,472	\$7,418,601 (<i>as of 2/28/2018</i>)
FY17	\$2,515,745	\$15,888,083
FY16	\$2,699,996	\$9,746,086
FY15	\$2,500,000	\$4,354,237
FY14	\$2,500,000	\$3,862,209
FY13	\$2,500,000	\$2,145,775

Source: Council Budget Office

To address overtime costs, the FY19 proposed budget recommends \$8.62 million for overtime (including a one-time enhancement of \$2.6 million), as well as \$4.7 million for 80 new correctional officer FTEs. This budget is an excellent step toward rightsizing the overtime budget, but the Committee still anticipates that the Executive will again need to rely on contingency cash reserves to meet the need. At the agency’s budget oversight hearing, Director Booth testified that he believes the additional 80 FTEs would, over time, help decrease overtime costs. He noted that the main causes of overtime are a growing inmate population, correctional officers out on sick and FMLA leave, and unpredictable MPD “medical take overs”, which require two DOC correctional officers per inmate and can occur at any time without warning. He further argued that DOC has undertaken additional responsibilities by expanding services and programs offered at both CDF and CTF, which necessitated the staffing of additional housing units to provide these services and programs and supervise inmates. Chairperson Allen noted that the inmate population at DOC facilities, according to custodial population reports, has only increased by approximately 150 inmates since 2016 – which does not seem like a significant enough increase to cause an overtime crisis or merit all the FTEs recommended.

The Committee is concerned with the agency’s use of overtime but commends the Executive and the agency for attempting to remedy it. However, with the current vacancy levels and the additional proposed FTEs, the Committee remains doubtful that the agency can recruit such a large number of correctional officers in one fiscal year. The Committee also believes that the agency’s explanations for its overtime drivers were somewhat unclear – for example, relating to alleged increases in population that do not seem to be supported by the data. The Committee does not disagree that the agency is facing significant overtime challenges but believes that it will require a continued multi-year investment by the Executive to get to the bottom

of the problem, not a one-time infusion of new FTEs that the Committee believes cannot be hired within the fiscal year. As a result, the Committee is approving 65 FTEs, rather than the 80 proposed.

Safe Cells: At the agency's performance oversight hearing, organizations such as the Public Defender Service testified about the conditions of "safe cells" at DOC, in which inmates on suicide watch reside. The testimony stated that lights are often kept on at full brightness all night and inmates are not allowed access to clothing or personal items. Director Booth testified about the procedures that occur when an inmate threatens or attempts suicide: he stated that the medical unit will determine what the appropriate housing is for that individual and what items the individual can access, including clothing. Inmates either receive the regular uniform clothing or paper gowns, depending on the medical unit's decision. Part of this determination also includes whether lights in the safe cell will be dimmed during nighttime hours. He also stated that once the medical unit decides, DOC staff complies with that decision and works in collaboration with medical staff to keep the inmate safe.

In a follow-up letter after the hearing, Director Booth stated that in the safe cells, lights are dimmed from 10:00 p.m. to 6:00 a.m., except when a patient on suicide precaution has been placed in a "dry cell". Such a placement would occur when a patient has a history of ingesting foreign objects and requires one-on-one observation by DOC personnel. In this case, the lights would have to remain on for the patient's safety. He noted that electric dimming switches are located and are functional in all the safe cells. The Committee is concerned by the reports from providers on the conditions of these safe cells and will follow up with DOC and its medical partners on the justifications for these conditions.

Juveniles: DOC currently has responsibility for the custody of Title 16 youth being adjudicated as adults. These 16- and 17-year-old juveniles are housed at the CTF, out of sight and sound of the adult inmate population, as required by law. DCPS operates educational programming in the housing unit five days per week. All juveniles are required to attend class unless individual instruction is warranted. The juvenile population also participates in a structured behavior modification program that rewards positive behavior and reinforces the importance of personal accountability. The numbers of juveniles in DOC facilities from 2017 and 2018, to date, are detailed in the following table. The numbers are slightly lower than last year.

Table 2: Number of Juveniles in the CTF, 2017 and 2018, To Date

<i>Month</i>	<i>Juveniles</i>
Jan-17	25
Feb-17	22
Mar-17	19
Apr-17	18
May-17	18
Jun-17	17
Jul-17	22
Aug-17	23
Sep-17	19
Oct-17	18
Nov-17	25
Dec-17	23
Jan-18	19
Feb-18	17
Mar-18	20
Apr-18	19

Source: Department of Corrections

In 2016, the Committee passed D.C. Law 21-238, the “Comprehensive Youth Justice Amendment Act of 2016” (“CYJAA”).³⁴ Sections 102(e)(3) and 103 of the law – both of which were subject to appropriations – provide for a change in the custody of detained individuals under the age of 18 from DOC to the Department of Youth Rehabilitation Services (“DYRS”) by October 1, 2018.³⁵ At the agency’s performance oversight hearing, Director Booth testified that DOC stands ready to make this transition, and DYRS will absorb the transfer in its proposed FY19 budget (22 FTEs were included in DYRS’s proposed budget for the transition). The Committee is grateful to the partnership of DOC and DYRS in moving Title 16 youth to a more rehabilitative and developmentally-appropriate setting.

Section 203 of the law also prohibits room confinement for juveniles unless as a response to behavior that threatens imminent harm to the juvenile or to others or imminent danger to the safe or secure operations of the facility.³⁶ Room confinement can be used only if there is no other reasonable means to address the threat, only for the time necessary to do so, and in no case for longer than six hours. The law also requires that juveniles placed in room confinement must receive a mental health

³⁴ Comprehensive Youth Justice Amendment Act, effective April 4, 2017 (D.C. Law 21-238; D.C. Official Code § 16-1031 *et seq.*).

³⁵ D.C. Official Code § 16-2313, § 23-1322.

³⁶ D.C. Official Code § 24-912.

screening after one hour in room confinement and must be provided mental health services if necessary. Each instance of room confinement must be documented, and aggregated statistics will be reported to the Mayor and the Council. The Committee will follow up with DOC and DYRS to obtain copies of the required report.

Youthful Men Emerging Program: On January 29, 2018, DOC opened a new housing unit for young adult offenders called the “Young Men Emerging” (“YME”) program. The YME is designed to provide programming geared toward the unique developmental needs of young people, blending counseling, structure, and a measure of self-governance. This unit, based on Connecticut’s T.R.U.E. model, is designed to have a lasting positive impact for young adult inmates. The criteria for the program are: (1) the inmate must be 18 to 25 years old and have at least two months left to serve (pretrial and sentenced inmates are eligible); (2) the inmate must be minimum or medium custody without separations to qualify for CTF placement; (3) the inmate must complete an interview and agree to actively participate in programming; and (4) the inmate must work to maintain a positive attitude in their interactions with other inmates and staff. The YME includes a classroom and computer lab, as well as a meditation room, a self-expression room, and a laundry room. DOC’s goal is to create a restorative community that incorporates age-appropriate programming that maximizes reentry outcomes. Programming focuses on education, behavioral health, wellness, life skills development, entrepreneurial learning, financial literacy, and workforce development. The Committee commends DOC for creating this promising program for young adults and looks forward to hearing reports on outcomes.

Restrictive Housing: DOC has repeatedly stated its commitment to safely reducing the use of restrictive housing and ensuring that when it is used, that it be in the least restrictive manner necessary. Last year, the agency outlined initiatives – short-, medium-, and long-term – to update DOC’s restrictive housing practices and policies. DOC operates three types of restrictive housing:

Administrative Restrictive Housing - a form of separation from the general population when the inmate’s continued presence in the general population poses a threat to property, self, staff, other inmates, visitors, or the general public; or to the safe, secure, or orderly operation of the facility. The following are alerts for Administrative Restrictive Housing:

- *Protective Custody* - a designation assigned to an inmate requesting or requiring protection from other inmates for reasons of health or safety.

- *Special Handling/Restricted Release* - a designation assigned to an inmate who requires heightened security measures due to a documented history of high-profile cases, escapes, or attempted escapes, by documented assaultive and/or disruptive behavior, or by court order.

• *Total Separation* - a designation that requires total separation from all other inmates for all out-of-cell activities. Inmates shall only be designated as Total Separation after receipt of a court order.

Disciplinary Restrictive Housing - a form of separation from the general population when the Disciplinary Board or Hearing Officer has, after an impartial hearing, authorized an inmate's confinement to a cell for a specified period of time due to the commission of a rule violation.

Pre-Hearing Restrictive Housing – a form of separation of an inmate pending a disciplinary or housing hearing when the inmate constitutes a threat to themselves or the safe, secure, or orderly operation of the facility, until a hearing can be held.

In the last few years, DOC has made several significant modifications to its restrictive housing policy,³⁷ including:

- DOC has replaced the term “segregation” with the term “restrictive housing”.
- DOC does not place inmates with acute or serious and persistent mental health conditions in restrictive housing.
- The maximum sanction is no more than 30 days for all violations arising out of an incident. The former maximum sanction was 60 days.
- Inmates are allowed 2 hours out-of-cell time for activities, 5 days per week. The former policy allowed only 1 hour, 5 times a week. DOC plans to increase the number of days a week to 7.
- Inmates are no longer placed in restrictive housing solely for being a “high profile” inmate.
- Class III and Class IV infractions are combined and can be sanctioned with loss of social visits, loss of work assignment, extra duty, and/or loss of telephone and canteen purchase privileges. Formerly, these offenses could be sanctioned with restrictive housing of up to 10 (Class III) or 7 (Class IV) days.
- DOC significantly reduced the use of restrictive housing for juveniles and instituted the use of “quiet rooms” for no more than 3 hours each day.
- DOC eliminated the use of restrictive housing for pregnant inmates.
- DOC increased programming in the restrictive housing units to include activities such as reading, religious services, bible study, prayer, and spiritual counseling.

The number and average age of inmates housed in each category of restrictive housing as of April 18, 2018, are detailed in the following table. The total number of inmates has decreased by 65 since this time last year. The average age remains about the same.

³⁷ On August 10, 2016, former Director Faust signed Program Manual 5300.1G, Inmate Disciplinary and Administrative Housing Hearing Procedures, replacing the previously existing March 2012 policy.

Table 3: Inmates Housed in Restrictive Housing as of April 18, 2018, by Number of Inmates and Average Age

<i>Restrictive Housing Type</i>	<i>Inmates</i>	<i>Average Age</i>
Administrative	20	26
Disciplinary	52	25
Protective Custody	29	29
Court-Ordered Total Separation	2	32
Total	103	28

Source: Department of Corrections

Step-Down Unit: In May 2016, DOC began operating a specialized step-down unit at the CDF. The step-down unit is a nine-week residential treatment program that offers an intermediate level of care to those with serious mental illness. The goal of the program is to provide a therapeutic community to maximize an inmate’s functional capabilities and minimize the potential for relapse or the need for more acute care. The program focuses on preparing inmates to successfully transfer back to the general population and eventually back into the community. While in the step-down unit, inmates have access to an interdisciplinary treatment team, members of whom are responsible for developing, implementing, and overseeing the inmates’ clinical and non-clinical care. The team develops a treatment plan that outlines transition goals and services for the patient based on individual needs, strengths, skills, and interests. Upon discharge from the program, inmates are provided with a personalized care plan outlining treatments and services to support self-care. There were 99 inmates in the step-down program from May 2016 through January 2018, with 23 inmates completing the program. In FY19, DOC will implement a mental health step-down program at the CTF, as well. The Committee will continue to monitor the implementation and progress of the step-down unit.

Over-detention of Inmates: On October 1, 2017, the *Washington Post* reported that a former inmate, Carlton O. Harris, was mistakenly held at CDF for 77 days after a misdemeanor charge against him was dismissed.³⁸ The article reported that Mr. Harris finally went before a judge after another inmate’s lawyer alerted federal defenders, who brought the situation to the court’s attention. At the agency’s performance oversight hearing, Director Booth updated the Committee on what DOC has done since this event to prevent the over-detention of other inmates. Director Booth testified that DOC meets with the U.S. Marshals monthly. DOC has instituted “after-hours” contacts, so the Marshals and DOC can communicate after hours. They

³⁸ “D.C. jail held man for 77 days after his case was dropped until another inmate flagged an attorney”, *The Washington Post*, https://www.washingtonpost.com/local/public-safety/dc-jail-held-man-for-77-days-after-his-case-was-dropped-until-another-inmate-flagged-an-attorney/2017/10/01/61235af2-9f0a-11e7-8eal-ed975285475e_story.html?utm_term=.68e2ce452d7c.

have also increased their understanding of documentation and information-sharing, so each agency is aware of the other agencies' processes and are able to better communicate. Director Booth was not able to identify what precisely went wrong to cause Mr. Harris' overincarceration. The Committee is deeply troubled by this incident and strongly recommends that DOC take every measure possible to prevent such an incident from occurring again. The Committee expects DOC to debrief Mr. Harris' case, identify the system failures, and create appropriate safeguards in response.

Contraband Interdiction: Several incidents occurred in the last year regarding contraband in DOC facilities. First, in May 2017, two inmates, Eric Terrell and Kenneth Parker, died while in custody at the D.C. Jail. The Office of the Chief Medical Examiner ("OCME") conducted autopsies of the two men and concluded that the cause of death in both cases was drug overdose. OCME reported that, at the times of their deaths, Mr. Terrell had heroin, fentanyl, and diphenhydramine in his system, and Mr. Parker had fentanyl and diphenhydramine in his system. Then, in March 2018, several employees at the D.C. Jail fell ill after a package was opened in the mailroom containing a synthetic cannabinoid, known as K2. A few days later, another illicit substance was found in the mailroom.

At the agency's performance oversight hearing, Director Booth testified that DOC created a contraband interdiction team last year. While all staff receives training on contraband interdiction, this team received additional and specialized training. Director Booth testified that the team has worked well to achieve its goals of reducing contraband in housing units. He stated that DOC has also increased its K-9 unit from two to six canines, which has increased the agency's ability to detect contraband. DOC staff has also increased the frequency of its random checks of housing units and retrained staff on what to look for and how to identify contraband. In response to questioning from Chairperson Allen, Director Booth stated that there have been eight instances of opioids found in DOC facilities in the last year. He added that DOC is also working with the Department of Forensic Sciences ("DFS") to identify technology that will better recognize contraband in the mail room, and Director Booth testified that funds for this technology were included in DOC's local budget for FY18. The Committee is, of course, concerned about inmates' access to drugs and other contraband while incarcerated at DOC facilities. The Committee commends DOC for working diligently on prevention for inmates and staff and recommends continued vigilance as the opioid crisis worsens across the country.

Georgetown University Partnership: In February, Chairperson Allen met with Director Booth and leadership from Georgetown University to talk about a partnership between DOC and the university to offer college courses at the DOC facilities. The program offers inmates college courses on topics like literature, philosophy, and the history of music in prisons. Ultimately, DOC and Georgetown hope to provide inmates the opportunity to earn college credits through these courses.

The program is currently in the initial stages but is reportedly already popular among inmates. The Committee looks forward to following the program's progress and stands ready to offer assistance.

D.C. Jail Library: In March 2015, the DC Public Library System ("DCPL") opened its first location in the CDF, introducing inmates to books and programming. DCPL offers inmates a full array of reading and learning resources, engaging them in various reading activities. The library is intended to make inmates more literate and employable, helping to transition from using the jail's library to the libraries in neighborhoods upon release. DCPL covers its own operational costs, which includes a full-time librarian. In March 2017, the library was relocated to CTF and was expanded to approximately 10,000 books. In the program's first year, 1,100 inmates checked out 4,600 books. In FY17, 13,540 books were checked out by 3,000 inmates, and 921 library cards were issued.

c. Mayor's Proposed Fiscal Years 2019-2024 Capital Budget

The Mayor's Fiscal Years 2019-2024 proposed capital budget includes capital allotments for the Department of Corrections as follows:

- Project No. CGN02 (CTF General Renovation): \$3,500,000 in FY19
- Project No. MA220 (Emergency Power System Upgrades): 3,000,000 in FY19 and \$3,000,000 in FY20
- Project No. MA203 (Exterior Structural Finishing): \$2,000,000 in FY19
- Project No. CGN01 (General Renovations at DOC Facilities): \$2,000,000 in FY19
- Project No. CR104 (HVAC Replacement for CDF): \$3,000,000 in FY19 and \$3,000,000 in FY20

Committee Analysis and Comments

General Renovation: On February 1, 2017, DOC assumed direct and permanent operation and management of the CTF. The proposed capital budget allots \$3,500,000 in FY19 for upkeep of the newly acquired facility.

Emergency Power Systems Upgrades: To provide proper backup in the event of power failure at the CDF, an additional new generator, new automatic transfer switches, and a reconfiguration of the electrical power system in the facility are urgently needed. Under this project, the electrical distribution in the facility will be reconfigured so that the three existing generators support all loads except the four chillers and the associated pumps and cooling towers. New automatic transfer switches and panels will replace the old ones. A new generator with approximately 1300 KVA rated capacity will be installed in the penthouse and will be configured to support the four chillers and their associated equipment.

Exterior Structural Finishing: The proposed capital budget recommends \$2,000,000 in FY19 for exterior structural finishing of the CDF. The exterior walls of the facility have been compromised over time because of the deterioration of the subliminal fillers and the grout binding structural elements, including the pre-cast concrete panels forming the walls and the stone and tile work on pavements. Because of this, the building is unprotected from the natural elements, and water leaks are occurring throughout the facility. These conditions need to be corrected urgently, as they pose health and safety hazards to the inmates, staff, and visitors. Particularly as the new jail is not planned in the capital budget, the Committee supports this capital investments.

General Renovations at DOC Facilities: The proposed capital budget recommends \$2,000,000 in FY19 for this multiple task order project, which addresses various HVAC, mechanical, and other building systems. The project includes two phases: phase 1, which entails an assessment/feasibility study, and phase 2, which includes the design and construction of various system upgrades based on the study.

HVAC Replacement: In the summer of 2016, the D.C. Jail's aging HVAC system struggled to combat elevated temperatures during a heat wave. As a result, many inmates had to be temporarily moved to CTF or relocated to other parts of the jail. At the agency's performance oversight hearing, Director Booth testified that DOC has been monitoring the temperatures at CDF and has documented improvements. He stated that the initial part of the work had been completed, and temperatures have been stable. The proposed capital budget allots \$3,000,000 in FY19 and \$3,000,000 in FY20 for continued work on the HVAC system at CDF. Fine tuning of the system needs to occur, including the replacement of four large rooftop duct fittings, modification of transitions from the large rooftop units, and balancing of final air and water. The chiller, steam station, and associated piping also must be overhauled.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 budget for the Department of Corrections, as proposed by the Mayor, with the following modifications:

1. *Eliminate* 15 FTEs and *reduce* CSG 12 (Regular Pay – Other) by \$672,309 and CSG 14 (Fringe Benefits – Current Personnel) by \$204,381: *total PS reduction = \$876,690*, and by program as follows:

- a. In Program 3600 (Inmate Custody), Activity 3605 (Institutional Security and Control): *eliminate* 8 FTEs (Correctional Officer), and *reduce* CSG 12 by \$362,272 and CSG 14 by \$110,130: *total PS reduction = \$472,402*
- b. In Program 3600 (Inmate Custody), Activity 3605 (Institutional Security and Control): *eliminate* 7 FTEs (Correctional Officer), and *reduce* CSG 12 by \$310,037 and CSG 14 by \$94,251: *total PS reduction = \$404,288*

b. Fiscal Years 2019-2024 Capital Budget Recommendations

The Committee recommends adoption of the FY19-24 capital budget for the Department of Corrections, as proposed by the Mayor, with the following modifications:

1. *Reduce* the available allotment balance for Project No. N7001C (Infrastructure System Upgrade - DOC) by \$1,674,176 and convert that amount into \$418,544 in recurring operating funds
2. *Reduce* the available allotment balance for Project No. CRF01C (Roof Refurbishment at DOC Facilities) by \$2,004 and transfer that amount to the Committee on Transportation & the Environment

c. Policy Recommendations

1. The Committee recommends that DOC continue to work closely with the U.S. Marshals to prevent any future over-detention of inmates.
2. The Committee recommends that DOC consider the inclusion of community-based organizations as peer navigators for the Portal of Entry.
3. The Committee recommends that DOC engage the Board of Elections in the Portal of Entry to ensure that returning citizens are aware of their voting rights and provided the opportunity to register to vote.
4. The Committee recommends that DOC expand the Portal of Entry's hours to account for after-hours releases from DOC custody and releases from the courts.
5. The Committee recommends that DOC convene a working group of interested stakeholders to review the agency's use of and policies for safe cells.
6. The Committee recommends that DOC create a domestic violence support group for inmates.

7. The Committee recommends that DOC work with the Deputy Mayor for Planning and Economic Development to conduct outreach to the DOC FOP's membership regarding plans for Hill East.³⁹
8. The Committee recommends that as the agency works to hire the new correctional officers, it coordinate with the Department of Housing and Community Development to conduct informational sessions for new hires and include information in its hiring materials for applicants on the homeownership assistance (and enhanced assistance for first responders) available through the District government's Employer-Assisted Housing Program.
9. The Committee recommends that DOC reconstitute the Citizens Advisory Council⁴⁰ to enhance community engagement.

³⁹ At the agency's budget oversight hearing, the DC FOP testified about parking concerns at the jail complex and the lack of notice given to employees about changes in parking availability and planned development.

⁴⁰ DOC Policy Statement 1310.4D establishes a Citizens Advisory Council. According to the Council for Court Excellence's testimony at the agency's budget oversight hearing, the CAC has not been active in several years.

I. DEPARTMENT OF FORENSIC SCIENCES

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The mission of the Department of Forensic Sciences (“DFS”) is to produce high-quality, timely, accurate, and reliable forensic science with the use of the best available technology and practices, unbiased science, and transparency, with the overall goal of enhancing public health and safety. DFS provides independent analysis of evidence and samples submitted by agencies within the District and its federal neighbors.

The ***Forensic Science Laboratory Division*** provides independent scientific examinations and analysis to stakeholders submitting physical evidence in criminal cases, providing these services to District governmental agencies and neighboring Federal agencies. This division contains the following activities: the Forensic Biology Unit, which provides analysis of blood and other tissue samples for identification; the Latent Fingerprint Unit, which provides latent fingerprint analysis for the identification, exclusion or elimination of known persons; the Firearms Examination Unit, which provides analysis of firearms and ammunition; the Forensic Intelligence Unit, which provides analysis of forensic data to link together crime scenes and evidence; and the Digital Evidence Unit, which provides analysis of digital evidence from crime scenes.

The ***Public Health Laboratory Division*** provides testing of biological and chemical samples that relate to public health and safety, such as infectious diseases, hazardous chemicals, or biological contamination. This division contains the following activities: the Microbiology Unit, which provides analyses of microbial pathogens that are infectious to people, such as diseases or food-borne illnesses; the Molecular Diagnostic Unit, which provides the analysis of DNA to identify infectious organisms or biological threats; the Virology/Immunology Unit, which tests for outbreaks of virus-based diseases, like West Nile and influenza; the Accessioning Unit, which includes sample acceptance, accounting, and transfer; and the Forensic Chemistry Unit, which provides analyses for the presence of illegal substances.

The ***Crime Scene Sciences Division*** provides the collection, analysis, processing, and preservation of evidence found at crime scenes. The goal is to provide additional science at the scene, to generate forensic intelligence—backed by science—early in the investigation, and to process and track evidence for immediate and future analysis. This Division includes the Crime Scene Sciences Unit and the Central Evidence Unit.

The ***Agency Management Division*** supports the work of the entire agency through strategic direction, training, quality assurance, research, recruitment and hiring of personnel, information technology, data management, fleet management, procurement, and other administrative support services.

b. Mayor's Proposed Fiscal Year 2019 Operating Budget

Committee Analysis and Comments

Agency Mission and Operations: During the Committee's budget oversight hearing, Director Jenifer Smith spoke to the broader mission of the Department. She explained that this mission goes beyond what forensic science agencies in other jurisdictions often do, in that DFS supports many agencies across the law enforcement spectrum. This includes the Metropolitan Police Department, the United States Attorney's Office for the District of Columbia, the Public Defender Service, the Department of Health, the Office of the Attorney General for the District of Columbia, and more. Director Smith referred to the Department's work as a broad application of forensic science, where DFS generates information that is relevant to key decision makers on law enforcement, national security, and public health. The Committee supports DFS in delivering strong scientific data that will serve the needs of all relevant stakeholders, and is impressed by Director Smith's leadership and continued commitment to this vision.

The Committee was very concerned to see that the Executive proposed to sweep \$1,000,000 from the Department's FY18 budget. When asked about it at the budget oversight hearing, Director Smith indicated that she understood this to be a mistake and expected the full amount of money to return to the agency in the Mayor's Errata Letter. The Committee expressed its apprehension that this budget cut would create spending pressures for the Department, at a time when resources are greatly needed to support its work. The Mayor's April 26, 2018 Errata Letter restored only \$600,000 to the Department. However, the Executive funded this restoration by taking \$1,000,000 from the Emergency Rental Assistance Program ("ERAP"). The Committee will not take funding away from homeless services as the Mayor has proposed. Unfortunately, this leaves DFS with a \$1,000,000 gap in its operating budget. The Committee is concerned that this gap will have a severe impact on DNA testing and the Latent Firearms Unit. Additionally, the Committee has serious concerns about the impact that this cut will have on hiring and procurement efforts of the Department. The Committee recommends that the Department work with the Council's Committee of the Whole to identify \$1,000,000 in one-time funds to restore the Executive's funding cut.

Forensic Science Laboratory Division: DFS improved the Forensic Science Laboratory Division ("FSL"), which includes the Forensic Biology Unit ("FBU"), the Latent Fingerprint Unit ("LFU"), and the Firearms Examination Unit ("FEU"). In

recent years, the Department has reduced backlogs, increased entries and verifications associated with intelligence databases, and ensured appropriate turnaround times. All of the units within the FSL improved participation in three national intelligence databases: National Integrated Ballistic Information Network (“NIBIN”), Automatic Fingerprint Identification System (“AFIS”), and the Combined DNA Index System (“CODIS”).

DFS worked on revising its protocol in the FBU to streamline the process of the unit, add new technology, decrease backlogs, and ensure timely results. As of February 2018, the FBU did not have a backlog in testing for Sexual Assault Kits. In FY17, the FBU received 238 physical evidence recovery kits (“PERKs”) for sexual assault cases, and the average turnaround time to process each kit was 63 days, which is below the statutory requirement of 90 days. Of these kits, 200 were processed in-house, and only 38 were outsourced. This is a significant decrease from FY16, when 193 of the 314 kits were outsourced.

In FY17, DFS focused on improving Standard Operating Procedures in the LFU to help streamline processes, improve efficiency, and reflect changes made by the implementation of LIMS JusticeTrax database. This database contains forensic case related data, helps to track evidence and chain of custody, contains final reports, and more.

At the end of FY17, the LFU had completed 450 cases, with an average turnaround time of 11 days. This is an improvement from the average turnaround time of 21 days in FY16. Additionally, there are no longer any backlogs in this unit.

In FY18, DFS plans to develop an employee retention plan for FEU personnel. There is a national shortage of qualified individuals for these positions, making it difficult to hire and retain FEU employees. The Department has added a contract analyst to this unit and will use money in the FY19 budget to provide additional technology, to try to streamline the methods used in this division in an effort to drive down backlogs.

Table 1: Case Intakes, Average Turnaround Times, and Total Reports for the Latent Fingerprint Unit and Firearms Examination Unit, Fiscal Years 2016 through 2018 (Q2)

<i>Performance Metrics</i>	<i>FY16</i>	<i>FY17-Q1</i>	<i>FY17-Q2</i>	<i>FY17-Q3</i>	<i>FY17-Q4</i>	<i>FY18-Q1</i>	<i>FY18-Q2</i>
(old) Fingerprint cases submitted	2,843	N/A*	N/A*	N/A*	N/A*	N/A*	N/A*
(old) DNA cases submitted	1,401	N/A*	N/A*	N/A*	N/A*	N/A*	N/A*
(old) Firearm cases submitted	1,870	N/A*	N/A*	N/A*	N/A*	N/A*	N/A*
(new) Number of service requests from stakeholders	N/A**	6,974	1004	876	795	963	849
(new) Percentage of priority cases as designated by the contributor and marked in LIMS completed within 60 days from the date the analyst was assigned the case	N/A**	91%	85%	86%	97%	100%	100%
(new) Percentage of requested homicide cases completed within 60 days from the date the analyst was assigned the case	N/A**	98%	95%	88%	96%	98%	96.8%
Fingerprints							
Turnaround time for Fingerprints (<i>in days</i>)	68	N/A*	N/A*	N/A*	N/A*	N/A*	N/A*
Number of AFIS database entries	6,255	2,256	2,238	2,068	2,473	2,798	2,125
Number of AFIS database hits	1,341	324	375	342	472	661	488
DNA							
Turnaround time for DNA (<i>in days</i>)	68	N/A*	N/A*	N/A*	N/A*	N/A*	N/A*
Number of CODIS database entries	489	89	92	89	163	54	139
Number of CODIS database hits	159	37	38	25	56	185	53
Firearms							
Turnaround time for Firearms	14	N/A*	N/A*	N/A*	N/A*	N/A*	N/A*
Number of NIBIN database entries	3,489	874	1,208	1,041	4,108	930	843
Number of NIBIN database hits	349	44	34	50	257	118	211
Number of firearms processed for test fire	1,717	554	613	517	542	518	490

*Metric no longer reported in the FY17 Performance Plan.

**Metric did not exist in FY16 Performance Plan

Source: Department of Forensic Sciences

Crime Scene Sciences Division (“CSS”): The Department made some changes to the CSS in FY16, continuing into FY17 and FY18, wherein MPD and DFS merged crime scene operations. DFS is still in the process of hiring Crime Scene Scientists; as of February 2018, all but 4 of the 77 Crime Scene Scientist positions had been filled. The Committee is pleased to note the positive improvements that have resulted from the Department working to make sure it is fully staffed.

To date, the CSS personnel have collected evidence from 2,951 scenes, with an average response time of 25 minutes. This unit is providing 76% of its reports within 14 days. Within the CSS, the Central Evidence Unit is responsible for the secure intake, storage, and maintenance of evidence and property submitted to DFS. The unit took custody of 37,745 pieces of evidence. Right now, this unit is responsible for inputting information on the evidence within its custody in two databases – one used by MPD and another used by DFS. DFS hopes that once its new LIMS database becomes operational (explained in more detail below), this unit will no longer be burdened in this way.

Public Health Laboratory (“PHL”): This lab performs diagnostic and environmental tests and acts as the “local extension” of testing capabilities provided by the Centers for Disease Control and Prevention (“CDC”). The PHL provides services that includes diagnostic testing for infectious diseases, surveillance for influenza and foodborne outbreaks, and rabies testing. The PHL also conducts testing for bioterrorism and chemical terrorism. Thus far in FY18, the PHL tested 464 patient samples for influenza subtyping, a large increase from the 80 samples tested in FY17. The PHL is also the only entity conducting rabies testing in the District. In FY17, this included 191 samples, and to date, the PHL has tested 107 samples in FY18.

In FY18, the Department plans to prioritize the newly-established Forensic Chemistry Unit (“FCU”), which will receive, process, and track forensic requests for examination of drug evidence in submitted samples from the Metropolitan Police Department (“MPD”) and other stakeholders. The FCU became accredited to perform qualitative drug analysis on February 18, 2018. Now that it is fully accredited, DFS will work with the Drug Enforcement Administration to regain full responsibility of analyzing drug samples. This will include analyzing evidence, issuing laboratory reports of findings, and providing expert testimony in court. Recently, DFS has partnered with the Office of the Chief Medical Examiner to test syringes that are found at the scene of an opioid overdose. Through this initiative, the Department discovered a new strain of synthetic opioid, Methixyacetyl Fentanyl.

Additionally, in FY18, the PHL will re-establish STD testing capabilities for the District to identify chlamydia, gonorrhea, and syphilis from samples received

from District hospitals and healthcare facilities. This will both help reduce the cost of outsourcing and improve the quality of services.

The PHL also works with the Department of Health on the District's mosquito surveillance program to test for West Nile, dengue, chikungunya, and Zika viruses. In FY17, the Department worked hard to improve quality assurance and protocols in order to provide accurate test results. DFS is conducting Zika molecular testing, but has yet to resume Zika serology testing in-house. DFS paused Zika serology testing in December 2016, when the PHL Director noticed that the testing had produced a higher than anticipated number of negative results and the quality controls in place started to fail more regularly. At that time, serology testing was outsourced to the CDC. The Department will prepare to resume full responsibility for Zika testing in FY18, and it expects to resume serology testing after final approval from the Centers for Medicare and Medicaid Services which was requested in January 2018.

c. Mayor's Proposed Fiscal Year 2019-2024 Capital Budget

The Mayor's Fiscal Year 2019-2024 proposed capital budget includes capital allotments for the Department of Forensic Sciences as follows:

- Project No. DCI19 (Capital and I.T. Equipment): \$1,211,000 in FY19;
- Project No. FR019 (Capital Renovations): \$250,000 in FY19;
- Project No. FLE19 (Crime Scene Specialization Vehicles): \$222,000 in FY19 and \$154,000 in FY 2020;
- Project No. LIM20 (Laboratory Information Management System): \$500,000 in FY19 and \$4,000,000 in FY20;
- Project No. DIG19 (Forensic Digital Evidence Storage): \$803,000 in FY19; and
- Project No. HDW02 (Laboratory & Hospital Equipment): \$140,000 in FY19, \$80,000 in FY20, \$200,000 in FY21, \$200,000 in FY22, and \$200,000 in FY23.

Committee Analysis and Comments

Capital and I.T. Equipment: The funding will provide DFS with new laboratory equipment such as specialized microscopes, blood drying cabinets, and more. This project includes items for the Latent Firearms Unit that will help the unit to function more efficiently, equipment for the Crime Scene Sciences division, and for the Public Health Laboratory.

Capital Renovations: The funding will go toward renovating the Public Health Laboratory's Biological Safety Level 3 space (BSL-3). This is where analyses are conducted for potentially lethal microbes. The lab will be improved for optimal workflow efficiency and to enhance security measures.

Crime Scene Specialization Vehicles: DFS has identified nine crime scene vehicles that need to be replaced. The vehicles in the Crime Scene Sciences division are used 24 hours a day, 7 days a week, and this division is responsible for the collection and preservation of evidence from crime scenes.

Laboratory Information Management System: This project will provide necessary updates and improvements to LIMS for the Forensic Science Laboratory, Public Health Laboratory, Crime Scene Sciences division, and the Forensic Biology Unit.

When Director Smith first arrived at the Department, there was no LIMS system in place. DFS developed a LIMS system, which is now unfortunately outdated. The Department will use the dedicated funding of this project to create a new system that will be more streamlined and will help to improve its data collection efforts. The \$500,000 in this project for FY19 will be used toward pulling together a team to determine the needs of the Department to determine how to build the new LIMS system.

Forensic Digital Evidence Storage: This funding will support storage of analytical data, clinical data, and digital evidence for the Forensic Science Laboratory.

Laboratory & Hospital Equipment: This funding will support the replacement of mission-critical specialized laboratory and information technology that has passed its useful life.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 budget for the Department of Forensic Sciences, as proposed by the Mayor, and the Committee additionally recommends that the Committee of the Whole endeavor to identify sufficient funding to fill the \$1 million proposed reduction by the Executive in the agency's FY18 budget.

b. Fiscal Years 2019-2024 Capital Budget Recommendations

The Committee recommends adoption of the FY19-24 capital budget for the Department of Forensic Sciences, as proposed by the Mayor.

c. Policy Recommendations

1. The Committee recommends that DFS prioritize a retention plan for qualified FEU employees due to the national shortage of qualified individuals for these positions.
2. The Committee recommends that the Department prioritize the work of the Forensic Chemistry Unit in regaining full responsibility of analyzing drug samples in the District.
3. The Committee commends the Department for being diligent in filling vacancies. The Committee recommends that the Department continue to update the Committee on its progress.
4. The Committee supports DFS in delivering strong science and recommends a continued commitment to producing quality data that will serve the needs of all relevant stakeholders.
5. The Committee recommends that the Department work with the Council's Committee of the Whole to identify \$1,000,000 in one-time funds to restore the Executive's funding cut to the FY18 operating budget.

J. DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The mission of the Office of the Deputy Mayor for Public Safety and Justice (“DMPSJ”) is to provide direction, guidance, support, and coordination to the District’s public safety agencies. DMPSJ oversees the performance of the Metropolitan Police Department; Fire and Emergency Medical Services Department; Office of Unified Communications; Department of Corrections; Office of Victim Services and Justice Grants; Homeland Security and Emergency Management Agency; Office of the Chief Medical Examiner; Office of Neighborhood Safety and Engagement; and Department of Forensic Sciences. DMPSJ operates through one program: Administrative Management.

b. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Report and Analysis

NEAR Act Data Collection: The Metropolitan Police Department’s failure to comply with the stop and frisk data collection requirements of the NEAR Act was a major topic of discussion at the agency’s budget oversight hearing, and this issue is explored in depth in the Committee’s budget report chapter on MPD.

Local Control of Parole: At the agency’s budget oversight hearing, Deputy Mayor Donahue testified to his interest in exploring local control of parole in his agency’s FY19 budget through a feasibility study:

Re-establishing local control over parole would be an important advancement for justice-involved residents because the board's members would have a deeper understanding of District issues and re-entry opportunities. However, because there are many potentially long-lasting financial consequences of taking over this federal function, we need to closely study its feasibility and develop a well thought out strategy on how it should be implemented. In FY 2019, my Office will be commissioning a study to examine this issue and research best practices for a re-established D.C. Parole Board.

The Committee is heartened that this issue is a priority for the Deputy Mayor and looks forward to engaging with him and the broad coalition that is emerging in the District around this issue.

Focusing on Reentry: The Committee heard coordinated testimony at the agency's budget hearing from several organizational witnesses that serve returning citizens on the need for enhanced funding and attention to this issue. Chief among them was the Reentry Action Network, a coalition of 24 community-based non-profit reentry providers. Although much of their testimony related to the Office of Victim Services and Justice Grants, it was clear to the Committee that DMPSJ and reentry providers could benefit from increased collaboration in FY19, particularly as the Portal of Entry launches in the coming months.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 budget for the Deputy Mayor for Public Safety and Justice, as proposed by the Mayor.

b. Policy Recommendations

1. The Committee recommends that DMPSJ take the lead in identifying a source of funds in keeping with the philosophy of the NEAR Act to fund the outstanding \$500,000 in stop-and-frisk data collection costs at the Metropolitan Police Department and Department of Motor Vehicles.
2. The Committee recommends that DMPSJ identify a source of funding to backfill the FY18 cuts to the Department of Forensic Sciences.
3. The Committee recommends that DMPSJ coordinate with the Office of Public Private Partnerships and the Department of General Services to better communicate to the Committee and within the public safety cluster the status of any public-private partnership planning on cluster projects, with particular emphasis on the Daly Building. The Committee looks forward to learning whether DMPSJ's new outreach coordinator will take on this task.
4. The Committee recommends that DMPSJ share leadership responsibility with the Deputy Mayor for Health and Human Services on community engagement and input around the rollout of the new MPD-Department of Behavioral Health Pre-Arrest Diversion Program.
5. The Committee recommends that DMPSJ require the engagement of a wide variety of stakeholders, including youth offenders, in the development of the strategic plan required by B22-0451, the "Youth Rehabilitation Amendment Act of 2018".

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

6. The Committee recommends that DMPSJ consider taking a more active role in oversight and partnership with the Mayor's Office of Returning Citizen Affairs, particularly as it relates to that office's efforts to build a stronger relationship with the Bureau of Prisons.
7. The Committee recommends that the Office move speedily with the procurement for its study of local control of parole.

K. DISTRICT OF COLUMBIA NATIONAL GUARD

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The District of Columbia National Guard (“DCNG”) services both federal and District missions. Joint Force Headquarters – District of Columbia (“JFHQ-DC”) maintains and provides trained and ready DCNG units, personnel, and equipment, supports the District of Columbia Emergency Response Plan, and develops community programming. JFHQ-DC facilitates the integration of federal and state activities to provide expertise and situational awareness to the District of Columbia and the Department of Defense.

Federal Mission: Supports the readiness of DCNG units to perform federally assigned missions, both at home and abroad. District of Columbia personnel provide direct support to key functional areas, including operations, training, and readiness, to ensure DCNG units can defend the Nation and the Capital.

District Mission: Emergency Preparedness/Emergency Response; prepares for and responds to requests for National Guard – National Capital Region (JFHQ-NCR).

Community Mission: Maximizes the use of available Department of Defense family and youth programs to support District residents.

b. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Analysis and Comments

District Emergency Requests: One of DCNG’s top priorities is to monitor and provide an action plan for all District emergency requests. The Guard helped to support District agencies at a number of events in FY17 and FY18, to date, including the Independence Day celebration, the 2018 State of the Union Address, and multiple first amendment rallies. Members of the Guard are equipped to support the District’s Emergency Response Plan and respond to emergencies within four hours of notification.

DCNG Counterdrug Program: Through this program, the Guard provides guidance to youth, teachers, parents, and military members about the effects of alcohol and drug usage and abuse. DCNG also lends its support to the Drug Education for Youth Program that sponsors a week long residential camp focusing on drug education, life skills, personal hygiene, and peer mediation. In FY17 and FY18, to date, the Counterdrug Program has provided a criminal analyst to support the

Metropolitan Police Department, increased support in the Washington Area High Intensity Drug Traffic Agencies, and increased support to two counter-threat finance positions located at U.S. Immigration and Customs Enforcement and the Drug Enforcement Administration.

Capital Guardian Youth ChalleNGe Program: The DCNG maintains its strong commitment to the Youth ChalleNGe program. The community-based program, chartered by Congress, teaches and mentors at-risk 16- to 18-year-olds to become positively engaged with their communities. Youth ChalleNGe uses a quasi-military model and emphasizes academics, physical training, and discipline. The program includes a 22-week residential phase followed by a one-year, non-residential phase. The Youth ChalleNGe program has increased its visibility within the District by partnering with other District agencies who serve at-risk disengaged youth, including the Deputy Mayor for Education, the Office of the State Superintendent for Education, District of Columbia Public Schools, and the Department of Youth Rehabilitation Services.

The Guard still endeavors to increase the recognition of the program and enrollment. In the most current class, there were 127 applicants and 69 individuals were accepted into the program. The Committee continues to be supportive of this program and the Guard's increased recruitment and retention efforts. To promote the program, DCNG participated in community events, spoke about it on local radio programs, and ran television advertisements.

DCNG also prioritized security upgrades for the Youth ChalleNGe residential campus in FY17 and FY18, to date. A total of 18 new light poles were installed, and 49 existing light poles were upgraded with LED fixtures to improve night time visibility on campus. DCNG still hopes to hire Protective Service Division officers to guard the main entrance of the campus.

Improvements to the Guard's Oak Hill Facility: In the proposed FY19 budget, local funding for the Oak Hill Facility decreased by \$344,000 when the one-time funding that the Committee identified in the FY18 budget for this purpose lapsed. So far in FY18, the Guard has made improvements to the facility by conducting plumbing maintenance, pest control, electrical and HVAC service, cleaning, and maintenance service to dining equipment. The Committee continually restores funding cuts to the Oak Hill Facility and continues to recommend that a capital investment would solve this problem. The Committee was disappointed to see that no such project was included in the FY19 capital budget. The agency estimates that they would need a total of \$17,955,000 for facility improvements and renovations over the six-year capital plan. A breakdown of the agency's assessment of its capital needs, which was prepared in advance of the FY19 budget, can be found in the table below. The Committee would like to see the Executive include this project in the FY 2020 capital budget.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

Table 1: DCNG FY2019 – FY 2024 Capital Request (Prepared on October 20, 2017)

<i>FY2019 – FY2024 Capital Improvement Plan Proposal</i>									
<i>Project</i>	<i>Title</i>	<i>Reprogram</i>	<i>FY 2019</i>	<i>FY 2020</i>	<i>FY 2021</i>	<i>FY 2022</i>	<i>FY 2023</i>	<i>FY 2024</i>	<i>6 – Year Plan</i>
NG715C	General Campus Renovation		\$525,000	\$525,000	\$525,000	\$525,000	\$525,000	\$525,000	\$3,150,000
New	Building #2 – Admin/Medical	\$840,000							\$840,000
New	Security Site Lighting	\$535,000							\$535,000
New	Building #4 – Trade Building	\$200,000 (Design)	\$2,600,000	\$2,600,000					\$5,400,000
New	Building #8 – Infirmary			\$530,000	\$1,050,000				\$1,580,000
New	Building #11 – Dormitory				\$790,000	\$2,100,000			\$2,890,000
New	Building #12 COOP					\$840,000	\$1,360,000	\$1,360,000	\$3,560,000
	Subtotal:	\$1,575,000	\$3,125,000	\$3,655,000	\$2,365,000	\$3,465,00	\$1,885,000	\$1,885,000	\$17,955,000

Source: District of Columbia National Guard

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 budget for the District of Columbia National Guard, as proposed by the Mayor.

b. Policy Recommendations

1. The Committee recommends that the Executive make a significant capital investment in the Youth ChalleNGe Academy in the FY20-25 budget.
2. The Committee recommends that the Guard continue to develop security upgrades for the Youth ChalleNGe residential campus.

L. FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The mission of the Fire and Emergency Medical Department (“FEMS” or “Department”) is to promote health and safety through excellent pre-hospital treatment and transportation, fire prevention, fire suppression, rescue activities, and homeland security awareness. FEMS is led by a Chief, and the agency’s Medical Director directs the emergency medical services program. Within the Department are eight programs:

- 1) Chief of Fire and Emergency Medical Services;
- 2) Operations Bureau;
- 3) EMS Operations Bureau;
- 4) EMS Medical Director;
- 5) Support Services Bureau;
- 6) Technical Services Bureau;
- 7) Agency Financial Operations; and
- 8) Agency Management.

Additionally, FEMS provides fire and safety inspections, education, and intervention programs to District residents through community presentations, smoke alarm installations, health status/disease prevention screenings, car seat installations, and CPR instruction. FEMS also provides services for special events unique to the District, such as demonstrations and public gatherings. Additionally, the agency provides fire suppression and emergency medical protection for presidential motorcades and helicopter landings.

b. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Analysis and Comments

Emergency Medical Services (“EMS”):

American Medical Response Contract: FEMS entered into a letter contract with American Medical Response (“AMR”) ⁴¹ on February 12, 2016, in an effort to respond to increasing EMS call volume and demand for EMS services that outpaced

⁴¹ It was necessary to amend existing law to authorize the Department to contract with third parties to provide supplemental pre-hospital medical care and transportation to persons requiring basic life support. *See*, Sec. 3072, 3073, of the Fiscal Year 2017 Budget Support Act of 2016, effective October 8, 2016 (D.C. Law 21-160; 63 DCR 12932), available at <http://lims.dccouncil.us/Download/35482/B21-0669-Enrollment.pdf>.

the Department's resources.⁴² FEMS contended that entering into a private contract would help meet response time goals, more frequently train providers, preserve resources for the highest acuity patients, provide better field supervision and performance evaluation, perform preventative maintenance on fleet, and improve agency culture surrounding EMS.

Since the contract took effect, the Department has seen the most improvement in the availability of FEMS Basic Life Support ("BLS") transport units. Prior to the AMR contract, critical patients were put at risk when the Department ran out of transport units. Examples of negative patient outcomes are recounted in this Committee's prior budget reports. The Department increased its ambulance fleet by 20% between December 1, 2016 and March 31, 2017. After the ambulances taken out of service are accounted for, the purchases made during this time brought the ambulance fleet up to 98. Of those, 40 are designated as "frontline" units, and 58 are designated as "reserve" units. Ten of the reserve units are used for the special events that the District hosts throughout the year, however, the Department often needs up to 20 units for this purpose. The large number of reserve units allows FEMS to keep its fleet in good condition because it can take its frontline units out of service for preventative maintenance on a regular basis. Availability for Advanced Life Support ("ALS") units has not improved as dramatically as BLS. As a result, the Department converted 3 BLS transport units to ALS. This means the Department operates 22 BLS transport units and 17 ALS transport units. The Department's goal is to have 11 or more transport units continuously available for calls over 95% of the time. In FY17, unit availability averaged 97.6%. See Chart 1 for information on FEMS transport unit availability, broken down by minutes of the day during the week.

The AMR contract has also helped the Department focus on delivering more training hours, increasing the amount provided by 40%. Between the time when the AMR contract launched through March 2017, EMS related training hours totaled 107,307 hours, whereas previously during this time period the Department offered 76,672 hours of training. The Medical Director, Dr. Robert Holman, has focused on improving the type of training provided, offering new types of training and partnering with local universities, such as Howard University Medical School, to deliver joint training initiatives. Since the launch of the AMR contract, the Department has offered paramedic grand rounds, enhanced pediatric training, and Company-Based, Case-Based Education.

⁴² See, CA21-0360, "Proposed Contract with American Medical Response", deemed approved April 24, 2016, available at <http://lims.dccouncil.us/Download/35636/CA21-0360-Introduction.pdf>. The period of performance for the initial letter contract was from February 12, 2016, through June 11, 2016. Successive contracts were approved on July 9, 2016, for a period of performance from June 13, 2016, through October 10, 2016 (CA21-0472), on November 10, 2016 (CA21-0536), for a period of performance from October 11, 2016, through October 10, 2017, and on October 8, 2017 (CA22-0284), for a period of performance from October 11, 2017, through October 18, 2018.

The Department's authority to contract with a third-party provider for BLS will sunset on September 30, 2019. The Committee is recommending that this authority be extended through September 30, 2021 (see the Committee's discussion later in this report). At this time, the Department is not ready to bring full operations back in-house. The Department estimates expenditures in excess of \$30 million to reestablish control over the services provided by the third-party contract, which costs \$12 million. In the meantime, the Department will prioritize implementing the Nurse Triage Line (see full description below) and other strategies to reduce call volume, as well as training initiatives and apparatus purchases. The Committee would like to see the Department ready to bring operations back in-house by September of 2021.

BLS Transports by FEMS (ALS Providers): FEMS has been working to ensure that ALS providers respond only to the most critical patients. As such, the Department has seen a gradual decrease in the percentage of BLS transports by ALS providers. During the hours when AMR is in service, medic units transported only 15% BLS patients in FY17. When AMR units are not in service, this percentage jumps to 23%. Additionally, FEMS instituted changes within the dispatch system by recoding 194 types of calls from ALS to BLS to free up the critical ALS services for the patients who need it the most. This resulted in a shift from a majority of calls being dispatched as ALS in FY17 to a majority of calls being dispatched as BLS in FY18. The Department believes this will lead to more accurate dispatch, since approximately 70% of patients are ultimately deemed by the provider to be BLS during the transport phase, even if some of those calls had initially been coded as ALS. Table 1 shows the breakdown of ALS and BLS calls in FY17.

Table 1: FY17 EMS Calls, Broken Down by Basic Life Support ("BLS") and Advanced Life Support ("ALS")

<i>Month</i>	<i>Year</i>	<i>BLS Calls</i>	<i>% BLS Calls</i>	<i>ALS Calls</i>	<i>% ALS Calls</i>	<i>Total Calls</i>
October	2016	6,899	48%	7,369	52%	14,268
November	2016	6,444	49%	6,611	51%	13,055
December	2016	6,579	50%	6,635	50%	13,214
January	2017	6,554	49%	6,849	51%	13,403
February	2017	6,017	47%	6,698	53%	12,715
March	2017	6,805	49%	7,077	51%	13,882
April	2017	6,904	49%	7,049	51%	13,953
May	2017	6,938	49%	7,173	51%	14,111
June	2017	6,797	48%	7,295	52%	14,092
July	2017	6,924	50%	7,014	50%	13,938
August	2017	6,882	59%	7,165	51%	14,047
September	2017	7,380	49%	7,633	51%	15,013
Total		81,123	49%	84,568	51%	165,691

Source: Fire and Emergency Medical Services Department

The Integrated Healthcare Collaborative (“IHC”) and the Right Care, Right Now Nurse Triage Line: In the Fiscal Year 2017 Budget Support Act of 2016, the Council – at the Committee’s recommendation – established the IHC to “study nationally recognized best practices and develop recommendations regarding strategies or reducing EMS call volume, improving EMS delivery, and providing for collaboration between agencies, hospitals, health care organization, and community-based organizations, as well as strategies to achieve these goals by connecting patients with appropriate health care and social services.”⁴³ The IHC found that in addition to diverting resources from those who need it the most, overuse of emergency departments is problematic because it leads to “an incomplete understanding of the patient’s medical history, less comprehensive care, potentially unnecessary testing, unsafe duplication and/or contraindication in prescribed medications, unnecessary admissions, and exposure to hospital pathogens.”⁴⁴

The IHC Final Report acknowledges that the AMR contract was executed as a temporary fix while the Department implements a long-term solution to managing call volume and the provision of EMS care. As stated, the goals of the IHC are “to improve the population’s health and safety, connect low acuity callers to a more appropriate comprehensive source of care, reduce or eliminate the use of 9-1-1 resources for non-emergent medical issues and ensure rapid response, treatment and, transport for high acuity, life-threatening medical calls.”⁴⁵ The IHC established five subcommittees: Nurse Triage, Alternative Transport, Connection to Care, Policy, and Communication and Marketing.

The Nurse Triage subcommittee put forth a recommendation to establish a nurse triage line, a system in which “9-1-1 call takers screen calls and redirect lower acuity calls to triage nurses for further assessment. With the guidance of algorithmically driven protocols, a nurse is able to further assess and direct a caller toward non-ED outcomes including self-care advice, non-EMS transport to primary care clinics or even an urgent care center.”⁴⁶ The subcommittee researched other jurisdictions and found that “[s]ome of the cities with populations comparable to the District’s, such as Fort Worth and Louisville, have been able to divert 54 percent and 31 percent, respectively, of their calls away from an EMS response without deleterious health outcomes.”⁴⁷ In the FY18 budget, the Committee approved a proposed budget of \$1 million in recurring local funds to establish a Nurse Triage Line (“NTL”), and the resulting contract was awarded to AMR for \$800,000.

⁴³ See, Fiscal Year 2017 Budget Support Act of 2016, § 3018-3082, available at <http://lims.dccouncil.us/Download/35482/B21-0669-Enrollment.pdf>.

⁴⁴ *Id.* at 4.

⁴⁵ *Id.* at 2.

⁴⁶ *Id.* at 4.

⁴⁷ *Id.*

The Department worked diligently to launch the Right Care, Right NTL on April 19, 2018. The District has the highest per capita EMS call volume in the country, and non-emergency calls continue to strain the system. The goal of the NTL is to improve patients' health outcomes and to preserve critical FEMS resources for patients with life threatening injuries and illnesses. Individuals who call 9-1-1 may be transferred to a nurse if they call in with non-emergency injuries or illnesses. The nurse will then talk through the symptoms the caller is experiencing and determine what type of care is needed. In most cases, the caller will be diverted to a community care clinic or urgent care clinic in the caller's neighborhood.⁴⁸ The registered nurses hired through the vendor will be located at the Office of Unified Communications.

The Department is working with the Lab@DC to initiate a tiered launch so that the NTL starts small and scales up over a one-year time frame. For the first six months, the NTL will accept 65 calls throughout the course of the day. After six months, it will accept 130 calls a day, and one year into the program it will accept all eligible calls. While the program is scaling up, NTL-eligible calls will be diverted at random and evenly spread throughout the day. The Lab@DC will use the data collected during the tiered launch to compare outcomes between low-acuity patients who are diverted to the NTL versus those who are not.

To raise public awareness about this program, the Department's leadership attended community meetings across the District. They worked with the participating managed care organizations and clinics to create unified messaging around the program and launched a public advertising campaign to promote it. The Committee commends FEMS for a well-planned and executed campaign.

CPR and the Hands on Hearts Program: All FEMS operational employees are CPR trained and certified. In FY17, the Department improved its CPR training by purchasing automated mannequins in each of the six battalions to allow members to practice high-performance CPR on a regular basis. Additionally, the Department conducted community CPR trainings across the District.

The Department has continued to prioritize the Hands on Hearts program to train District residents in hands-only CPR. As of March 2017, the Department had trained just over 18,000 individuals. Less than a year later, in February 2018, this number jumped to 41,267 individuals.

In FY17, FEMS also launched the PulsePoint application that allows individuals who have been CPR-trained to be connected to a nearby person who needs

⁴⁸ A list of participating clinics can be found here: <https://fems.dc.gov/page/frequently-asked-questions-right-care-right-now> and a map here: https://www.google.com/maps/d/viewer?mid=1XbMs3wuguxsJKjh27gYp_IIVWw752fRG&ll=38.906911621911306%2C-77.04447374890134&z=12.

assistance and to the nearest Automated External Defibrillator (“AED”). The Department encourages all Hands on Hearts trainees to join the application. PulsePoint sends a smartphone alert to app subscribers whenever someone is in cardiac arrest within 1/4 mile of the user’s location. The PulsePoint app also identifies the location of the AED nearest to the patient. As of January 2018, PulsePoint had 2,763 subscribers.

Fire Operations, Special Operations, Fire Prevention and Risk Management:

Operational Preparedness, Training, and Outreach: In the last fiscal year, FEMS made several improvements in this arena. The Department worked on improving its fire suppression operational preparedness by introducing new Standard Operating Guidelines. These guidelines align the Department’s procedures closer to national standards on incident command and firefighter safety. In FY18, the Department will provide new National Fire Protection Association (“NFPA”) training to all operational personnel. In FY17, the Department began Engine Company Operations in-service training and Self-Contained Breathing Apparatus (“SCBA”) in-service training, which will continue into FY18.

During FY17, FEMS performed fire prevention educational outreach and fire inspection activities at 67 senior citizen living facilities, buildings, and nursing homes. Out the 82 senior facilities, 75 were inspected, for a 91% completion rate. Additionally, 39 facilities received comprehensive fire safety educational programs that included electrical and home heating fire prevention, escape planning in case of fire, and smoke alarm and carbon monoxide alarm maintenance.

The Department’s FY19 operating budget includes funding for 3 training academy instructors. The Mayor’s Errata letter elaborated that these new FTE positions are for a credentials management officer, a curriculum development officer, and a training academy instructor. The Committee supports the Department’s efforts to improve upon the staffing at the training academy and would like to see a continued commitment to this endeavor.

Marine Firefighting Unit/BDA Global Report: FEMS hired BDA Global to assess the D.C. Port Region to identify the District’s needs for the Marine Firefighting Unit and a new Fireboat 1 given the significant economic development taking place, and planned, on the waterfront, in addition to security and hazard risks. The assessment was completed in October 2016, and the report was transmitted to the Committee. Funding for a new Fireboat 1 was included in the FY19 capital budget. The Committee recommends that the Department continue to work to implement the suggestions found within the report.

Risk Management: In terms of risk management, FEMS launched a Department-wide driver safety awareness training. In FY17, there were 276 vehicular collisions involving FEMS apparatus. The Department is now undertaking an additional assessment to determine which of the collisions were preventable to better tailor the training courses to address these issues. During FY17, the Department completed driver safety awareness training for 1,222 operational personnel, meeting 79% of the goal of training 1,548 members.

**Table 3: Collisions with FEMS Vehicles, FY17 and FY18
 (As of February 27, 2018)**

<i>Collisions with FEMS Vehicles, FY17</i>		
<i>Vehicle Unit</i>	<i>Number</i>	<i>Percentage</i>
Engine	67	24%
Ambulance	56	20%
Rescue Squad	8	3%
Truck	35	13%
Fleet	53	19%
Medic Unit	57	21%
Total	276	100%

<i>Collisions with FEMS Vehicles, FY18 (10/1/17 – 2/27/18)</i>		
<i>Vehicle Unit</i>	<i>Number</i>	<i>Percentage</i>
Engine	28	24%
Ambulance	18	16%
Rescue Squad	4	3%
Truck	25	22%
Fleet	15	13%
Medic Unit	25	22%
Total	115	100%

Source: Fire and Emergency Medical Services Department

Overtime Use: In 2014, the Council adopted legislation expanding the paid family leave (“PFL”) benefits of District government employees. This legislation has had a significant impact on the amount of PFL used by FEMS employees, which is in turn, a significant driver of the Department’s overtime spending. Unlike other agencies in the District, when FEMS operations employees go out on PFL, each vacated apparatus seat must be backfilled. These seats are filled on at an overtime rate of 1.5x pay. In FY14, Department employees used an average of four hours of family leave per month. In FY15, this number jumped to an average of 3,093 hours per month. In FY16, the number rose to 5,397 hours per month and in FY17, 6,424

hours per month. The unbudgeted impact of PFL in FY17 was \$3.52 million. Of course, the Committee supports the use of paid family leave by District employees, but the Committee recommends that the Department better understand its drivers to ensure that it does not face spending pressures.

Fortunately, in FY17, the Department started to see a decrease in overtime spending. The Department believes this reduction is due to a variety of factors, including a lower summer call volume in FY17, which, combined with having the AMR contract in place, resulted in the Department not having to use power shift ambulances to cover call volume spikes. Also, the Department has moved to quarterly in-service EMS training during on-duty hours, rather than through the use of biennial one-week blocks of training using overtime, as it did in past years. In addition, the Department is making progress hiring Firefighter EMTs and Firefighter Paramedics, which has resulted in fewer daily vacancies that must be filled using overtime.

Organizational Development: In FY17, FEMS released a Leadership Development Plan and began to provide supervisor training to new classes of officers. The Department also began make changes to its hiring practices, with specific focus on the lack of women in leadership roles. For this reason, FEMS launched the “Empowering Women to Lead” program and looks to improve its recruitment of female leaders. As of February 23, 2018, the Department reported that two Fire Captains are women, and 11 EMS Captains are women. However, the Department has no female uniformed employees above the rank of captain.

Inter-agency Collaboration: In FY17, FEMS partnered with the Office of Unified Communications (“OUC”) to establish a taskforce that meets bi-weekly to improve inter-agency communications. These meetings are used to address any ongoing issues, as well as plan for future initiatives. Additionally, the executive staff of each agency meet monthly to discuss agency goals, challenges, and ongoing projects such as the revision of the Criteria-Based Dispatch System and the Nurse Triage Line. The agencies also established a Technical Task Force workgroup that meets weekly to discuss the status of special projects, equipment, training, drills, events, maintenance, apparatus, and more. In FY18, the Department also conducted trainings for OUC staff. The FEMS Quality Assurance Team developed a curriculum to increase medical awareness on the part of OUC call takers and dispatchers, and the Fire Liaison Officer conducted numerous training drills with the OUC Staff during their daily roll calls.

Fire and Emergency Medical Services Employee Presumptive Disability Amendment Act: This act⁴⁹ established a presumption that FEMS personnel who are diagnosed with diseases enumerated in the act have an occupational disease that

⁴⁹ See <http://lims.dccouncil.us/Download/13452/B19-0616-ENROLLMENT.pdf>.

was suffered in the line of duty and are thus entitled, upon meeting certain qualifications, to work in a limited-duty status or to non-chargeable medical leave and administrative pay. This bill was passed in 2012 but was unfunded until FY17. In the FY17 budget, the Committee on Transportation and the Environment transferred \$562,872 in recurring local funds to this Committee to pay for the cancer treatment portion of the law. In the FY18 budget, the Committee on Transportation and the Environment again transferred \$817,652 in recurring local funds to the Committee to pay for the communicable disease treatment, pre-employment screening, personnel exposure tracking, and Police and Fire Clinic contractor costs.

In FY17, FEMS issued a bulletin to describe the law and how the Department's membership should utilize the services provided. Each covered employee is seen at the Police and Fire Clinic for an annual and promotional physical. According to the 2017 annual report on the Fire and Emergency Medical Services Employee Presumptive Disability Claims, there have not been any claims by members in which a presumption was created for cancer or infectious disease.⁵⁰

The Committee is strongly supportive of funding for the act, and its FY19 recommended budget funds the last portion of the bill through a transfer from the Committee on Transportation and the Environment. This year, the Committees are funding the chronic disease treatment, retirement plan cost increase, and funds for a clinic FTE – in total, \$2,202,000 in recurring funds. The Committee is particularly grateful to the Committee on Transportation and the Environment for funding the bill over the last three budget cycles. Investing in healthcare for FEMS personnel has been a consistent priority for both Committees.

Personnel Recruitment and Retention: The Committee believes it is critical that first responders live where they serve, but housing affordability is a significant barrier to increasing District residency among personnel. In the Fiscal Year 2018 Budget Support Act of 2017, the Committee and the Committee on Housing and Neighborhood Revitalization recommended a new subtitle based on legislation introduced by Chairperson Allen⁵¹ to encourage the recruitment and retention of first responders, including firefighters, paramedics, and EMTs. The subtitle and related appropriation provided an enhancement of \$1.1 million for the Department of Housing and Community Development's Employer-Assisted Housing Program to recruit and retain police officers, firefighters, emergency medical technicians, and correctional officers through targeted homeownership assistance. The program has three components:

⁵⁰ Fire and Emergency Medical Services Department, *Fire and Emergency Medical Services Employee Presumptive Disability 2017 Annual Report* (Mar. 12, 2018), <http://lims.dccouncil.us/Download/39885/RC22-0144-Introduction.pdf>.

⁵¹ Bill 21-0105, the "First Responders Housing Incentive Program Amendment Act of 2017", <http://lims.dccouncil.us/Download/37358/B22-0105-Introduction.pdf>.

1) *Matching down payment funds:*

- For every police officer, correctional officer, firefighter, paramedic, and emergency medical technician who saves \$2,500, the District will provide \$1,500 (currently \$500), with successive matches for every \$2,500 saved, up to a \$15,000 commitment by the District (currently \$1,500).
- For District government employees who are not first responders: for every \$2,500 saved by an eligible employee, the District will provide \$1,000, with successive matches for every \$2,500 saved, up to a \$5,000 commitment by the District.

2) *A deferred payment loan* of up to \$20,000 per employee, increased from the current \$10,000 cap; and

3) *A forgivable grant* of up to \$10,000 for police officers, correctional officers, firefighters, paramedics, and emergency medical technicians who make a five-year service obligation.

After a rocky start to the program's rollout, the Committee is now pleased to learn that as of March 29, 2018, seven firefighters closed on District homes – thereby committing to five years of service with the Department – with four in Ward 8, two in Ward 7, and one in Ward 5. At the time, four first responders also had notices of eligibility for the program (meaning that they were in the homebuying process), including three firefighters. The Committee encourages the Department to further share information about the program with uniform and civilian personnel.

On March 20, 2018, the Committee introduced B22-0749, the “Deferred Retirement Option Program Amendment Act of 2018” as a method of employee retention within the Department. The bill would create a Deferred Retirement Option Program, known as a “DROP”, to incentivize the retention of otherwise retirement-eligible FEMS and MPD personnel. Members are eligible to retire after completing 25 years of service to the Department. The DROP would allow participants, rather than retiring, to continue working with their employing agency for up to five years while simultaneously accruing retirement benefits in a separate DROP account. When a member elects to participate in the DROP, rather than having those additional years of employment included in future benefit increases, they will be locked into the rate of benefits to which they are eligible when they elect to participate, thus freezing the rate. This rate will be subject to increase only for cost-of-living adjustments and credit for unused sick leave. Once the member stops participating in the DROP, they must immediately and permanently retire. Upon retirement, and in addition to their normal retirement annuity, they can receive the balance of their DROP account in a lump sum distribution or roll it over into various

other options. The DROP will provide personnel with greater flexibility when making retirement plans and give them a jumpstart at retirement, rather than relying on only their annuity. The DROP will also serve as a tool for FEMS and MPD to retain skilled employees with important institutional knowledge.

FEMS is facing a “retirement bubble” as a result of the hiring surge that took place in the early 1990s. Accordingly, 10% of the force is currently eligible to retire, making it all the more important that the Department focus on the recruitment and retention of quality members of the force.

**Table 4: Attrition, By Reason for Departure
(FY17 and FY18, through May 2, 2018)**

<i>Position/Rank</i>	<i>Resignation</i>	<i>Retired</i>	<i>Terminated</i>	<i>Other</i>	<i>Total</i>
Assistant Fire Chief					0
Battalion EMS Captain	1				1
Battalion Fire Chief		2			2
Cadet			1		1
Captain		3	1		4
Captain Paramedic					0
Deputy Fire Chief		2			2
EMT		1	1		2
Firefighter EMT	11	8	1	4	24
Firefighter Paramedic	4	1			5
Firefighter Paramedic Tech					0
Firefighter Technician		11			11
Lieutenant		7			7
Lieutenant Paramedic					0
Paramedic	1	1		1	3
Sergeant		2			2
Sergeant Paramedic					0
Fire Inspector		1			1
Marine Pilot					0
Total	17	40	5	2	66

Source: Fire and Emergency Medical Services Department

Table 5: Retirement Statistics from the District of Columbia Retirement Board (As of May 1, 2018)

FEMS RETIREMENT ELIGIBILITY							
<i>Rank</i>	<i>Total (as of May 1, 2018)</i>	<i>Total Eligible (as of May 1, 2018)</i>					
			<i>FY18</i>	<i>FY19</i>	<i>FY20</i>	<i>FY21</i>	<i>FY22</i>
Assistant Fire Chief (Gr10)	4	3	3	3	3	3	4
Deputy Fire Chief (Gr9)	13	13	13	13	13	13	13
Battalion Chief (Gr8)	41	30	30	30	30	30	32
Captain Paramedic (Gr7b)	44	16	16	17	20	21	25
Captain (Gr7)	60	35	35	37	37	38	42
Marine Pilot/Eng (Gr6)	11	4	4	4	4	4	6
Lieutenant Paramedic (Gr5b)	9	4	4	4	5	5	5
Lieutenant (Gr5)	174	72	72	75	76	78	83
Sergeant Paramedic (Gr 4b)	15	5	5	5	5	5	5
Sergeant (Gr 4)	109	21	21	22	24	24	32
Asst. Marine Pilot/Eng (Gr3)	1	0	0	0	0	0	0
Fire Arson Invest Armed (Gr 2d)	14	8	8	8	8	8	8
Fire Investigator (Gr 2c)	6	0	0	0	0	0	0
Fire Inspector Tech (Gr 2b)	12	9	9	9	9	9	9
Fire Inspector (Gr 2)	19	10	10	11	11	11	12
Firefighter Paramedic Tech (Gr 1d)	9	0	0	0	0	0	0
Firefighter Paramedic (Gr 1c)	187	11	11	11	12	12	13
Firefighter Tech (Gr 1b)	300	84	84	86	97	105	122
Firefighter/FF EMT (Grade1)	796	52	52	54	57	61	84
Total	1824	377	377	389	411	427	495
Assistant Fire Chief (Gr10)	4	75%	75%	75%	75%	75%	100%
Deputy Fire Chief (Gr9)	13	100%	100%	100%	100%	100%	100%
Battalion Chief (Gr8)	41	73%	73%	73%	73%	73%	78%
Captain Paramedic (Gr7b)	44	36%	36%	39%	45%	48%	57%
Captain (Gr7)	60	58%	58%	62%	62%	63%	70%
Marine Pilot/Eng (Gr6)	11	36%	36%	36%	36%	36%	55%
Lieutenant Paramedic (Gr5b)	9	44%	44%	44%	56%	56%	56%
Lieutenant (Gr5)	174	41%	41%	43%	44%	45%	48%

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

Sergeant Paramedic (Gr 4b)	15	33%	33%	33%	33%	33%	33%
Sergeant (Gr 4)	109	19%	19%	20%	22%	22%	29%
Asst. Marine Pilot/Eng (Gr3)	1	0%	0%	0%	0%	0%	0%
Fire Arson Invest Armed (Gr 2d)	14	57%	57%	57%	57%	57%	57%
Fire Investigator (Gr 2c)	6	0%	0%	0%	0%	0%	0%
Fire Inspector Tech (Gr 2b)	12	75%	75%	75%	75%	75%	75%
Fire Inspector (Gr 2)	19	53%	53%	58%	58%	58%	63%
Firefighter Paramedic Tech (Gr 1d)	9	0%	0%	0%	0%	0%	0%
Firefighter Paramedic (Gr 1c)	187	6%	6%	6%	6%	6%	7%
Firefighter Tech (Gr 1b)	300	28%	28%	29%	32%	35%	41%
Firefighter/FF EMT (Grade1)	796	7%	7%	7%	7%	8%	11%
Total	1824	21%	21%	21%	23%	23%	27%

Source: Fire and Emergency Medical Services Department

Apparatus: During the Committee’s FY18 performance oversight hearing, the Department stated that it will be receiving an influx of fire apparatus during the spring and summer of 2018, including 18 engines and 3 ladder trucks. Adding to the Department’s fleet will both increase its reserve capacity and add to the “up time” for engines and ladder trucks. The Department’s goals for the upcoming fiscal year include establishing and maintaining a consistent reserve fleet and achieving the “up time goal of 75 percent for all apparatus.

In terms of apparatus maintenance, during FY17, the Department implemented a dedicated service lane for preventative maintenance and inspections of fleet apparatus. This initiative, together with building a larger reserve fleet, will help the Department to conduct regular preventative maintenance on all of its apparatus. See also the discussion below of the various apparatus projects and the Fleet Maintenance Facility for comments on the Department’s maintenance needs.

c. Mayor’s Proposed Fiscal Years 2019-2024 Capital Budget

The Mayor’s Fiscal Years 2019-2024 proposed capital budget includes capital allotments for the Fire and Emergency Medical Services Department as follows:

- Project No. 206AV (Administrative Vehicles – FEMS): \$648,000 in FY19, \$498,000 in FY20, \$498,000 in FY21, \$747,000 in FY22, \$748,000 in FY23, and \$748,000 in FY24

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

- Project No. 206AM (Ambulance Vehicles – FEMS): \$8,002,000 in FY19, \$1,257,000 in FY20, \$1,165,000 in FY21, \$3,354,000 in FY22, and \$2,616,000 in FY23
- Project No. 206CV (Command Vehicles – FEMS): \$198,000 in FY19, \$198,000 in FY20, \$198,000 in FY21, \$278,000 in FY22, \$198,000 in FY23, and \$317,000 in FY24
- Project No. BRM23 (Engine Company 15 Renovations): \$1,730,000 in FY23 and \$12,520,000 in FY24
- Project No. LC537 (Engine Company 23 Renovation): \$3,750,000 in FY19 and \$3,750,000 in FY20
- Project No. LF239 (FEMS Scheduled Capital Improvements): \$2,500,000 in FY19, \$1,000,000 in FY20, \$1,000,000 in FY21, \$3,500,000 in FY23, and \$3,500,000 in FY24
- Project No. FMF01 (Fleet Maintenance Reserve Facility): \$47,000,000 in FY24
- Project No. 206LT (Ladder Trucks – FEMS): \$2,921,000 in FY19, \$4,145,000 in FY20, \$2,282,000 in FY21, \$2,479,000 in FY22, and \$2,688,000 in FY23
- Project No. 206MP (Fleet Vehicles – FEMS): \$802,000 in FY19, \$620,000 in FY20, \$510,000 in FY21, \$503,000 in FY22, \$905,000 in FY23, and \$737,000 in FY24
- Project No. NFB01 (New Fire Boat-1): \$12,290,000 in FY23
- Project No. BRM01 (New Harbor Patrol Facility): \$8,500,000 in FY23 and \$12,000,000 in FY24
- Project No. 206RV (Other Response Vehicles – FEMS): \$2,222,000 in FY19, \$143,000 in FY20, and \$710,000 in FY22
- Project No. 206PT (Pumpers – FEMS): \$4,431,000 in FY19, \$4,196,000 in FY20, \$3,978,000 in FY21, \$4,277,000 in FY22, and \$4,094,000 in FY23
- Project No. LC837 (Relocation of Engine Company 26): \$4,000,000 in FY19 and \$4,750,000 in FY20
- Project No. 206RS (Rescue Squad Vehicles – FEMS): \$2,775,000 in FY19, \$2,442,000 in FY20, \$2,118,000 in FY21, \$1,153,000 in FY22, \$1,752,000 in FY23, and \$1,857,000 in FY24

Committee Analysis and Comments

Apparatus Purchases: The FY19-24 proposed capital budget utilizes the Office of the Chief Financial Officer's new Capital Asset Replacement Scheduling System ("CARSS") to determine apparatus purchase needs. At the agency's budget oversight hearing, the Department explained that CARSS tracks data on the status and maintenance of its apparatus on a weekly basis. With the information from CARSS, the Department's capital funding for apparatus was broken down into separate projects based on type. The replacement needs are driven by the assessment

of a combination of a vehicle's age, condition, mileage, engine hours, and anticipated ongoing maintenance cost trends. The capital plan includes eight distinct projects (not including Fireboat 1) for administrative vehicles, ambulance vehicles, command vehicles, ladder trucks, fleet vehicles, pumpers, rescue squad vehicles, and other response vehicles, rather than one or two for all apparatus. The Committee believes that the proposed capital budget more accurately captures the Department's apparatus needs than years past, although compared to last year's proposal for FY18-23, the overall apparatus budget reflects \$7 million more in FY19, \$1.6 million less in FY20, \$4.2 million less in FY21, the same amount in FY22, and \$2.7 million more in FY23.

Table 6: FEMS Fleet, By Type of Asset (As of April 25, 2018)

<i>Asset Description</i>	<i>Class</i>	<i>Count</i>
LIGHT VEHICLES: GOLF CART: FOUR WHEELED	1212	12
AUTOMOBILE: COMPACT, HYBRID	1320	2
VAN: WINDOW: 7-8 PASSENGER (1/2 TON)	1410	3
PICKUPS: 1/4 TON COMPACT: CREW CAB	1513	1
PICKUPS: HALF TON CREW CAB	1523	12
SPORT UTILITY VEHICLE (SUV)	1620	1
VAN: CARGO STEP VAN	2422	2
PICKUP: SUPER DUTY CREW CAB	3513	1
FIRE RESPONSE: MCU-COMMAND BUS	7BUS	4
FIRE UNIT, COMMAND VEHICLE	7CMV	38
FIRE/EMS SEDAN FULL SIZE	7FAL	20
FIRE UNIT, FIRE RESPONSE BOAT	7FBT	4
FIRE UNIT, MD TRUCK 25,000 LBS	7FGF	3
FIRE UNIT, AERIAL LADDER	7FLI	26
FIRE UNIT, FOAMING UNIT	7FMU	4
FIRE UNIT, HD RESCUE TRUCK 40,000 LBS	7FRH	11
FIRE UNIT, LIGHT TRUCK 0-6000 LBS	7FZB	8
FIRE UNIT, HEAVY DUTY TRUCK, 25,000 LBS	7FZG	4
FIRE UNIT, PUMPER	7PFF	56
Admin Vehicles	ADMINVEH	5
AMBULANCE	AMBU	96

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

FIRE UNIT, MINI VAN CARGO	CBTE	2
FIRE UNIT, 1 TON UTILITY VAN	CCOE	4
RESC	RESC	2
SEDAN	SEDN	33
SERV	SERV	3
SPORT UTILITY VEHICLE	SUV	11
TRUCK	TRK	18
TRAILER	TRL	6
VAN	VAN	11
	TOTAL	403

Source: Fire and Emergency Medical Services Department

Engine Company 15 Renovations: This project will be a total renovation of the facility located at 2102 14th Street, SE, including a new 1,800-square-foot apparatus bay addition and a new 600-square-foot mechanical and electrical room addition. The renovation will be completed to the LEED Silver standard.

Engine Company 23 Renovation: This project includes major improvements and upgrades to Engine 23 at 2119 G Street, NW, that will bring the facility into compliance with current basic standards such as ADA access, Life Safety Codes, NFPA, firefighting protective gear storage, and energy-efficient HVAC systems. This station was built in 1910 and has not had a major renovation in more than 28 years.

FEMS Scheduled Capital Improvements: This project will fund scheduled capital improvements in various Department facilities to include repair and/or replacement of foundation, concrete, plaster wall, window, floor covering, the heating and cooling system, the electrical system, the lighting system, plumbing and sanitary drains. According to FEMS, the Department's Capital Improvement Plan is consistent with the recommendations in the BDA Global report.

Fleet Maintenance Reserve Facility: This project involves the design and construction of a new, modern maintenance facility for the agency's fleet and equipment needs. The Committee is extremely disappointed that the funding for this project was pushed back from FY22 and FY23 to FY24. Once the Department is able to identify a new site for the facility, Greenleaf Gardens, a development nearby the facility, will be able to benefit from sorely-needed renovations. The Committee expects that the Greenleaf improvements take place in a "build first" model so that the existing housing does not need to be disrupted while the new development is taking place. However, Greenleaf cannot utilize this District owned parcel until a new Fleet Maintenance site is identified; and may have to seek other build first sites.

The Committee is prioritizing this project by reallocating \$1 million from the existing allotment in Project No. LE737C (Engine 27 Major Renovation) to the FY19 Fleet Maintenance Facility budget to allow the Department to begin the first two phases of design.

One million dollars would support the following next steps for the project:

- *Schematic design phase:*
 - Allow the architects and engineers to meet with FEMS and Department of General Services (“DGS”) staff to review design requirements, guidelines, and site-related issues;
 - Produce schematic site drawings and details that would include overall site layout/configuration, site access/egress, building floor plans, enlarged plans showing optional programming configurations, and any elevations and details required to describe the work;
 - Mechanical, electrical, and plumbing designers would study the various site utilities and produce a geotechnical analysis describing existing conditions of the soil and potential hazards that would need to be remediated; and
 - FEMS and DGS would then review the two schematic designs and choose one to move forward into design development.
- *Design development phase:*
 - Prepare and submit the final site plan, site utility, and interior floor plan layout/configuration;
 - Allow the designer to compile an initial finish schedule describing the proposed materials, patterns, colors, fixtures, equipment, and specialty fleet maintenance equipment schedule; and
 - Hire a third-party firm to produce the final cost estimate of the design.

Fire Boat 1: The Committee is pleased that this project to replace the Department’s current fireboat, the *John H. Glenn, Jr.*, was funded in the capital plan but recommends that the Committee of the Whole accelerate the project. The BDA Global report recommended that the vessel be replaced. At the agency’s budget oversight hearing, the Department stated that it would need to hire a marine engineer to determine the appropriate vessel to purchase. The *John Glenn* lacks the speed, command platform capabilities, and air draft clearance needed to perform effectively and efficiently. When making the new purchase, the Department must consider different variables such as icebreaking capability, speed, and more. The Committee looks forward to learning more about the recommendation that the marine engineer makes.

New Harbor Patrol Facility: A new harbor facility is a joint project of FEMS and the Metropolitan Police Department. The new facility is needed with the expansion of development along the Southwest waterfront (Washington Channel) and the Anacostia River. Last year, the funding for this project was moved back one year from FY20 to FY21. This year, the project was again postponed to FY23 and FY24. The Committee recommends that the Executive prioritize this project as development in the waterfront areas continues to expand. The Committee is concerned that, with the high volume of new residents and visitors to the waterfront, the facility is not budgeted in the appropriate years.

Relocation of Engine Company 26: This project entails selecting and acquiring a suitable site for Engine Company 26, currently located at 1340 Rhode Island Avenue, NE, all legal work and regulatory approvals, and site work and the construction of a 30,000-square-foot fire station. The Department intends to construct a LEED Silver facility.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 operating budget of the Fire and Emergency Medical Services Department, as proposed by the Mayor, with the following modifications:

1. *Increase* CSG 41 (Contractual Services – Other), Program 6000 (Support Services Bureau), Activity 6400 (Risk Management), by \$2,103,000 in recurring local funds for the chronic disease treatment (\$1,065,000) and retirement plan cost increase (\$1,038,000), as required to fund the fiscal impact of the Fire and Emergency Medical Services Employee Presumptive Disability Amendment Act of 2012 (D.C. Law 19-331)
2. *Increase* FTEs by 1, and create a new position (Compliance Officer), as required to fund the Police and Fire Clinic FTE fiscal impact of the Fire and Emergency Medical Services Employee Presumptive Disability Amendment Act of 2012 (D.C. Law 19-331), with the accompanying local funds as follows:
 - a. Compliance Officer: create a new position in Program 6400 (Risk Management), Activity 6403 (Employee Wellness): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$83,264 and CSG 14 (Fringe Benefits – Current Personnel) by \$15,736: *total PS increase = \$99,000*
3. *Eliminate* 1 FTE and *reduce* CSG 11 by \$76,084 and CSG 14 (Fringe Benefits – Current Personnel) by \$13,543: *total PS reduction = \$89,627*, and by program as follows:

- a. In Program 100F (Agency Financial Operations), Activity 110F (Agency Fiscal Officer Operations): *eliminate* 1 FTE (Budget Analyst: Position No. 4645), and *reduce* CSG 11 by \$76,084 and CSG 14 (Fringe Benefits – Current Personnel) by \$13,543: *total PS reduction = \$89,627*
4. *Reduce* CSG 13 (Additional Gross Pay), Program 3000 (Operations Bureau), Activity 3100 (Operations (Deputy Chief Ops)), by \$40,373 in recurring local funds to reduce the budgeted amount for shift differential

b. Fiscal Years 2019-2024 Capital Budget Recommendations

The Committee recommends adoption of the FY19-24 capital budget for the Fire and Emergency Medical Services Department, as proposed by the Mayor, with the following modifications:

1. *Reduce* the available allotment balance for Project No. LE737C (Engine 27 Major Renovation) by \$1,000,000 and transfer that amount to Project No. FMF01 (Fleet Maintenance Reserve Facility) in FY19
2. *Reduce* the available allotment balance for Project No. LC437C (E-22 Firehouse Replacement) by \$9,135 and transfer that amount to the Committee on Transportation & the Environment
3. *Reduce* the available allotment balance for Project No. LE337C (Engine 5 Complete Renovation) by \$5,955 and transfer that amount to the Committee on Transportation & the Environment

c. Policy Recommendations

1. The Committee recommends that the Department closely monitor the operations and outcomes of the Right Care, Right Now Nurse Triage Line with The Lab@DC to determine its impact on call volume and 911 misuse.
2. The Committee recommends that the Department move swiftly to identify a site for the new Fleet Maintenance Facility.
3. The Committee recommends that the Department support training for EMTs to become Paramedics.
4. The Committee recommends that the Department work to implement the recommendations of the BDA Global Marine Firefighting Unit Assessment.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

5. The Committee supports the Department's efforts to improve upon the staffing at the training academy and would like to see a continued commitment to this endeavor.

M. HOMELAND SECURITY AND EMERGENCY MANAGEMENT AGENCY

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The mission of the Homeland Security and Emergency Management Agency (“HSEMA”) is to support and coordinate homeland security and emergency management efforts, ensuring that the District’s all-hazards emergency operations are prepared to protect against, plan for, respond to, and recover from natural and human-made hazards.

HSEMA coordinates all planning and preparedness efforts, training and exercises, and homeland security grants, and facilitates a common operating procedure during events to enable good decision-making and response. The agency is comprised of five major divisions: (1) the Mission Support Division is responsible for the agency’s information technology, human resources, financial management, and procurement program; (2) the Grants Division serves as the State Administrative Agent for the federal homeland security grant programs; (3) the Preparedness Division conducts planning, training and exercising, and disaster recovery, to promote resiliency in government agencies, our communities, and critical infrastructure. The Division utilizes a “whole community” approach to engage key stakeholders in developing plans and processes that support a robust emergency management system; (4) the Operations Division provides situational awareness, logistical support, resource support, and a field command operation to coordinate critical incident response, mitigation, and recovery to emergencies, severe weather conditions, disasters, and other major events impacting the city; and (5) the Intelligence Division provides tactical and strategic intelligence (collection, analysis, and dissemination) to support District law enforcement agencies, other first responders, homeland security, emergency management, public health, and the private sector. The agency also has a Special Events Bureau, which manages the Mayor’s Special Events Task Group and oversees the coordination for all special events including national special security events, and a Communications Bureau, which oversees the agency’s public information and community outreach.

b. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Analysis and Comments

Mayor’s Special Events Task Group (“MSETG”): The mission of the MSETG is to support the District’s public safety planning efforts for events requiring interagency coordination and to provide interagency reviews and assessments of the operational, public safety, and logistical components of proposals for special events.

During the Committee’s performance oversight hearing, Chairperson Allen raised the issue of the fees associated with permitting through the MSETG and the burden these fees place on small non-profits that want to organize events in the District. High fees, in addition to burdensome and poorly-communicated logistical restrictions, have become increasingly problematic for local event organizers. Heavy security measures are making it extremely difficult for organizers to get community and Advisory Neighborhood Commission support for their events. One such example is the Metropolitan Police Department’s new “Clear Routes” initiative, which will require race event organizers (marathons, 5k’s, etc.) to pay the costs associated with removing all vehicles parked along the race route. The policy has the potential of being catastrophic for small-scale races that will incur massive costs and bear the brunt of community frustration with parking restrictions. While the Committee certainly supports all security measures necessary to keep District residents safe, it also recognizes the importance of avoiding security measures that are not tailored to the threat or clearly communicated, at the detriment of events that support charitable causes.

At the very least, the burden of such requirements should be offset with financial assistance for small events. The MSETG has a Community Events Fund that is budgeted at \$120,000 in FY19, which will be available to provide assistance for community-based special events processed through the MSETG that are free of charge for participation or attendance and that are not fundraisers. These criteria, however, exclude events like small races that benefit local charities or District agencies. At the Committee’s budget oversight hearing, Director Rodriguez stated that the Fund is currently at a sufficient level to support all events that qualify. The amount of funding available to an applicant organization is based on the size of the event relative to the estimated or planned level of attendance. The Committee supports this Fund as a way to offset the burden on small event planners, but the Committee is adding \$50,000 in the FY19 budget specifically for small fundraising events that benefit a District of Columbia agency, such as the District of Columbia Public Schools.

Table 1: Mayor’s Special Events Task Group Decisions on Special Events, FY17 and FY18, to Date (As of April 20, 2018)

<i>MSETG Decisions</i>	<i>Special Events</i>	
	FY17	FY18, to Date
Conditionally Approved	85	47
Denied	2	1
Follow Up Required/Event Cancelled	8	0
Situational Awareness Presentations	7	5
Total Events Processed	102	53

Source: Homeland Security and Emergency Management Agency

Communications and Community Outreach: HSEMA uses two communication tools to share information: the National Capital Region Regional Situational Dashboard (“Dashboard”) and the Everbridge Alerting System. Dashboard helps to improve real-time situational awareness in the District and among National Capital Region partners. The Everbridge alert system sends out internal District government, public, and regional alerts. The internal alerts are used to activate emergency personnel and quickly disperse information. The public system is called AlertDC and is the official District communications system used to send out emergency alerts, notifications, and updates to subscribers. As of February 2018, there were more than 167,700 AlertDC subscribers, and in FY17, the system sent out 9,692 alerts to the public on topics such as severe weather, power outages, policy activity, traffic, and more. In FY17, the District also purchased NIXLE, the community outreach module to the Everbridge system. This system allows residents and visitors to sign up for alerts specific to a special event that is being held in the District.

In FY17, HSEMA conducted its first live, geo-targeted test of the Wireless Emergency Alert (“WEA”) System. This is a federal system that sends a text message to the cellular towers of a selected area. All cell phones in that area will receive these messages automatically, whether or not the individual has opted into the various alerting systems that HSEMA provides.

HSEMA also piloted the ReadyDC system in September 2017, a personal preparedness campaign funded through federal dollars. The core of this campaign consists of engaging residents with four calls to action: be aware, make a plan, build an emergency kit, and stay informed. HSEMA is advertising this campaign through social media, paid advertisements on the radio and public transit, through presentations at Advisory Neighborhood Commission meetings, and more.

In FY18, HSEMA launched a new system of distributing “Public Safety Bulletins” through the intelligence fusion center. These bulletins disseminate unclassified information to the public about identifying and responding to threats to make the District safer. HSEMA will continue to distribute these bulletins as situations arise domestically and internationally. As of April 2018, HSEMA distributed five Public Safety Bulletins.

Finally, at the Committee’s FY18 performance oversight hearing, Director Rodriguez committed to conducting more public outreach and resident training to develop a “whole of community” approach to disaster management and disaster preparedness. The Committee supports this type of outreach to better prepare residents on how to handle emergencies and disasters.

Regional Intelligence Sharing: HSEMA worked to improve upon regional intelligence sharing capability in FY17. The National Capital Region Information Collection and Coordination Center (“IC3”) is now staffed with 24/7 support to provide regionally-focused situational awareness to the District and other regional partners. Additionally, HSEMA is upgrading its technology and updating its facilities to ensure the intelligence fusion center and the Joint All Hazards Operations Center can share information and intelligence with regional partners.

District Preparedness System (“DPS”): This is the District’s comprehensive approach to homeland security and emergency management wherein HSEMA collaborates with federal, regional, and private sector partners. The DPS facilitates collaborative development of individual agency capabilities and preparedness plans, training and exercise of the plans, and implementation of the processes they contain during real world events. The DPS guides the day to day operations of the District’s Joint All-Hazards Operation Center, as well as the agency’s response to other events such as mass casualties or extreme heat. In FY17, HSEMA hired a Disability Coordinator to establish a formal program to integrate the needs of persons with disabilities into all phases of the DPS.

Homeland Security Commission: The District of Columbia Homeland Security Commission (“HSC”) was established by the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006. The core function of the HSC is to make recommendations for improvements in security and preparedness in the District. Over the past few years, the Committee has confirmed several nominees to the Commission, all of whom are experts in the field. The current cohort offers expertise in cybersecurity, transportation, security, risk assessment, public health, and terrorism. The Commission is equipped to thoroughly analyze and provide recommendations relating to the District’s most pressing homeland security challenges. The topic for the Commission’s FY18 annual report will be the District’s cybersecurity and cyber-preparedness posture.

In August 2017, the Office of the District of Columbia Auditor hosted a discussion between past and present HSC members on the Commission’s role in making recommendations to the District government and improving security preparedness within the District. It was a productive discussion, where the group discussed topics such as: ways to ensure the Commission is effective; what the focus of the Commission should be; Commission recommendations and accountability; identifying emerging issues; collaborating with agencies; and more.

Cybersecurity: While the Office of the Chief Technology Officer (“OCTO”) is the lead agency with sole jurisdiction over cybersecurity planning, HSEMA plays a role in disseminating information about threats and promoting situational awareness. In FY17 and FY18, to date, the Washington Regional Threat Analysis Center (“WRTAC”) released 13 cybersecurity awareness bulletins to more than 1,200

private sector partners and government personnel. Additionally, the WRTAC participates in the National Fusion Center Association Cyber Intelligence Network to gain situational awareness on cyber reporting around the nation, and help coordinate cyber responses with federal partners.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 operating budget for the Homeland Security and Emergency Management Agency, as proposed by the Mayor, with the following modification:

1. *Increase* CSG 40 (Other Services and Charges), Program 1000 (Agency Management), Activity 1320 (All Hazards Emergency Support Services), by \$50,000 in one-time local funds to enhance the Community Events Fund's financial assistance to defray fees for special events that fundraise to benefit District agencies, whether or not those special events have registration fees

b. Policy Recommendations

1. The Committee recommends that the Homeland Security Commission consider homeland security issues relating to the District's growing waterfront as a potential topic for its next annual report.
2. The Committee recommends that the agency should forge a stronger partnership with OCTO to respond to threats of cybersecurity and promote situational awareness in the District.
3. The Committee recommends that the agency change the eligibility requirements for the MSETG's Community Events Fund to allow financial assistance for special event fundraisers that benefit District agencies.
4. The Committee recommends that the MSETG incorporate stronger after-action reviews to hold event organizers accountable and ensure past performance is considered when reviewing new event applications.

N. JUDICIAL NOMINATION COMMISSION

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The Judicial Nomination Commission (“JNC”) is comprised of seven members appointed pursuant to D.C. Code § 1-204.34(b)(1). One member is appointed by the President of the United States; two members are appointed by the Board of Governors of the District of Columbia Bar; two members are appointed by the Mayor (one cannot be a lawyer); one member is appointed by the Council (cannot be a lawyer); and one member is a federal judge appointed by the Chief Judge of the United States District Court for the District of Columbia. All Commissioners are appointed for six-year terms, except the Commissioner appointed by the President of the United States (a five-year term). An Executive Director and an Executive Assistant handle JNC’s operational and administrative needs.

JNC screens, selects, and recommends candidates to the President of the United States for his or her consideration in appointing judges to the District of Columbia Court of Appeals and Superior Court of the District of Columbia. JNC also appoints the chief judges of both courts. The agency advertises judicial vacancies; solicits applications; conducts background investigations; carefully reviews investigative materials; reads briefs and other application materials; interviews applicants; solicits and considers input from the bench, bar, and public regarding applicants’ fitness to serve; and carefully evaluates each candidate’s application and background.

b. Mayor’s Proposed Fiscal Year 2018 Operating Budget

Committee Analysis and Comments

Agency Activities: JNC discussed outreach, application modernization efforts and judicial vacancies during the agency’s FY17-18 performance oversight hearing. In terms of outreach, the Commission shared that it “engaged in a robust series of outreach activities” within the local legal community in FY17 continuing into FY18. According to the JNC Chair, the Honorable Emmet G. Sullivan, “the [C]ommission developed and released an informational brochure, available on the Commission website, describing the judicial nomination process for the District of Columbia Courts.” Additionally, JNC continues to use social media to inform the public of judicial vacancies, and the agency tracks its website activity.

The Commission has also conducted various outreach events. This has included in-person events in partnership with District law schools, voluntary bar associations, institutional litigants, and other interested organizations from within

the legal community. Additionally, the Commission's Executive Director has regularly held "open conference calls" to provide information about the nomination process for prospective applicants.

JNC discussed its partnership with the Office of the Chief Technology Officer ("OCTO") during FY16 to launch a secure site to house all application materials for pending vacancies. According to Judge Sullivan, "Commissioners can now access, through a password-controlled secure site, all materials concerning individual applicants for each vacancy. In FY17, the Commission began working with OCTO to provide a portal for applicants to submit application materials electronically."

Judicial Vacancies: As of February 2018, there were 11 vacancies on the District's Courts – two on the Court of Appeals and nine on the Superior Court.

With respect to the Court of Appeals, one vacancy has been pending since 2013. On December 18, 2013, the Commission recommended three names to then-President Barack Obama, who nominated a candidate. The Senate returned this nomination to the President in December 2014, who then re-nominated the same candidate. That nomination was returned on January 3, 2017. This vacancy is still pending, awaiting a nomination by the current President. The White House Counsel's office has been provided with the application materials for three candidates. The additional vacancy occurred in FY17 when the former Chief Judge Eric T. Washington retired. Out of the three recommendations from the Commission, the current President has nominated Joshua A. Deahl, whose nomination was referred to the Senate. As of February 2018, this nomination was awaiting a Senate hearing.

As for the Superior Court, five of the nine vacancies originated in FY16. At that time, six judges retired, and the Commission timely nominated individuals for these positions. The Presidential nominees for five of those vacancies were returned by the Senate without action on January 3, 2017. The current President nominated candidates for three of those vacancies, two of which are pending before the Senate. In January 2018, the third nominee, Jonathan Pittman, was confirmed by the Senate. In FY17, the Commission announced four additional vacancies. The Presidential nominees for three of those vacancies are pending before the Senate. In FY18, the Commission announced an additional vacancy. The Commission will make a recommendation in April 2018. In sum, as of February 2018, of the nine vacancies, five were pending with the Senate and four were awaiting re-nomination by the President.

The Committee is concerned that it is seeing the consequences of these vacancies manifest in other areas of the District's justice system, and particularly the criminal justice system. The Committee will assist JNC in whatever way it can

to show its support for the timely nomination and consideration of recommended candidates.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 operating budget for the Judicial Nomination Commission, as proposed by the Mayor.

O. METROPOLITAN POLICE DEPARTMENT

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The mission of the Metropolitan Police Department (“MPD” or the “Department”) is to safeguard the District of Columbia and protect its residents and visitors with the highest regard for the sanctity of human life. MPD is the primary law enforcement agency in the District. The Department provides crime prevention and response services through its seven bureaus.

- ***Patrol Services Bureaus North and South*** coordinate crime prevention and reduction efforts across the District by providing patrol services and responding to calls for service. Patrol Services North is comprised of the Second, Third, Fourth, and Fifth Police Districts. Patrol Services South is comprised of the First, Sixth, and Seventh Police Districts.
- The ***Investigative Services Bureau*** investigates and solves crimes to bring offenders to justice.
- The ***Homeland Security Bureau*** integrates intelligence and operational functions to ensure the District is protected from threats and critical incidents.
- The ***Professional Development Bureau*** manages the Department’s human capital through recruiting, hiring, training, and personnel services. This division includes the Metropolitan Police Academy and Police Cadet Corps.
- The ***Corporate Support Bureau*** oversees the major administrative, technical, and business functions of the Department, including fleet management, equipment and supply, and evidence and property control. This division also provides medical support for the Department’s sworn personnel.
- The ***Internal Affairs Bureau*** conducts investigations related to officer misconduct and uses of force, monitors the Department’s compliance with employment laws, and serves as the liaison for the Office of Police Complaints.

b. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Analysis and Comments

Crime Rates: While the Department measures its success by monitoring several metrics, one of the most important is trends in violent or serious crimes. The District experienced 1.4% population growth between July 1, 2016 and July 1, 2017,

adding 9,636 residents for a total population of 693,972.⁵² Nevertheless, the District saw significant reductions in both violent and property crimes during the 2017 calendar year. The District experienced a 14% reduction in homicide, a 15% reduction in sex abuse, and an 18% reduction in assaults with a dangerous weapon. The number of robberies and burglaries were also on the decline, with 27% and 28% reductions, respectively. Crimes of arson saw a 33% reduction in incidence—the single largest reduction of crime by type in the District for 2017.

Table 1: Violent Crime Totals for Calendar Years 2007–2018⁵³

<i>Violent Offense</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>
Homicide	181	186	144	132	108	88	104	105	162	135	116	43
Sex Abuse	142	156	134	141	174	259	302	319	346	345	295	97
Robbery	4,447	4,402	4,394	4,026	4,256	4,304	4,085	3,296	3,447	2,983	2,179	623
Assault with a Dangerous Weapons	3,195	2,843	2,625	2,621	2,213	2,312	2,323	2,490	2,432	2,276	1,859	537

Table 2: Property Crime Totals for Calendar Years 2006–2018⁵⁴

<i>Property Offense</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>
Burglary	3,958	3,751	3,673	4,221	3,968	3,689	3,375	3,182	2,547	2,125	1,530	409
Motor Vehicle Theft	6,050	5,328	4,862	4,133	3,414	2,871	2,682	3,132	2,972	2,700	2,416	679
Theft from Motor Vehicle	7,792	8,968	8,605	6,999	9,302	9,502	10,166	11,406	11,610	12,176	10,288	3,082
Theft (Other)	8,849	9,031	9,266	9,104	10,870	12,515	12,938	14,666	14,365	14,570	14,512	3,991
Arson	51	44	58	44	44	35	35	26	18	6	5	1

Source: Metropolitan Police Department

Professional Development Bureau: MPD dissolved its Strategic Services Bureau and reallocated those resources across multiple divisions. The Department also created a new division, the Professional Development Bureau. The Mayor’s proposed FY19 budget provides \$53,622,616 in funding and 673 FTEs for this new division. The Police Cadet Program, discussed in detail below, is located in this new division.

Staffing: In recent years, the Department experienced a dramatic increase in sworn separation, which in turn frustrated the Department’s ability to maintain optimal force levels. Thankfully, sworn separation has slowed in recent years; only

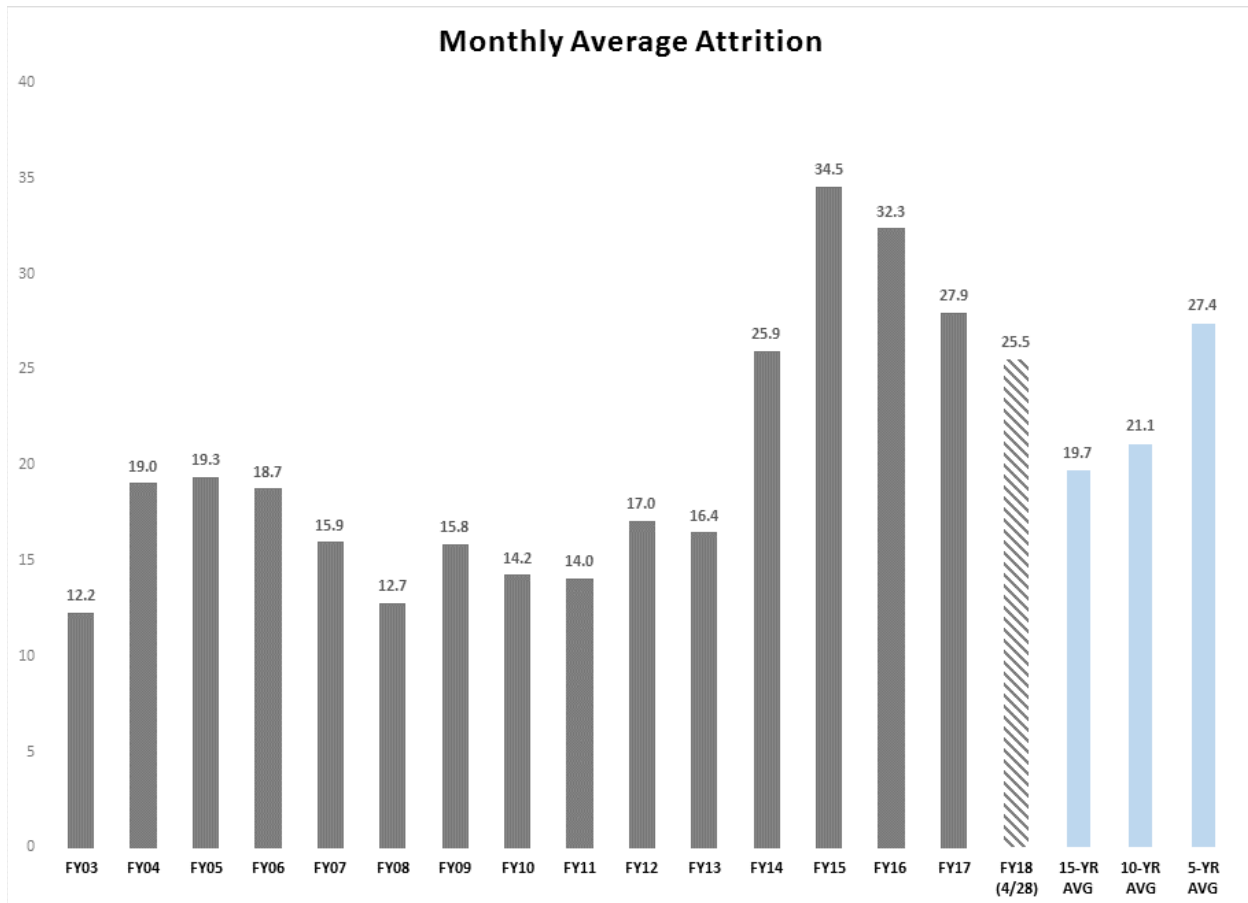
⁵² *Washington, DC’s Population Closing in on 700,000* (December 20, 2017), available at <https://dc.gov/release/washington-dc-population-closing-700000>.

⁵³ The Calendar Year 2018 data is current through April 30, 2018.

⁵⁴ The Calendar Year 2018 data is current through April 30, 2018.

335 sworn personnel departed in FY17, compared to 387 in FY16 and 414 in FY15. If examining attrition on a monthly basis, MPD is currently experiencing the lowest monthly attrition rate it has since FY13. Average monthly attrition jumped from 16.4 employees in FY13 to 25.9 employees in FY14. Average monthly attrition peaked in FY15, at 34.5 employees per month. The attrition rate has declined since then, and MPD is currently seeing an average of 25.5 employee departures each month. The table below displays the Department's average monthly attrition rates since FY03.

Table 3: Average Monthly Employee Attrition



Source: Metropolitan Police Department

The retirement bubble was caused, at least in part, by the rapid hiring of more than 1,500 officers between 1989 and 1991; 21% of sworn personnel reached retirement eligibility in 2015, and another 30% were eligible for retirement in 2017. As the table below indicates, retirement has been the most common reason sworn personnel leave the Department.

Table 4: Reasons for Sworn Separation in Fiscal Years 2012–2018

<i>Reason</i>	<i>FY12</i>	<i>FY13</i>	<i>FY14</i>	<i>FY15</i>	<i>FY16</i>	<i>FY17</i>	<i>FY18⁵⁵</i>
Death	2	3	5	2	2	3	2
Disability	14	7	9	15	11	6	1
Resignation	53	66	94	112	114	114	37
Retirement	99	88	167	243	230	197	65
Termination	35	33	36	42	30	15	2
Total	203	197	311	414	387	335	107

Source: Metropolitan Police Department

**Table 5: Sworn Personnel Newly Eligible for Retirement
in Fiscal Years 2018–2027**

<i>Rank</i>	<i>FY18</i>	<i>FY19</i>	<i>FY20</i>	<i>FY21</i>	<i>FY22</i>	<i>FY23</i>	<i>FY24</i>	<i>FY25</i>	<i>FY26</i>	<i>FY27</i>
Chief of Police	0	0	0	0	0	0	0	0	0	0
Assistant Chief	1	1	0	0	0	1	0	0	0	1
Commander	2	1	0	0	1	3	1	1	0	0
Inspector	0	2	0	0	0	0	1	2	0	0
Captain	8	3	3	3	2	1	0	1	1	2
Lieutenant	14	15	7	7	7	10	4	6	4	2
Sergeant	16	27	19	10	31	26	17	21	11	12
Detective Gr. 1	3	1	0	0	0	0	0	0	0	0
Officer	99	117	57	54	112	91	85	134	48	85
Total	143	167	86	74	153	132	108	165	64	102

Source: Metropolitan Police Department

During the agency’s budget oversight hearing, Chief Newsham expressed optimism regarding the future of MPD’s force levels. FY17 was the first year in which the Department achieved a net increase in staffing levels since FY13. The Department hired 419 sworn personnel in FY17, with a net gain of 84 officers. As of March 24, 2018, 170 sworn members have been hired in FY18.

The increased hiring of sworn personnel is, in part, based on the recent expansion of the Senior Police Officer Program. The Senior Police Officer Program allows the Department to rehire retired officers without jeopardizing their retirement benefits. The Program was expanded by the Committee in FY16 to allow retired Sergeants and Detectives, Grade 1, to be rehired and paid at higher rates than was originally authorized. There are currently 78 officers employed at the Department who were hired under that expanded authority.

⁵⁵ The Fiscal Year 2018 data is current through February 15, 2018.

Table 6: Current Sworn Personnel Hired under the Senior Law Enforcement Officer Amendment Act of 2016⁵⁶

<i>Bureau</i>	<i>Detective Grade 1</i>	<i>Senior Sergeant</i>
Corporate Support Bureau	1	7
Executive Office of the Chief of Police	0	1
Homeland Security Bureau	1	8
Internal Affairs Bureau	0	3
Investigative Services Bureau	16	14
Patrol Services North	0	14
Patrol Services South	0	8
Total	18	59

Source: Metropolitan Police Department

MPD has lauded the Senior Police Officer Program since its inception. In its performance oversight pre-hearing responses, MPD stated that the program “is truly a win-win scenario for the city and the officer, as the city and Department get to retain the talent and experience of the officer instead of sending the officer to the private sector or another jurisdiction with at least 25 years of DC government investment.”⁵⁷

While MPD credits the Senior Police Officer Program with its ability to maintain adequate force levels, the program is not without its detractors. During the Department’s performance oversight hearing, Sgt. Matthew Mahl, Chair of the Fraternal Order of Police, took issue with the program:

I think the single most important program my members would say is terrible would be the Senior Police Sergeant and Senior Police Detective Grade 1 program that was legislated by this body. This single program is a slap in the face to all of the members I represent who have not yet reached retirement eligibility. It stifles lateral and horizontal growth of our younger members, and removes the historical incentives that our members seek to achieve. It should be no surprise that I am wholly against this program, I have been protesting it since the beginning. While this program is slated to expire in October of 2019, the damage

⁵⁶ B22-0852, the “Senior Law Enforcement Officer Emergency Act of 2016”, was passed by the Council on September 20, 2016. Permanent legislation – D.C. Law 21-280, the Omnibus Public Safety and Justice Amendment Act of 2016” – made the change permanent.

⁵⁷ MPD, *Performance Oversight Responses Part 1* (February 26, 2018), available at http://dccouncil.us/files/user_uploads/budget_responses/SUBMITTED_MPD_Response_2018_Perf_Hearing_Questions_02_26_18-signed.pdf.

brought is irreversible! I have tried to work with the Department and Executive when it comes to this program, as I am fully aware of the need to have experienced police officials on the agency, but my pleas to work together on this have fallen on deaf ears. This single program causes members to be pitted against each other and puts the Police Union in a unique and uncomfortable situation of representing the Seniors and fighting against them at the same time.⁵⁸

Sgt. Mahl went on to express his appreciation to the Council for the upcoming sunset of the expansion of the Senior Police Officer Program:

I appreciate the work that has been done with this legislative body as well. I know, arguably, that the end of the Senior Police Sergeants and Detective Grade 1 program in October of 2019 is due to the conversations that we have had with members of the Council, and their understanding of the impacts that it is having on the Police Department as a whole.⁵⁹

The expansion to the Senior Police Officer Program is currently set to expire on October 12, 2019. The Mayor's Fiscal Year 2019 Budget Support Act of 2018 includes a proposed subtitle extending the Program to September 30, 2022. Any retired officer hired prior to that sunset date could be retained for up to five years, so effectively, rehired officers could be retained at senior levels through 2027. This proposal represents a massive shift in the program.

The Committee is instead proposing a compromise subtitle that adjusts the original sunset provision for the expanded pay authority from October 12, 2019, to October 1, 2019, to align with the beginning of the new fiscal year, but the subtitle will also allow any retired officers rehired before October 1, 2019, to be paid under the expanded pay authority for up to three years from the date they were rehired. This will result in staggered departures from the force based on officers' rehire dates, rather than a sharp cliff of departures. The Committee's modified subtitle will allow MPD to continue to benefit from rehiring retired police officers while recognizing that the program limits upward mobility of junior personnel and should be phased out.

Deferred Retirement Option Program ("DROP"): On March 20, 2018, the Committee introduced B22-0749, the "Deferred Retirement Option Program Amendment Act of 2018" as a method of employee retention within the Department. The bill would create a Deferred Retirement Option Program, known as a "DROP", to incentivize the retention of otherwise retirement-eligible MPD and FEMS personnel. Members are eligible to retire after completing 25 years of service to the

⁵⁸ *Metropolitan Police Department: Performance Oversight Hearing before the Committee on the Judiciary & Public Safety* (March 1, 2018) (written testimony of Matthew Mahl, Chair, Fraternal Order of Police), available at <http://dcpoliceunion.com/page/about>.

⁵⁹ *Id.*

Department. The DROP would allow participants, rather than retiring, to continue working with their employing agency for up to five years while simultaneously accruing retirement benefits in a separate DROP account. When a member elects to participate in the DROP, rather than having those additional years of employment included in future benefit increases, they will be locked into the rate of benefits to which they are eligible when they elect to participate, thus freezing the rate. This rate will be subject to increase only for cost-of-living adjustments and credit for unused sick leave. Once the member stops participating in the DROP, they must immediately and permanently retire. Upon retirement, and in addition to their normal retirement annuity, they can receive the balance of their DROP account in a lump sum distribution or roll it over into various other options. The DROP will provide personnel with greater flexibility when making retirement plans and give them a jumpstart at retirement, rather than relying on only their annuity. The DROP will also serve as a tool for MPD and FEMS to retain skilled employees with important institutional knowledge.

Civilianization: Although they compose just under 15% of the Department's personnel – 670 out of 4,523 total FTEs – civilian employees are an integral component of the Department's operations.

Table 7: Civilian Separation

<i>Reason</i>	<i>FY12</i>	<i>FY13</i>	<i>FY14</i>	<i>FY15</i>	<i>FY16</i>	<i>FY17</i>	<i>FY18⁶⁰</i>
Death	1	1	0	0	0	2	3
Disability	0	0	0	0	0	0	0
Resignation	24	16	28	26	41	47	12
Retirement	6	11	6	7	8	5	2
Termination	18	27	8	4	13	7	10
Total	49	55	42	37	62	61	27

Source: Metropolitan Police Department

The FY18 budget allocated \$2.5 million for the creation of an additional 10 civilian positions, with seven serving as accident coordinators for the police districts, and three as civilian investigators for the Internal Affairs Bureau. The FY19 proposed budget, however, makes no changes with respect to civilian positions.

Recruiting: During FY17 and FY18, MPD has undertaken numerous recruitment efforts, including:

⁶⁰ The Fiscal Year 2018 data is current through February 15, 2018.

- The launch of a new recruiting website in October 2017 with the assistance of the Office of the Chief Technology Officer. The website was specifically designed to recruit and attract high-quality applicants for sworn, cadet, volunteer, and civilian positions. The new website's features include live chat functionality, enhanced media and graphics, and an improved user interface.
- The Recruiting Division's launch of a new help desk engagement platform, allowing the division to provide faster customer service responses. The new platform includes a Frequently Asked Questions section and a solution center for all applicants.
- The Recruiting Division's hiring of a marketing specialist and a visual information specialist, bringing additional expertise to the Division.
- Streamlining the application process and allowing candidates to submit their written examination materials during mass processing.
- The implementation of a referral bonus program for sworn and civilian members who recruit police officers and cadets. Members can refer up to two applicants per fiscal year and receive up to \$5,500 for each applicant that is successfully referred – \$2,250 at the time the applicant is hired and \$2,250 at the time the applicant completes their academy training. Certain members of MPD – including captains and above, their civilian equivalents, and members directly involved in the recruiting process (e.g., Human Resources and the Recruiting Division) are excluded from the program.
- MPD formed a partnership with the Mayor's Office on Veteran Affairs to direct recruitment efforts targeted toward the District's veteran population. The Recruiting Division has also provided information to career centers at the following military installations:
 - Andrews Air Force Base
 - Ft. Meade (Army)
 - Bowling Air Force Base
 - Fort McNair (Army)
 - Naval Research Lab
 - Fort Belvoir (Army)
 - Ft. Myers (Army)
 - Ft. Derick (Army)
 - D.C National Guard, Stadium Armory

Professional Public Relations Campaign: The Mayor's proposed FY19 budget includes the removal of \$750,000 in one-time funding appropriated in the FY18 budget for a professional public relations campaign. The campaign was intended to attract, hire, and retain both sworn and civilian members. On January 24, 2018, MPD executed a contract with Georgetown Technologies, LLC. None of the

funds allocated to this media campaign have been spent, but MPD is in continued discussions with Georgetown Technologies.

Police Cadet Corps: To be eligible for service as an MPD officer, an individual must first have a high school degree or GED and sixty college credits. Participants in the Police Cadet Corps work part-time for MPD, and, in exchange, MPD provides financial support for that individual to attend the University of the District of Columbia Community College and earn the required college credits. An assistant chief and two commanders joined the Department by way of the Cadet Corps.

The Cadet Program was originally limited to individuals between 17-20 years of age but has since expanded. In FY14, the Program was comprised of only 16 cadets. By FY17, however, MPD staffed a full class of 35 cadets. In January 2017, the Council passed the “Omnibus Public Safety and Justice Amendment Act of 2016”, which raised the age eligibility for participation from age 20 to up to 24. Following this expansion, recruiters contacted more than 800 prospective participants who were previously ineligible because of their age. As of March 20, 2018, there are 72 cadets in the Program, 43 of which are in the newly-eligible age range of 20 to 24.

The Mayor’s proposed FY19 budget adds an additional \$1,723,000 to the Professional Development Bureau to support MPD’s hiring of an additional 30 police cadets. The Committee supports this expansion and is pleased to learn that more than half of the current cadets are women.

Police Officer Retention Program: In FY16, the Department budgeted \$2.5 million for the creation of the Police Officer Retention Program (“PORP”), an education-based incentive program aimed at retaining current officers. The program targets MPD’s largest population groups – members at the beginning of their careers as well as those at the end – who are also the ones most likely to separate from the Department. The incentive for members at the beginning of their career is repayment of college debt. For officers eligible to retire, MPD created opportunities for bachelor’s or graduate certificates. For both groups, the program required an obligated service agreement to ensure continued service to the District. The program received a strong endorsement from Sgt. Mahl:

The reintroduction of the PORP, or Police Officer Retention Program, which gives eligible members up to 12.5K dollars to repay college loans, go to college, or support a member’s child’s college education has been expanded to cover more members. This program helps both our members and the Department: the members get financial assistance and the Department retains manpower.⁶¹

⁶¹ *Metropolitan Police Department: Performance Oversight Hearing before the Committee on the Judiciary & Public Safety* (March 1, 2018) (written testimony of Matthew Mahl, Chair, Fraternal Order of Police), available at <http://dcpoliceunion.com/page/about>.

In FY18, the Committee allocated \$900,000 for loan repayment and tuition assistance in the PORP. As of April 11, 2018, \$507,002 of that funding has been expended. In addition to those expenditures, there are 130 pending applications that are currently being reviewed for eligibility.

The Committee believes the PORP is a valuable tool for helping retain both new recruits and high-ranking personnel, and the Committee is approving \$850,000 for FY19.

Recruit Housing Allowance Incentive Program: The Committee recognizes the value in having our first responders – including police officers – live in the communities they serve. To help defray the costs of renting in the District and incentivize long-term District residency, the Department established the Recruit Housing Allowance Incentive Program in FY18.

The program provides financial assistance to new police officers who wish to reside in the District. Officers can enroll in the program during their first three months of employment. Participating officers receive \$1,000 per month for six months. In exchange, officers must commit to staying with the Department for six months more than the standard obligation of two years. The Committee approved \$1,000,000 for the program in FY18.

For reasons unknown, fewer officers have availed themselves of this program than expected. As of April 11, 2018, only \$28,000 of funding had been expended, with another \$60,000 committed to applicants who had been approved. However, over 90% of the funds allocated to this program – \$912,000 – remains unspent. Given the serious underspending in the program in FY18, the Committee is recognizing \$800,000 in savings. The Committee acknowledges that not all recruitment incentives will be desirable to prospective applicants.

The FY19 proposed budget would allocate \$500,000 in recurring funds to the program, and the Committee is concerned that a significant portion of those funds will go unused, as has been the case in FY18. The Committee believes that MPD should be sensitive to the recruitment incentives most used – or underused – by its personnel and adjust program funding accordingly. Therefore, the Committee will approve \$200,000 for the program in FY19.

Automated Traffic Enforcement (“ATE”): The FY19 proposed budget increased the budget for contractual services by \$1,202,323 across multiple divisions to support the maintenance of the Automated Traffic Enforcement system and other components of the body-worn camera footage contract. The Mayor’s Errata Letter

now proposes transferring \$11,376,798 and 22.0 FTEs from MPD to the District Department of Transportation (“DDOT”) for the operation of the ATE Program.⁶²

Given the purely traffic-related functions of ATE, the Committee agrees that it is best suited for administration by DDOT. This transfer would free valuable MPD resources that are more appropriately directed towards its more serious crime prevention and interruption efforts. DDOT is also in a much better position to use data gathered from the cameras to inform transportation policy decisions. Unfortunately, the Committee on Transportation and the Environment is not prepared at this time to accept the transfer, and the Committee will work with that Committee after the budget markup to reach a consensus.

CCTV and Mobile Light Stations: The FY19 proposed budget includes a reduction of \$200,000 in one-time funds for additional closed-circuit television cameras in targeted Public Safety Areas, including PSAs 104, 105, 106, 308, and 507. In its performance oversight responses, the Department stated that exact placement of these CCTVs is still being assessed. The Committee will monitor this funding priority to ensure that the cameras are placed as directed.

The loss of that one-time funding is balanced against new funding for similar initiatives. The FY19 proposed budget includes a one-time enhancement of \$575,000 in the Agency Management Program, which will support the installation of ten CCTV mobile trailers and five mobile light and camera stations.

Arrest Diversion Program: The FY18 budget provided \$970,544 to launch a pre-arrest diversion program that will serve individuals in crisis due to substance abuse, mental illness, or homelessness. The Committee applauds MPD’s collaboration with the Department of Behavioral Health (“DBH”) to launch the program. The Committee understands the initial launch is intended to be a pilot program from which DBH and MPD can identify and resolve any issues related to implementation. However, several community-based organizations have expressed disappointment at the lack of community engagement surrounding the developments of the initiative and its impending rollout. The Committee is confident that MPD and DBH will benefit from the input of advocates, service providers, and other community stakeholders – even with respect to the pilot program – and recommends both agencies solicit feedback from the community as soon as possible.

Body Worn Camera Redactions: In October 2014, MPD launched Phase I of the Body-Worn Camera Program, focusing on the selection of a model. On June 29, 2015, MPD launched Phase II, with 400 cameras distributed to officers in the Fifth and Seventh Police Districts. This deployment was designed by national researchers who are analyzing the impact of body-worn cameras on citizen complaints and use of

⁶² Mayor’s Errata Letter (April 25, 2018), available at <http://lims.dccouncil.us/Download/39945/B22-0754-Errata-Letter2.pdf>.

force. In mid-March of 2016, MPD began the Phase III rollout of the cameras. By June 30, 2016, more than 1,200 body-worn cameras were deployed. This phase of deployment was designed by researchers to analyze the impact of body-worn cameras on citizen complaints, use of force, and other measurable outcomes.

In December 2016, MPD completed the rollout of its body-worn cameras to the second half of patrol members and some specialized units. The cameras were purposely deployed to only half of the officers to study the cameras' effectiveness. As a result, the impact of cameras on policing can be compared to the control group of members who were not issued cameras.

On October 20, 2017, The Lab @ DC released the results of the study, which found no statistically significant relationship between the deployment of body cameras and the measured outcomes, which included arrests for disorderly conduct, documented uses of force, civilian complaints received, and judicial outcomes.⁶³ The Committee believes that body-worn cameras are nevertheless instrumental in maintaining public confidence in law enforcement.

In FY17, expenditures related to body-worn camera footage redactions totaled \$115,321. The Committee allocated to MPD \$600,000 for body-worn camera redactions for FY18. As of April 11, 2018, MPD had expended \$41,431 for redactions, with \$558,669 of the original \$600,000 remaining. The Department has 60 outstanding requests for video footage with an anticipated cost of \$112,300. Given the underutilization of the FY18 funds, the Committee is recognizing \$350,000 in savings in FY18. The Mayor's proposed budget for body-worn camera redactions in FY19 is \$100,000, which the Committee believes is an appropriate allotment.

NEAR Act Data Reporting: On March 1, 2016, the Council unanimously passed the Neighborhood Engagement Achieves Results (NEAR) Act.⁶⁴ The Act aims to reduce violent crime using a public health approach to public safety. The NEAR Act – among other things – requires that MPD collect data related to investigatory stops, subsequent searches (or “frisks”), and uses for force.

On February 20, 2018, MPD released two documents related to its stop and frisk reporting requirements: a spreadsheet with raw data and a memorandum explaining the terms used.⁶⁵ The explanatory notes define a stop as “a temporary detention of a person for the purpose of determining whether probable cause exists to

⁶³ The LAB @ DC (last visited May 1, 2018), *Randomized Controlled Trial of the Metropolitan Police Department Body-Worn Camera Program*, available at <http://bwc.thelab.dc.gov/#home>.

⁶⁴ The Neighborhood Engagement Achieves Results Amendment Act of 2016, effective June 30, 2016, § 501 (D.C. Law 21-0125), <http://lims.dccouncil.us/Download/34496/B21-0360-Enrollment.pdf>.

⁶⁵ Metropolitan Police Department (February 20, 2018), *Stop and Frisk Data and Explanatory Notes*, available at <https://mpdc.dc.gov/publication/stop-and-frisk-data-and-explanatory-notes>.

arrest a person.”⁶⁶ The notes define a frisk as “a limited protective search on a person to determine the presence of concealed weapons and/or dangerous instruments.” The spreadsheet that accompanied the notes contained data points for 23,325 police contacts with individuals from between years 2010 and 2016.⁶⁷ The data points included: subject sex, subject race, ethnicity, incident location by district and subject age. The released dataset did not include data from police interactions in 2017 or 2018, nor did it include all the required data elements.

The Committee recognizes the significant effort associated with collecting this data. Nevertheless, it is unacceptable that funding has not been identified by the Executive at some point since the provision’s effective date, even after this Committee allocated \$150,000 to the Department for that specific purpose. During the performance oversight hearing for the Office of Deputy Mayor for Public Safety and Justice, Chairperson Allen and Deputy Mayor Donahue talked at length regarding this issue. Deputy Mayor Donahue stated that the “vast majority” of data elements were now being collected.⁶⁸ He added that his office and MPD are assessing whether additional funding or a change in police practices are necessary for full compliance.

At MPD’s budget oversight hearing, Chairperson Allen revisited the issue of NEAR Act data collection.⁶⁹ Chief Newsham summarized the challenges the Department faces in collecting the data, both with respect to information technologies and police practices. While Chairperson Allen was sensitive to the Chief’s concerns, he reiterated his expectation that the Department collect the data as required. The Chairperson also expressed his continued commitment to funding the Department’s efforts in that respect.

The Mayor’s proposed budget for FY19, as originally submitted, did not identify funding for NEAR Act data collection. The Mayor’s Errata Letter, however, proposes adding \$300,000 to MPD’s budget “to fully fund and implement the data collection requirements under the NEAR Act”⁷⁰ and \$200,000 to the Department of Motor Vehicles (“DMV”) budget.⁷¹ The proposed funding was to be achieved by

⁶⁶ Metropolitan Police Department (February 20, 2018), *Explanatory Notes*, available at https://mpdc.dc.gov/sites/default/files/dc/sites/mpdc/publication/attachments/S%26F_Field%20Contact_Explnatory%20Notes_02202018.docx.pdf.

⁶⁷ Metropolitan Police Department (February 20, 2018), *SF Field Contact*, available at https://mpdc.dc.gov/sites/default/files/dc/sites/mpdc/publication/attachments/S%26F_Field%20Contact_Explnatory%20Notes_02202018.docx.pdf.

⁶⁸ *Office of the Deputy Mayor for Public Safety and Justice: Performance Oversight Hearing before the Committee on the Judiciary & Public Safety* (February 22, 2018) (oral testimony of Kevin Donahue, Deputy Mayor for Public Safety and Justice for the District of Columbia), available at <http://dcpoliceunion.com/page/about>.

⁶⁹ *Metropolitan Police Department: Budget Oversight Hearing before the Committee on the Judiciary & Public Safety* (March 29, 2018), available at <http://dcpoliceunion.com/page/about>.

⁷⁰ Mayor’s Errata Letter at 5 (April 25, 2018), available at <http://lims.dccouncil.us/Download/39945/B22-0754-Errata-Letter2.pdf>.

⁷¹ *Id.* at 9–10.

transfers of \$100,000 from the Committee on Business and Economic Development to the Committee on Transportation and the Environment from a reduction in the Great Streets budget and \$300,000 from a reduction to the Emergency Rental Assistance Program by the Committee on Human Services to send this Committee.⁷² Neither Committee has approved the transfer of funds from these proposed sources.

c. Mayor's Proposed Fiscal Years 2019–2024 Capital Budget

The Mayor's Fiscal Years 2019–2024 proposed capital budget includes capital allotments for the Metropolitan Police Department as follows:

- Project No. BRM09 (Evidence Impound Lot Renovation): \$3,850,000 in FY19
- Project No. FAV04 (Marked Cruisers – MPD): \$1,362,000 in FY19; \$3,452,000 in FY20; \$3,215,000 in FY21; \$5,438,000 in FY22; \$3,673,000 in FY23; and \$4,255,000 in FY24
- Project No. FAV01 (Motor Cycles, Scooters & Trailers – MPD): \$345,000 in FY19; \$333,000 in FY21; \$886,000 in FY23; and \$182,000 in FY24
- Project No. PL110 (MPD Scheduled Capital Improvements): \$2,000,000 in FY19; \$1,500,000 in FY20; \$1,500,000 in FY21; \$1,500,000 in FY22; \$1,500,000 in FY23; and \$3,500,000 in FY24
- Project No. FAV05 (Other Marked Vehicles – MPD): \$1,818,000 in FY19; \$668,000 in FY20; \$522,000 in FY21; \$1,682,000 in FY22; \$995,000 in FY23; and \$2,167,000 in FY24
- Project No. FAV03 (Unmarked Vehicles – MPD): \$664,000 in FY19; \$267,000 in FY20; \$870,000 in FY21; \$513,000 in FY22; \$184,000 in FY23; and \$1,609,000 in FY24
- Project No. FAV02 (Wreckers & Trailers – MPD): \$497,000 in FY19; \$142,000 in FY22; \$92,000 in FY23; and \$236,000 in FY24

Committee Analysis and Comments

Capital Asset Replacement Scheduling System (“CARSS”): The FY19–24 proposed capital budget utilizes the Office of the Chief Financial Officer's new Capital Asset Replacement Scheduling System (“CARSS”) to determine its fleet needs. The Department's replacement needs are determined by a combination of a vehicle's age, condition, mileage, engine hours, and estimated maintenance cost trends. With CARSS, the Department can better anticipate when certain vehicles will reach the end of their useful life and plan accordingly.

⁷² *Id.* at 10.

Fleet Maintenance: MPD maintains approximately 1,640 vehicles in its fleet, including 935 marked cruisers, 480 unmarked cruisers, and 225 specialty or support vehicles. MPD repairs vehicles as they deteriorate from age and use until the repair of that vehicle is no longer as cost-effective as a replacement. The timely replacement of vehicles ensures that MPD has – at all times – a fully functional fleet that can meet the District’s needs. Project Numbers FAV04 (Marked Cruisers), FAV01 (Motor Cycles, Scooters & Trailers), FAV05 (Other Marked Vehicles), FAV03 (Unmarked Vehicles), FAV02 (Wreckers & Trailers) are all capital projects for the replacement of vehicles being phased out of service.

Evidence Impound Lot Renovation: Project Number BRM09 is the renovation of the MPD Evidence Impound Lot located at 5001 Shepherd Parkway Southwest, Washington, D.C. 20032. The renovations will ensure that vehicles impounded as evidence are secure and not subject to tampering.

Scheduled Capital Improvements: This project involves the renovation of several MPD buildings to improve their security and comfort. The project will make improvements to mechanical, electrical, and plumbing systems in MPD facilities. MPD will also enhance security, conveying, and fire suppression systems. The upgrades will also bring several MPD facilities into compliance with Americans with Disabilities Act through improved signage and more accessible parking, entrances, and restrooms.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 operating budget for the Metropolitan Police Department, as proposed by the Mayor, with the following modifications:

1. *Reduce* CSG 40 (Other Services and Charges), Program 1001 (Patrol Services Bureau North and South), Activity 1500 (Patrol Districts), by \$450,000 in recurring local funds, allocating \$850,000 for loan repayment and tuition assistance and \$200,000 for the six-month rental assistance program for new recruits
2. *Reduce* CSG 40 (Other Services and Charges), Program 1001 (Patrol Services Bureau North and South), Activity 1500 (Patrol Districts), by \$800,000 in one-time local funds from FY18 and bring forward to FY19 (recognizing savings in six-month rental assistance program)
3. *Reduce* CSG 40 (Other Services and Charges), Program AMP1 (Agency Management), Program 1040 (Information Technology), by \$350,000 in local

funds from FY18 and bring forward to FY19 (recognizing savings in body-worn camera redaction costs)

b. Fiscal Years 2019-2024 Capital Budget Recommendations

The Committee recommends adoption of the FY19 capital budget for the Metropolitan Police Department, as proposed by the Mayor, with the following modifications:

1. *Reduce* the available allotment balance for Project No. ATE01C (2850 NY Ave Building) by \$2,600,000 and convert that amount to \$600,000 in recurring local funds and \$200,000 in one-time operating funds
2. *Reduce* the available allotment balance for Project No. PDR01C (6th District Relocation) by \$1,737,781 and transfer that amount to the Committee on Transportation & the Environment
3. *Reduce* the available allotment balance for Project No. PLT10C (Crime Fighting Technology) by \$730,000 and transfer that amount to the Committee on Transportation & the Environment
4. *Reduce* the available allotment balance for Project No. ECS10C (Automation of Report Generation & Purcha) by \$133 and transfer that amount to the Committee on Transportation & the Environment

c. Policy Recommendations

1. The Committee recommends that MPD and DBH genuinely engage stakeholders with respect to the new Pre-Arrest Division Program. The Committee also requests monthly updates on the program's rollout from DMHHS.
2. In February 2018, it was announced that MPD would begin enforcing the Clear Routes Initiative in conjunction with its role on the Mayor's Special Events Task Group ("MSETG") at the Homeland Security and Emergency Management Agency. The Clear Routes Initiative requires the removal of parked cars along routes for special events, such as races or parades. The initiative is, ostensibly, in response to concerns that vehicles may be used in acts of violence or terrorism during a major event in the District. Community members, however, have been frustrated with the lack of clear guidance regarding the initiative and its enforcement. The Committee is also concerned that the initiative will discourage special events from taking place in the District. The Committee recommends that MPD solicit feedback from the

community regarding their concerns with the initiative and seriously consider changes that will lessen the burden on small event organizers and residents.

3. The Committee recommends that MPD place the CCTV cameras funded in the FY18 budget in the PSAs designated by the Committee in last year's budget report by July 1.
4. The Committee recommends that MPD coordinate with the Department of Housing and Community Development to provide information about the Employer-Assisted Housing Program to sworn and civilian personnel.
5. The Committee recommends that MPD develop and provide signage for businesses to display if they do not want concealed carry on their property.

P. OFFICE OF CAMPAIGN FINANCE

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The mission of the Office of Campaign Finance (“OCF”) is to regulate and provide public disclosure of the conduct, activities, and financial operations of candidates, political committees, and constituent service and statehood fund programs to maintain public trust in the integrity of the election process. OCF processes and facilitates the public disclosure of financial reports; performs desk reviews and develops statistical reports and summaries of financial reports; encourages compliance by providing information and guidance on the application of the District’s campaign finance laws through educational seminars, interpretative opinions, and the agency’s website; and enforces the District’s campaign finance laws through audits, investigations, and the informal hearing process. During an election year, proper execution of OCF’s duties are critical, particularly with respect to auditing filings and ensuring compliance with the District’s campaign finance laws.

b. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Analysis and Comments

Agency Activities: In FY17, OCF held informal and formal hearings to address reporting requirement violations. A total of 128 delinquent reports were referred to the Office of General Counsel (“OGC”) for the failure to file, timely file a report of receipts and expenditures, or for failure to comply with audit requests for additional information.⁷³ The OGC issued 218 notices of hearing, which, in many instances, resulted in the submission of the missing reports or audit information. In instances not resulting in the submission of missing reports, OCF issued orders imposing fines.⁷⁴ Fines in the total amount of \$67,250 were imposed in thirty-seven matters, which resulted in payments in eight cases of \$29,950.⁷⁵ The remaining amount in fines were either vacated (\$8,875) or referred to the Board of Elections (“the Board”) for enforcement (\$28,425). OCF filed twenty-nine petitions before the Board to enforce the payment of outstanding fines in the total amount of \$37,300.⁷⁶

The OGC also completed three investigations, recommended the issuance of two interpretative opinions, and resolved at least thirteen expedited requests for advice.⁷⁷ The three completed investigations were: Brandon Todd, OCF 2017 R-003

⁷³ Agency’s Performance Oversight Hearing Testimony, March 8, 2018.

⁷⁴ Id.

⁷⁵ Id.

⁷⁶ Id.

⁷⁷ Id.

05/30/2017; Muriel Bowser for Mayor, OCF 2017 FI 2017-101 06/06/2017; and Tyrell M. Holcomb, 17A-049 09/28/2017. The division also assisted in the termination of 17 committees, upon the approval of their final reports.⁷⁸ Those committees consisted of: Re-elect Paul Strauss 2008, Lori Masters for Attorney General (2014), and Anita Bonds 2014. In FY17 and FY18, to date, the Board secured judgments on behalf of OCF in the following four cases: OCF v. Christian Carter At-Large in the amount of \$1,750.00; OCF v. Kimberly Worthy in the amount of \$2,000.00; OCF v. Charles Wilson in the amount of \$2,000.00; and OCF v. Elect Christopher Hawthorne 4 Ward 8 in the amount of \$1,300.00.

During FY17, OCF audited 22 active candidates, committees, and constituent service funds, which represents a 16% audit rate. The agency additionally completed two full field audits of the campaign operations of candidates newly elected to public office. In FY18, to date, OCF completed five periodic audits and one full field audit. With the exception of the Audit Report of the Brandon Todd for Ward 4 Principal Campaign Committee, which was a Non-Compliance Report, all of the audits conducted resulted in Compliance Audits. All reports are available for review by the public on the OCF website.

In the past year, a specific audit produced criticism from community advocates as to the length of time it took for OCF to complete and make public. In response to the criticism, OCF maintains that its goal is to release an audit report in a timely and useful manner for the public. However, OCF must also ensure that the report is complete and accurate before release. In its performance oversight responses, OCF stated that it will strive to adhere strictly to the timeframes of its Standard Operating Procedures going forward. The Committee agrees that an audit must be complete and accurate, but it believes OCF can do a better job of sharing updates with the public throughout the auditing process.

In this same vein, the Committee would like to see OCF make the agency's enforcement activities more easily accessible to the public on its website. Testimony from public witnesses at the agency's oversight hearings, as well as at other hearings on legislation, has revealed a lack of public trust of OCF's enforcement of the District's campaign finance laws. The public clearly believes that OCF can and should do a better job of holding candidates and committees accountable for campaign finance law violations – as well as improve information flow of such violations to the public.

Fair Elections Amendment Act of 2018: On February 6, 2018, the Council unanimously passed the Fair Elections Amendment Act of 2018, which brings the District in line with twenty-eight other jurisdictions by providing for the voluntary public financing of elections. As of the writing of this report, the act is pending

⁷⁸ Id.

congressional review. When effective, the law will provide public funding – beginning in the 2020 election cycle – to qualified candidates for the offices of Mayor, Attorney General, Council Chairman, Councilmember, and State Board of Education member who forgo campaign contributions from corporations and traditional political action committees.

OCF will administer the program, and the FY19 budget includes \$860,000 for its implementation in FY19 and a \$20 million over the four-year plan. The proposed budget also includes an enhancement for three auditors. At the agency's budget oversight hearing, Director Collier-Montgomery testified that she believes the proposed funds and FTEs will adequately support the agency's needs to administer the program. The FY19 funds will be used to procure services for the design and development of an online financial reporting system unique to candidates participating in the program, the creation of a parallel filing system for participating candidates and committees, and the overhaul of the OCF website to include information about the program. She also stated that OCF will design educational materials and training programs for the public.

Director Collier-Montgomery further testified that OCF will create an audit unit solely dedicated to the Fair Elections Program, to be overseen by a separate audit manager. She foresees that there will be a significant workload increase for the agency's auditors because OCF will be required to audit the financial reports of all participating candidates. She stated that OCF may decide to shift an attorney to the Fair Elections Program, as well; she is speaking with other jurisdictions with public financing programs to better understand staffing needs in similar programs.

The Committee believes that OCF has thoroughly considered the enforcement and system upgrade costs associated with the law but must take a step back and reflect upon the opportunities the program presents. To this end, the Committee has identified additional funding for 2 FTEs –a Fair Elections Program Manager, who can oversee the program and serve as a point person for community engagement, and a Chief Technology Officer, who can oversee the technological aspects of the program. The Committee encourages the agency to identify a candidate for the Program Manager position with extensive experience in these issues but also with the skillset to serve as the program's chief advocate. For the Chief Technology Officer position, the Committee believes that this employee should have an interest in the innovative use of and public access to government data. The Committee challenges the agency to view itself as an affirmative promoter of the Fair Elections Program, in addition to the law's enforcer, and to develop an extensive community engagement and education component to the rollout. The Fair Elections Coalition developed significant infrastructure and expertise in speaking to the community about the law, and the Committee recommends that Coalition members be involved in the program's development.

Records Management System: In a *Washington Post* article dated May 11, 2017, it was alleged that a file containing original documents related to the audit of Councilmember Brandon Todd went missing from OCF's office. Chairperson Allen sent OCF a letter inquiring about this incident. OCF responded that the file had been misfiled and had not been located. However, OCF had scanned, date stamped copies of the documents in the file, which were available to the public on the OCF website and which had no bearing on the ongoing audit. OCF further explained that paper files are maintained in a locked file cabinet in the Office of the Public Information and Records Management ("PIRM") Manager and that public access to these files is available only through written request. In response to the incident, OCF stated that it has revised its Standard Operating Procedures to require that each original document submitted at registration is scanned and saved to a flash drive and reproduced for a duplicate file. The Committee recommends that OCF carefully monitor its records system to ensure that files are maintained securely and accurately.

Electronic Filing System: In response to numerous changes to the District's campaign finance laws in the "Campaign Finance Reform and Transparency Act of 2013" (effective February 22, 2014, and applicable January 31, 2015), OCF must now ensure that all filers are able to file financial disclosures online. The agency must additionally publish all information submitted under the act online within 24 hours. Due to these changes, OCF found it necessary to enhance its electronic filing system and redesign its e-filing applications and website.

At the Committee's performance oversight hearing, Director Collier-Montgomery testified that the agency is currently working with a vendor on an e-filing system upgrade in advance of the implementation of the Fair Elections Amendment Act of 2018. She provided a rough estimate of \$90,000 for the upgrade, which she noted was about \$30,000 more than the agency's initial estimate. She stated that the increased cost was due to OCF's desire to include some additional recommendations given to the agency from several jurisdictions with public financing programs. At the budget oversight hearing, the Director testified that the FY19 proposed budget supports the agency's needs for this upgrade.

Reporting of Affiliated Entities by Businesses: During FY16, the agency created a new "affiliated entity" search on its website to enable the public to search contributions by business entities where the filer has listed all the affiliated entities of the business contributor that have also contributed to the filer. Last year, the agency noted that affiliated entities of business contributors were only listed in 27 instances, out of the 378 business donors to political action committees from February 1, 2015, through December 31, 2016. At the Committee's performance oversight hearing, Director Collier-Montgomery testified that no affiliated entities had been reported during FY18, to date. Chairperson Allen questioned the Director about how the agency ensured compliance with this requirement, since it relies on self-reporting.

Director Collier-Montgomery responded that OCF has a sampling process, which entails the PIRM division generating a report for the Office of the General Counsel (“OGC”), which provides the names of least 50 business contributors from each report that is filed. The OGC takes each entity in that report and cross checks it online with the Department of Consumer and Regulatory Affairs and other resources to determine whether there are any affiliated entities. The Committee remains unconvinced of the low numbers of affiliated entities being reported and strongly urges the agency to intensify its efforts to promote compliance with this reporting requirement.

Information about Campaign Contributors: At the Committee’s performance oversight hearing, concerns were raised with OCF’s acceptance of contributions without all required fields completed, such as the “employer” and “employer address” fields. Chairperson Allen questioned the Director as to why OCF’s system allows contributions to be filed without legally-required information, such as these fields. The Director stated that the system does not reject a filing if a required field is incomplete. Chairperson Allen responded that he believes the system *should* reject a filing with incomplete information, especially if that information is legally-required. He stated that if a donor refuses to provide required information, such as the donor’s employer, then a candidate should not accept the contribution. The Committee believes that OCF must be more aggressive in enforcing filings with incomplete information.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends approval of the FY19 operating budget for the Office of Campaign Finance, as proposed by the Mayor, with the following modifications:

1. *Increase* FTEs by 2, and create two new positions to oversee and support the Fair Elections Program, with the accompanying local funds as follows:
 - a. Fair Elections Manager: create a new position in Program 2000 (Oversight Support Services), Activity 2010 (Public Information and Record Management): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$123,178 and CSG 14 (Fringe Benefits – Current Personnel) by \$28,207: *total PS increase = \$151,385*
 - b. Technology Officer: create a new position in Program 2000 (Oversight Support Services), Activity 2010 (Public Information and Record Management): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$88,831 and CSG 14 (Fringe Benefits – Current Personnel) by \$20,342: *total PS increase = \$109,173*

2. *Increase* CSG 40 (Other Services and Charges), Program 2000 (Oversight Support Services), Activity 2010 (Public Information and Record Management), by \$25,000 in recurring local funds for associated nonpersonal services costs for the two new positions

b. Policy Recommendations

1. The Committee recommends that OCF develop an aggressive community outreach and engagement strategy leading up to the Fair Elections Program's rollout.
2. The Committee recommends that OCF intensify its enforcement of the submission of legally-required information such as employer or address on receipts of contributions and expenditures.
3. The Committee recommends that OCF continue to promote compliance with the "business contributor" rule.
4. The Committee recommends that, to build public trust in OCF's enforcement of the District's campaign finance laws, information about the agency's enforcement activities be more readily-apparent on the agency's website.

Q. OFFICE OF HUMAN RIGHTS

1. COMMITTEE ANALYSIS AND COMMENTS

The mission of the Office of Human Rights (“OHR”) is to eradicate discrimination, increase equal opportunity, and protect human rights in the District. OHR investigates and resolves complaints relating to discrimination in employment, housing, places of public accommodation, and educational institutions, pursuant to the following: the D.C. Human Rights Act of 1977 (“HRA”), the Youth Bullying Prevention Act of 2012, the Unemployed Anti-Discrimination Act of 2012, the Fair Criminal Record Screening Amendment Act of 2014, the Reproductive Health Non-Discrimination Amendment Act of 2014, the Protecting Pregnant Workers Fairness Act of 2014, the D.C. Family and Medical Leave Act, the D.C. Parental Leave Act, and Titles VII and VIII of the Civil Rights Act of 1964.

Under the HRA, there are nineteen protected categories in the District: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, victim of an intra-family offense, family responsibilities, familial status, disability, genetic information, political affiliation, matriculation, source of income, and place of residence/business.

OHR also prevents discrimination by providing training and educating District government employees, private employers, workers, and the community at-large of their rights and responsibilities under the law. OHR also monitors compliance with the Language Access Act of 2004 and investigates allegations of non-compliance with this Act by District government agencies. The Commission on Human Rights is the adjudicatory body that decides private sector cases after OHR has found probable cause of discrimination.

OHR operates through the following three programs: (1) **Equal Justice**, (2) **Commission on Human Rights**, and (3) **Office of Human Rights (Agency Management)**. The first, Equal Justice, provides education and awareness, and investigates, adjudicates, and provides compliance services to people who live, work, or conduct business in the District so that they are informed of, and may have timely resolution of, discrimination complaints. The program contains the following eight activities: (1) intake; (2) mediation; (3) investigations; (4) fair housing; (5) research and compliance; (6) public education; (7) bullying prevention oversight; and (8) language access oversight. The Commission on Human Rights provides adjudication services through an administrative hearing conducted before an Administrative Law Judge or a panel of commissioners. The Commission can issue injunctive relief and award damages to individuals who live, work, or conduct business in the District. Finally, the Agency Management program provides administrative support.

a. Mayor's Proposed Fiscal Year 2019 Operating Budget

Committee Report and Analysis

Agency Activities: In FY17, OHR received 1,957 inquiries, docketed 707 cases, mediated 685 cases, and closed 778 cases. 319 cases were closed through mediation, at a total of \$2.82 million in settlements. A large volume of all docketed cases alleged employment discrimination, of which 25% alleged a violation of the Fair Criminal Record Screening Act ("FCRSA"). Specifically relating to FCRSA, 189 were docketed, 591 were closed, and 166 were mediated. Ninety-nine cases resulted in settlements of nearly \$100,000.

In FY17, the agency revised its Standard Operating Procedures ("SOP") to address the growing volume of inquiries and cases filed. The revised SOP took effect in October 2017, and in FY18 OHR will be providing information sessions during this fiscal year to familiarize its customers with the updates. In FY17, OHR published three documents to provide guidance to customers. These include: (1) General Guidance on Housing and Commercial Space; (2) What the Protecting Pregnant Workers Fairness Act Requires of Employers; and (3) Unlawful Treatment Based on Personal Appearance, Political Affiliation, and Matriculation.

OHR also continued to train direct service providers who work with vulnerable populations through its Human Rights Liaison Program ("HRL"). The HRL program teaches individuals about the protections the District offers under its anti-discrimination laws. In FY17, the agency trained 120 staff from over 50 organizations.

Language Access Program: The Language Access Program was created to eliminate language-based discrimination, enabling District residents, workers, and visitors to receive equivalent information and services from the District government, regardless of what language they speak. Program staff supports all District agencies that offer language access services as needed. D.C. Public Charter Schools, the Department of General Services, Department of Health Care Finance, Office of Administrative Hearings, and Office of the Attorney General's Child Support Services Division became "entities with major public contact" that must comply with the Language Access Act of 2004.⁷⁹

In FY17, OHR continued to conduct language access field tests and found that over 50% of the agencies earned a higher compliance score than in FY16. In FY18, the agency plans to continue to provide targeted technical assistance, advance bilingual certification and hiring efforts, and improve language access signage. Additionally, OHR will track and report on non-compliant agencies.

⁷⁹ Language Access Act of 2004, effective April 20, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1931 *et seq.*).

Citywide Youth Bullying Prevention Program: In FY18, the Mayor's Youth Bullying Prevention Program will launch a new initiative focusing on youth social media activities and develop an evidence-based strategy for teaching kids on how to be safe when accessing social media.

Ban the Box in Housing: In late 2016, the Council passed the Fair Criminal Record Screening for Housing Act of 2016, effective April 7, 2017 (D.C. Law 21-269; 64 DCR 3980),⁸⁰ subject to appropriations. The Committee's proposed FY18 budget included full funding for the bill. Accordingly, the program took effect on October 1, 2017. Leading up to this time, OHR reached out to employers, business owners, and housing providers, and partnered with the Department of Consumer and Regulatory Affairs ("DCRA") to develop a business training series for business owners in the District. DCRA will continue conducting these workshops through FY18. In preparing to launch the program, OHR developed an informational factsheet detailing new requirements for housing providers, a sample eligibility criteria list for use by housing providers, notice templates for making and withdrawing a conditional offer of housing, and a sample request for records for the public to use when housing is denied.

Absentee Voting Initiative: In FY17, OHR partnered with the D.C. Board of Elections, the Department of Corrections, and several community groups to register incarcerated District residents to vote. This effort included sending educational materials to 900 individuals and visiting the DC Jail to present for approximately 180 incarcerated residents. As a result of this initiative, 44 incarcerated residents in the DC Jail voted with absentee ballots.

Street Harassment: District residents are routinely subjected to threatening, harassing, or disrespectful behavior as they navigate public spaces such as parks, transportation hubs, restaurants, and schools. In some instances, the conduct is motivated by the actual or perceived characteristics or traits of the subject, including sexual orientation, sex, gender identify or expression, race, ethnicity, religion, or national origin. This conduct undermines a person's sense of security and self-worth and discourages participation in civic life and enjoyment of the District's rich public spaces.

To work toward combatting this widespread problem, the Committee is proposing a new subtitle for the Budget Support Act, the "Street Harassment Prevention Act of 2018". The subtitle establishes an Advisory Committee on Street Harassment ("ACSH"), composed of eight representatives from District agencies and nine representatives from community organizations. The ACSH will submit to the Mayor and Council a report proposing model policies and training materials to be

⁸⁰ Fair Criminal Record Screening for Housing Act of 2016, effective April 7, 2017 (D.C. Law 21-269; 64 DCR 3980), <http://lims.dccouncil.us/Download/35646/B21-0706-Enrollment.pdf>.

used by District agencies to prevent street harassment. OHR is tasked with conducting a survey related to the prevalence of street harassment and monitoring District agencies for compliance with ACSH's recommendations. The Committee transferred funds to the agency to carry out its proposed responsibilities under the subtitle, additionally funding one FTE to support this initiative.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

1. *Increase* CSG 41 (Contractual Services – Other), Program 1000 (Office of Human Rights), Activity 1040 (Information Technology), by \$25,000 in one-time local funds for the procurement of a new case management system
2. *Increase* CSG 41 (Contractual Services – Other), Program 1000 (Office of Human Rights), Activity 1040 (Information Technology), by \$50,000 in recurring local funds for the maintenance of a new case management system
3. *Increase* CSG 41 (Contractual Services – Other), Program 2000 (Equal Justice Program), Activity 2060 (Research and Compliance), by \$45,000 in one-time local funds, as required to fund the survey costs of the fiscal impact of the Committee's proposed subtitle, the "Street Harassment Prevention Act of 2018"
4. *Increase* CSG 41 (Contractual Services – Other), Program 2000 (Equal Justice Program), Activity 2060 (Research and Compliance), by \$40,000 in recurring local funds, as required to fund the marketing and outreach costs of the fiscal impact of the Committee's proposed subtitle, the "Street Harassment Prevention Act of 2018"
5. *Increase* FTEs by 1, and create a new position (Program Analyst), as required to fund the fiscal impact of the Committee's proposed subtitle, the "Street Harassment Prevention Act of 2018", with the accompanying local funds as follows:
 - a. (Program Analyst): create a new position in Program 2000 (Equal Justice Program), Activity 2060 (Research and Compliance): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$82,927 and CSG 14 (Fringe Benefits – Current Personnel) by \$19,073: *total PS increase = \$102,000*

b. Policy Recommendations

1. The Committee recommends the agency prioritize carrying out its responsibilities under the Committee's proposed subtitle, the "Street Harassment Prevention Act of 2018".
2. The Committee recommends that the agency meet with legal services providers to discuss its new intake process and solicit feedback. Alternatively, or additionally, the Committee recommends that the agency explore a survey for the organizations that most frequently file complaints.
3. The Committee applauds the agency for its excellent outreach to housing providers in advance of the effective date for the Committee's Ban-the-Box in Housing legislation.
4. The Committee recommends that OHR continue to partner with the Board of Elections and the Department of Corrections to register incarcerated District residents to vote.

R. OFFICE OF NEIGHBORHOOD SAFETY AND ENGAGEMENT

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The Office of Neighborhood Safety and Engagement (“ONSE”) was launched in October 2017 to foster a community-oriented model of violence prevention and public safety that is rooted in a public health approach, recognizing that reducing crime is not accomplished solely through law enforcement. ONSE coordinates and oversees the Community Stabilization Program and the Safer, Stronger DC Community Partnerships Programs. It was funded for the first time in the FY18 budget.

b. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Report and Analysis

The Mayor’s FY19 proposed budget includes a 122% increase in ONSE’s operating budget and a 62.5% increase in FTEs. The agency office currently has 16 FTEs serving in three main capacities:

- Violence Interrupters: respond to all critical incidents of violence and work to identify high-risk individuals who may qualify for the Pathways program.
- Pathways Outreach Coordinators: work in high priority neighborhoods to build and deepen relationships and serve as case managers for participants in the Pathways program. These FTEs help develop the Individual Service Plans for Pathways participants and assist them in attaining their goals.
- Community Stabilization Program: respond to all homicides and near-fatal incidents, as well as crew/gang-related violent incidents, and work with victims and their families to identify their needs and connect them with District services.

As noted above, the agency saw a major increase in both grant funding (the FY18 amount is doubled in FY19) and FTEs. Ten FTEs were transferred in the proposed budget to the agency from the Department of Parks and Recreation. At the agency’s budget oversight hearing, Director McFadden shared his vision for these “Roving Leader” positions:

My vision for the transfer of 10 Roving Leaders to ONSE is for these staff to work on a city-wide strategy to curtail violent behaviors in young adults building lasting relationships and providing place-based services and support in communities most impacted by violence. The Roving

Leaders will collaborate with intervention specialists, community partners, and District agencies to provide pro-social alternatives to antisocial behaviors.

The Committee supports the transfer of these FTEs and believes that the office's staffing is now heading toward being right-sized. The need for this type of targeted intervention is great, and the infusion of financial support in the FY19 budget will build a strong foundation for future enhancements. The Committee is cautious, however, of overwhelming the agency with too many responsibilities or grantmaking obligations. ONSE is not yet one year old, but the Committee has great hopes for its success. It is clear that Director McFadden cares deeply about the population he serves and also comes to the position with the right kind of experience.

In that vein, the Committee will continue to prioritize funding for ONSE, and in FY19, the Committee is accepting an additional \$200,000 in one-time funds from the Committee on Business and Economic Development for violence prevention and intervention grants

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

1. *Increase* CSG 50 (Subsidies and Transfers), Program 2000 (Neighborhood Safety and Engagement), Activity 2040 (Violence Intervention), by \$200,000 in one-time local funds for violence prevention and intervention grants

b. Policy Recommendations

1. The Committee recommends that ONSE meet with Council staff – particularly as the 2018 Summer Crime Initiative launches – to keep them apprised of the agency's progress in rolling out the Pathways Program.
2. The Committee recommends that ONSE be more proactive in communicating with the community and the Committee on its progress in getting grant funding out the door.
3. The Committee recommends that ONSE seek support from DMPSJ in enhancing its communications with the public through social media or marketing – while of course realizing that the more sensitive work performed by the agency cannot be shared.
4. The Committee recommends that ONSE work concertedly to engage more women involved in violence prevention and intervention in its activities, outreach, and leadership.

S. OFFICE OF POLICE COMPLAINTS

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The mission of the Office of Police Complaints (“OPC”) is to increase public confidence in the police and promote positive community-police interactions. OPC receives, investigates, adjudicates, and mediates police misconduct complaints filed by the public against the Metropolitan Police Department (“MPD”) and the D.C. Housing Authority Police Department (“DCHAPD”) police officers. In addition to these responsibilities, the agency issues policy recommendations to the Mayor, the Council, and the Chiefs of Police of MPD and DCHAPD, proposing reforms that will promote greater police accountability by reducing the level of police misconduct and improving the citizen complaint process.

b. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Analysis and Comments

Complaint Activity: OPC’s citizen complaint program continues to experience an increase in the number of contacts by community members. In FY17, OPC was contacted by community members a total of 1,872 times, a 29% increase from FY16.

Table 1: Total Contacts Received

<i>Fiscal Year</i>	<i>Number of Contacts</i>
FY14	1,095
FY15	1,420
FY16	1,448
FY17	1,872
FY18 (Q1 and Q2)	890

Source: Office of Police Complaints

There was a corresponding increase in the number of formal complaints the agency received. Specifically, OPC received 773 formal complaints in FY17, a 77% increase from FY16.

Table 2: Total Formal Complaints Filed

<i>Fiscal Year</i>	<i>Number of Complaints Filed</i>
FY14	389
FY15	407
FY16	438
FY17	773
FY18 (Q1 and Q2)	381

Source: Office of Police Complaints

OPC attributes this increase in the volume of complaints to several factors. In Q3 of FY17, OPC launched an online complaint submission form that is accessible from computers and mobile devices. The online complaint submission form allows complainants to attach documents and audio or video recordings. The online complaint submission form has become the primary means by which community members submit complaints, with 44% of all complaints in received by the online complaint submission form.

OPC also believes the increase in the number of formal complaints filed is due to: (1) complaints now being referred from MPD to OPC in compliance with the Neighborhood Engagement Achieves Results Amendment Act (“NEAR Act”);⁸¹ (2) the NEAR Act’s provision extending the deadline for filing complaints from 45 days to 90 days; (3) increased public confidence in the complaint system because of its administration by an independent agency under the NEAR Act; and (4) the prevalence of body-worn cameras that can corroborate an individual’s account of police misconduct.

The number of contacts and formal complaints OPC received translated into an increased number of opened investigations. The agency opened 478 new investigations in FY17 and continued investigating 110 cases that were carried over from FY16, for a total of 588 total complaints investigated.

⁸¹ See Sec. 208 of the Neighborhood Engagement Achieves Results Amendment Act of 2016, effective June 30, 2016 (D.C. Law 21-0125; D.C. Official Code § 7-2411 *et seq.*), <http://lims.dccouncil.us/Download/34496/B21-0360-Enrollment.pdf>. OPC has historically received complaints through email, fax, mail, and walk-in submissions. Prior to the NEAR Act’s passage, complaints directly submitted to MPD or DCHAPD were investigated and resolved by that receiving agency without OPC’s involvement. The NEAR Act now requires that complaints submitted to MPD and DCHAPD be forwarded to OPC within three business days. In FY17, MPD and HAPD forwarded a total of 202 complaints to OPC, a dramatic increase from pre-NEAR Act referrals.

Table 3: Total Complaints Investigated, FY14 – FY18 (Second Quarter)

<i>Fiscal Year</i>	<i>Number of Complaints Investigated</i>
FY14	580
FY15	518
FY16	410
FY17	588
FY18 (Q1 and Q2)	391

Source: Office of Police Complaints

Despite the increases in total volume of contacts, complaints, and investigations, OPC continues to improve its efficiency in resolving complaints. The average number of days between opening and closing a case in FY17 was 109 days. OPC credits its efficient resolution of cases to internal improvements to the investigation system and the availability of body-worn camera footage.

Table 4: Time to Complete Cases, FY14 – FY18 (Second Quarter)

<i>Fiscal Year</i>	<i>Average Number of Days to Close Investigation</i>	<i>Investigations Closed Within Six Months</i>
FY14	407	43%
FY15	355	42%
FY16	175	69%
FY17	109	85%
FY18 (Q1 and Q2)	66	94%

Source: Office of Police Complaints

An overwhelming majority of complaints are dismissed because of either lack of merit or because the complainant did not cooperate with the investigation, which is consistent with previous years. A significant number of cases continue to be disposed of through mediation, a process in which the complainant and subject officer have a confidential conversation about the events leading to the complaint with the goal of coming to a mutual resolution to the complaint.

Table 5: Case Dispositions, FY14 - FY18 (Second Quarter)

<i>Outcome</i>	<i>FY14</i>	<i>FY15</i>	<i>FY16</i>	<i>FY17</i>	<i>FY18 (Q1 and Q2)</i>
Adjudicated	8	11	30	14	6
Dismissed for Lack of Merit	186	241	162	187	97
Dismissed for Lack of Cooperation	79	65	54	127	75
Mediation	24	42	36	45	21
Withdrawn	21	15	16	32	14
Policy Training	0	0	1	19	14
Rapid Resolution	0	0	0	19	15

Source: Office of Police Complaints

Policy Recommendations and Reports: In FY17, the Police Complaints Board (“PCB”) issued five policy reports.

Table 6: Police Complaints Board Policy Reports, FY17

<i>PCB Policy Report #</i>	<i>Report Title</i>	<i>Date of Publication</i>
#17-1	Ensuring MPD Policies and Procedures are Current	November 18, 2016
#17-2	Notice of Infraction for Excessive Idling	January 3, 2017
#17-3	Blocking Passage	May 22, 2017
#17-4	DCHAPD Policy and Procedures	May 15, 2017
#17-5	Consent Search Procedures	September 25, 2017

Source: Office of Police Complaints

PCB also issued several full-length reports to the Mayor, Council, and Chief of Police during FY17.

Table 7: Police Complaints Board Reports to the Mayor, Council, and Chief of Police, FY17

<i>Report Title</i>	<i>Date of Publication</i>
Language and Conduct	November 28, 2016
OPC Monitoring of the “Women’s March” January 21, 2017	February 27, 2017
OPC Monitoring of the Inauguration January 20, 2017	February 27, 2017

Source: Office of Police Complaints

In last year's Committee budget report, the Committee recommended that OPC conduct an analysis of which reports issued by the PCB have been implemented by MPD. On February 1, 2018, OPC released a report that tracked implementation of five reports and twenty-one separate recommendations.⁸² Based on their review, OPC found that of the twenty-one recommendations issued, thirteen have been fully implemented, six have been partially implemented, and three are unimplemented.

PCB has issued one recommendation in FY18, to date. PCB Policy Report #18-1, titled "Officers Parking and Towing Vehicles", was published on March 14, 2018.⁸³ The report examines three complaints filed with OPC that illustrate issues surrounding vehicles being moved or towed by officers. The report recommends that MPD: (1) amend General Order 303.03, "Tow and Crane Operation and Enforcement", for greater clarity; (2) establish a supervisory review process for when vehicles are moved or towed, as well as an auditing system to review compliance; (3) update and deliver training on the amended General Order; and (4) ensure that District directives do not conflict with Department-wide directives for moving and towing vehicles.

Requirements under the NEAR Act: D.C. Official Code § 5-1104(d-2)(1) requires the Police Complaints Board to review "[a]ll use of force incidents, serious use of force incidents, and serious physical injury incidents as defined in MPD General Order 907.07."⁸⁴ On January 23, 2018, the Office of Police Complaints published its inaugural Report on the Use of Force by the Metropolitan Police Department.⁸⁵ The report is based on OPC's review of 2,224 instances in which force was used by an MPD officer.⁸⁶ The report discusses MPD policies regarding use of

⁸² Office of Police Complaints, *Implementation Update on the Reports and Recommendations of the Police Complaints Board from Fiscal Years 2015 and 2016* (February 1, 2018), available at https://policecomplaints.dc.gov/sites/default/files/dc/sites/office%20of%20police%20complaints/publication/attachments/Policy%20Rec%20Implementation%20Update_FINAL.pdf.

⁸³ Police Complaints Board, *PCB Policy Report #18-1: Officers Parking and Towing Vehicles* (March 14, 2018), available at <https://policecomplaints.dc.gov/sites/default/files/dc/sites/office%20of%20police%20complaints/publication/attachments/Officers%20Parking%20and%20Towing%20Vehicles.pdf>.

⁸⁴ D.C. Official Code § 5-1104(d-2)(1).

⁸⁵ Office of Police Complaints, *Report on the Use of Force by the Washington, D.C. Metropolitan Police Department* (January 23, 2018), available at <https://policecomplaints.dc.gov/sites/default/files/dc/sites/office%20of%20police%20complaints/publication/attachments/UOF%2017%20Final.pdf>.

⁸⁶ All use of force data reviewed was provided by MPD. MPD officers record uses of force in three formats: (1) Use of Force Incident Report forms ("UFIRs"); (2) the Reportable Incident Forms ("RIFs"); and the Personnel Performance Management System ("PPMS"), MPD's electronic database for tracking adverse interactions and officer performance. OPC received all PPMS data for uses of force from FY13 to FY17. OPC received either a UFIR or RIF for 2,096 of the 2,224 (94%) uses of force that occurred in FY17. See *id.* at 6–8 for a detailed discussion of MPD's data collection and OPC's methodology.

force, demographic information of the officers using force and the subjects against whom the force is used, and eight policy recommendations.

The report identified several alarming trends related to the use of force in the District. Except for a brief decline in FY15, the number of reported use of force incidents, uses of force, and officers using force have all been increasing since FY13.⁸⁷ In FY17, there were 991 reported use of force incidents, an increase of 260 incidents—or 36%—from FY16. The number of officers reporting use of force grew from 1,008 in FY16 to 1,074 in FY17. At OPC’s performance oversight hearing, Director Tobin testified that the apparent increase in uses of force may be attributable, in part, to new reporting practices by MPD officers:

One of the reasons that there has been a 36% increase in use of force over a one-year period is that MPD’s policy changed on what they report. So—in the big picture, in one respect—it’s actually a good thing that that particular number has gone up because it shows they are now reporting more that they did in previous years. They are reporting now types of hand controls and takedowns that they were not reporting before.⁸⁸

The report also analyzed officer and subject race in use of force cases. OPC found that while only 48% of District residents are black, black individuals were the subjects of approximately 90% of all reported uses of force. The most common pairing of officers and subjects by race was a white officer using force on a black subject; that pairing constituted 44% of all use of force cases. The report also discussed the use of force by female officers compared against male officers. Since FY13, between 86% and 90% of officers reporting use of force each year were male officers, while only 10% to 14% were female officers. Other notable FY17 findings are:

- Twelve officers discharged their firearms at subjects in ten incidents, the lowest number of discharges in the five-year period reviewed
- In three of those ten discharge incidents, the subject was fatally injured
- Uses of force were reported most in the Fifth and Seventh Districts, which together account for 38% of all reported use of force incidents

⁸⁷ A “use of force incident” refers to an event in which force is used. In contrast, a “use of force” is a discrete application of force, such as hand controls, tactical takedowns, baton strikes, or discharging a firearm. A use of force incident may comprise multiple uses of force. Similarly, a use of force incident may involve multiple officers using force.

⁸⁸ *Office of Police Complaints: Performance Oversight Hearing before the Committee on the Judiciary & Public Safety* (February 22, 2018) (oral testimony of Michael Tobin, Director, Office of Police Complaints), available at http://dc.granicus.com/MediaPlayer.php?view_id=2&clip_id=4370.

- Solo and team tactical takedowns were the most common type of force used in FY17. Takedowns were the highest level of force used in 50% of all use of force incidents.

Independent Review of Inauguration Weekend 2017: OPC monitored MPD's response to First Amendment assemblies related to the Presidential Inauguration from January 20 to January 22, 2017. On February 27, 2017, PCB released a report discussing MPD's conduct during the Presidential Inauguration.⁸⁹ Two chief concerns were identified in the report: 1) that some arrests were not carried out according to Standard Operating Procedures ("SOPs") and 2) that less-than-lethal weapons were used indiscriminately and without adequate warnings. Given those concerns, PCB recommended the appointment of an independent consultant to investigate and examine MPD's actions on January 20, 2017. The FY18 approved budget provided OPC with \$150,000 to commission such that independent review.

OPC ultimately contracted with the Police Foundation ("the Foundation")⁹⁰ on September 26, 2017 to conduct the independent review. As of February 22, 2018, the Foundation is in the process of reviewing voluminous body-worn camera footage. At OPC's performance oversight hearing, Director Tobin testified that:

MPD has been very cooperative in supplying their reports and documents, and supplying access to all of the body-worn camera video—and that's the stage that the Police Foundation is at now. I would say, as an estimate, they are . . . between 40 and 50% of the way done with their entire review at this stage.⁹¹

As part of the Inauguration Day review, OPC had also hoped to conduct interviews with MPD officers and command staff. Chief of Police Peter Newsham has

⁸⁹ Police Complaints Board, *OPC Monitoring of the Inauguration* (February 27, 2017), available at <https://policecomplaints.dc.gov/sites/default/files/dc/sites/office%20of%20police%20complaints/publication/attachments/Inaguration%20Protest%20Monitoring%20Report%20FINAL.pdf>. PCB issued a similar report related to its monitoring of MPD's response to the Women's March held on January 21, 2017. See Police Complaints Board, *OPC Monitoring of the "Women's March"* (February 27, 2017), available at https://policecomplaints.dc.gov/sites/default/files/dc/sites/office%20of%20police%20complaints/publication/attachments/Women%27s%20March%20Protest%20Monitoring%20Report.FINAL_.pdf.

⁹⁰ The Police Foundation is an organization that helps develop and promulgate best practices related to policing, with no ties to the Metropolitan Police Department or the District generally. More information regarding the Police Foundation can be found at <https://www.policefoundation.org/>. The Police Foundation should not be confused with the Washington DC Police Foundation, which collaborates with businesses and non-profit organizations to provide financial resources and other assistance to the Metropolitan Police Department and its Chief of Police. More information regarding the Washington DC Police Foundation is available at <http://www.dcpolicefoundation.org/>.

⁹¹ *Office of Police Complaints: Performance Oversight Hearing before the Committee on the Judiciary & Public Safety* (February 22, 2018) (oral testimony of Michael Tobin, Director, Office of Police Complaints), available at http://dc.granicus.com/MediaPlayer.php?view_id=2&clip_id=4370.

not permitted officers to participate in those interviews due to pending litigation related to the events. OPC does not wish to delay the publication of the report until that litigation has completed. As a workaround, OPC has received access to court transcripts in which MPD officers and staff have testified. The Committee looks forward to the final report.

Community Outreach: In FY17, OPC participated in more than forty-five community outreach events, the highest number for OPC in a single fiscal year. The agency expanded its outreach to the District's Latino and immigrant communities by conducting presentations for organizations that provide direct services to that population, including the Spanish Catholic Center, CentroNía, Latin American Youth Center, and AYUDA. OPC also conducted "Know Your Rights" sessions for several classes at Briya Public Charter School, participated in a public safety seminar sponsored by the Mayor's Office on Latino Affairs, and presented to the George Mason University Dreamers, a student organization that advocates for immigrant students. OPC updated elements of its website to include more information about the agency's mission, jurisdiction, and complaint process in Spanish. OPC also has complaint forms in Amharic, Arabic, Chinese, French, Hangol (Korean), Russian, and Vietnamese.

OPC collaborated with several District agencies during FY17. OPC participated in the D.C. Community Justice Advisory Network meeting for returning citizens alongside CSOSA. The agency also participated in the Mayor's Sixth Annual Senior Symposium, the Mayor's Office on Asian and Pacific Islander Affairs' Chinatown Community Day, and MPD's National Night Out.

OPC's outreach efforts to student groups included conducting a Student Interactive Training Program at high schools, including Ballou, Ballou STAY, Thurgood Marshall Academy, Paul Public Charter School, and Woodrow Wilson. OPC has also continued to expand the membership of its Community Partnership Program. The agency added two new community partners to the program in FY17: the NAACP and the Latin American Youth Center.

OPC personnel made several appearances at both community events and in the media. Director Tobin appeared as a guest on The Kojo Nnamdi Show on WAMU 88.5. Deputy Director Rochelle H. Howard appeared on both WHUR-FM 96.3 and HUR Voices Sirius XM Channel 141's daily news program, "The Daily Drum." Director Tobin and other agency staff members served on panelists for several different discussions regarding community policing and civilian oversight.

As of February 2018, OPC had conducted thirteen community outreach events throughout the District. OPC plans to conduct at least twenty-four events before the end of the fiscal year.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 operating budget for the Office of Police Complaints, as proposed by the Mayor.

b. Policy Recommendations

1. The Committee recommends that OPC continue to monitor MPD's implementation of and compliance with OPC's policy recommendations.
2. The Committee recommends that OPC closely monitor any indication of a developing complaint backlog.

T. OFFICE OF THE ATTORNEY GENERAL

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The mission of the Office of the Attorney General (“OAG”) is to enforce the laws of the District of Columbia, provide legal services to the District government, and independently and objectively pursue the public interest. OAG represents the District in virtually all civil litigation, prosecutes certain criminal offenses on the District’s behalf, has sole jurisdiction over juvenile prosecutions, and represents the District in a variety of administrative hearings and other proceedings. In addition, OAG is responsible for advising the Executive Office of the Mayor, the Council, and various Boards and Commissions; and for determining the legal sufficiency of proposed legislation, regulations, and commercial transactions. In all, the Attorney General supervises the legal work of approximately 298 attorneys and an additional 342 administrative and professional staff.

b. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Report and Analysis

Agency Budget Priorities: At the agency’s budget oversight hearing, Attorney General Karl Racine testified that, as OAG enters its fourth year as an independent office, the agency has worked diligently to provide high-quality legal representation while upholding and protecting the public interest. He thanked the Mayor for providing OAG with a new elder abuse attorney, noting that OAG is an active partner in coordinated community response teams addressing elder abuse.

Attorney General Racine also presented OAG’s FY19 budget requests, comprising local budget enhancements totaling approximately \$1.2 million and 13 FTEs. The Committee supports several of the agency’s enhancement priorities and will fund the agency’s requests for an elder abuse investigator, data statistician, and residency fraud attorney. The investigator will work with the newly-funded elder abuse attorney to supplement the District’s prosecutions of elder abuse, fraud, and neglect. The data statistician will analyze data from various initiatives to better inform policy decisions and program operations at the agency. The Committee is particularly supportive of the residency fraud attorney to support investigations of improper enrollment in District public schools. Additionally, the Committee is funding one other new position at the agency: a Clemency Board attorney to support the newly-created Clemency Board (see discussion below).

Furthermore, at the request of the Attorney General, the Committee includes a new subtitle in Section IV of the report: the “Office of the Attorney General

Information Technology Authority and Housing Receivership Costs Amendment”. The subtitle makes two minor amendments: (1) it provides OAG with independent information technology authority; and (2) it allows OAG to use monies in the Nuisance Abatement Fund for costs reasonably related to prosecuting and conducting investigations of housing receivership cases.

Clemency Board: In addition, the Committee includes a proposed subtitle in Section IV of this report, the “Clemency Board Establishment Act of 2018”, which would create a Clemency Board within OAG. Current law requires individuals to apply directly to the President of the United States through the federal clemency process. Until Congress legislates otherwise, the President will retain the final say in clemency cases for District of Columbia offenders. Because of this process, it is nearly impossible for District of Columbia Code offenders to receive clemency. As a result, only one District offender has received clemency since 1989. By contrast, each of the 50 states oversees its own system for granting clemency for violations of their state laws. This means that while state and federal offenders have an opportunity for relief, D.C. Code offenders face a dead end.

Creating a Clemency Board will help to increase local control over the process, elevate strong applications, and ensure the District is ready to assume full control over the clemency process once it attains statehood. Although the Committee recognizes that the Clemency Board is only a partial solution as District offenders would still rely on the President to make a final determination on their case, the Board will bring the District closer to controlling its own clemency process.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

1. *Increase FTEs by 4, and create four new positions with the accompanying local funds as follows:*
 - a. Residency Fraud Attorney: create a new position in Program 5400 (Public Advocacy Division), Activity 5402 (Public Integrity Unit): *increase* CSG 11 (Regular Pay – Continuing Full-Time) by \$107,567, CSG 14 (Fringe Benefits – Current Personnel) by \$22,266, and CSG 20 (Supplies and Materials) by \$5,070: *total PS increase = \$134,903*
 - b. Data Statistician: create a new position in Program 6100 (Public Safety Division), Activity 6113 (Office of Division Deputy): *increase* CSG 11 (Regular Pay – Continuing Full-Time) by \$117,625, CSG 14 (Fringe Benefits – Current Personnel) by \$24,348, and CSG 20 (Supplies and Materials) by \$3,500: *total PS increase = \$145,473*

- c. Elder Abuse Investigator: create a new position in Program 6100 (Public Safety Division), Activity 6114 (Domestic Violence Section): *increase* CSG 11 (Regular Pay – Continuing Full-Time) by \$76,082, CSG 14 (Fringe Benefits – Current Personnel) by \$15,748, and CSG 20 (Supplies and Materials) by \$3,500: *total PS increase = \$95,330*
 - d. Clemency Board Attorney: create a new position in Program 3100 (Legal Counsel Division), Activity 3103 (Office of Division Deputy): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$94,915, CSG 14 (Fringe Benefits – Current Personnel) by \$19,647, and CSG 20 (Supplies and Materials) by \$3,500: *total PS increase = \$118,062*
2. *Reduce* CSG 35 (Occupancy Fixed Costs), Program 1000 (Agency Management), Activity 1030 (AMP Property Mgmt), by \$320,000 in recurring local funds to right-size the fixed costs budget with projected rent for One Judiciary Square

b. Policy Recommendations

1. The Committee recommends that OAG engage the Committee and keep it informed about the work of the new data statistician.
2. The Committee recommends that OAG provide it with updates on any future plans for repairs or relocation at One Judiciary Square.
3. The Committee recommends that OAG share the work of its new Innovative Prosecution Initiative with public safety cluster agencies and also consider how the Initiative might inform the strategic plan for youth offenders required by B22-0451, the “Youth Rehabilitation Amendment Act of 2018”.

U. OFFICE OF THE CHIEF MEDICAL EXAMINER

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The mission of the Office of the Chief Medical Examiner (“OCME”) is to ensure that justice is served and that the health and safety of the public is improved by conducting quality death investigations and certifications and providing forensic services for government agencies, health care entities, and grieving families.

OCME provides forensic services to local and federal government agencies, health care providers, institutions of higher learning, and residents of the District and the metropolitan region. Forensic services include: forensic investigation of certain deaths (those occurring as a result of violence, as well as those that occur unexpectedly, without medical attention, in custody, or pose a threat to public health); review of deaths of specific populations; grief counseling; performance of a full range of toxicological examinations; cremation approvals; and public disposition of unclaimed remains.

b. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Analysis and Comments

Operations: In FY17, 6,722 cases were reported to OCME, and the agency accepted jurisdiction of 1,418. The agency visited 955 scenes and examined 1,412 fatality cases. The breakdown of these cases, by manner of death, can be seen in the chart below.

Table 1: All Medical Examiner Cases in FY17 and FY18, to Date, by Manner of Death and Type of Case (As of January 12, 2018)

<i>Manner</i>	<i>Exam Type</i>	<i># of Cases in FY17</i>	<i># of Cases in FY18</i>
Accident	Autopsy	473	44
	Autopsy (at hospital)	1	0
	External Exam	131	24
	Review of Med. Rec	16	6
Homicide	Autopsy	128	32
	External Exam	0	0
Natural	Autopsy	298	43
	External Exam	245	66
	Review of Med. Rec	3	0
Suicide	Autopsy	59	7
	External Exam	2	0
Undetermined	Autopsy	37	1
	External Exam	0	0
Pending		19	102
TOTAL		1412	325

Source: Office of the Chief Medical Examiner

Opioid Investigation: In the last several years, OCME’s caseload has increased significantly, in large part due to the opioid epidemic. During the four-year period between 2014 and 2017, OCME investigated a total of 707 deaths due to opioid-use. The agency found that there was a 236% increase in deaths due to opioid-use disorder during this time. The number climbed from 83 deaths in 2014 to 279 deaths in 2017. OCME continues to monitor this situation through its Data Fusion Center. Tracking the information in this manner, the agency was able to determine that the increase in prevalence of fentanyl within the drug-using population was contributing to deadly overdoses. Sixty-seven percent of opioid overdoses contained fentanyl or a fentanyl analog. Additionally, OCME reported that approximately 80% of opioid overdoses are of black males between the ages of 40 and 69. Relatedly, the agency has recently begun a partnership with the Department of Forensic Sciences (“DFS”) to develop a new syringe testing program where DFS collects and tests the syringes found at the scene of the overdose.

Fatality Review: OCME supports two fatality review committees, the Child Fatality Review Committee (“CFRC”) and the Developmental Disabilities Review Committee (“DDRC”). The CFRC conducts monthly multidisciplinary case reviews of sudden infant deaths and youth homicides. The CFRC also made changes to its recommendation process to improve its support to the most vulnerable populations in the District. OCME has been running the CFRC for four years now, and in FY17, the CFRC reviewed and reported on 115 child fatality cases. The goal of the DDRC is to make recommendations to improve the supports and services that District residents with developmental disabilities receive.

On July 21, 2017, the Office of the District of Columbia Auditor released a report entitled “Critical Work of the Child Fatality Review Committee Should Build on Recent Reforms”. The Committee used OCME’s performance oversight hearing as an opportunity to discuss the work of the CFRC with the agency, with a focus on following up on the suggestions found within the audit. OCME stated that the audit came at a time when it was taking proactive efforts as an agency to evaluate the CFRC. The audit notes that the amount of cases reviewed had decreased between years 2010 and 2015. OCME explained that this drop was due to a focus on the quality of review over the quantity of review. Dr. Roger Mitchell, the Chief Medical Examiner, shared that for each case studied, the CFRC contacts multiple agencies and reviews a high volume of information on that individual. The Committee meets monthly for 3 hours, and is able to report on 2 cases per meeting. Dr. Mitchell explained that in an effort to preserve the quality of case review while also increasing the quantity of cases studied, the CFRC began to cluster cases with similar outcomes. This initiative has been successful in increasing the scope of the CFRC’s study. Dr. Mitchell also reported on upcoming priorities of the CFRC. These include working with the Department of Health to develop a maternal interview process to address infant mortality review cases, and forming partnerships with the Office of Neighborhood and Safety Engagement, the Metropolitan Police Department, and the Department of Behavioral Health to improve programming around violence prevention and address youth homicides as a public health issue.

In FY18, the Committee introduced and passed legislation – in large part, due to the prioritization of this issue by Chief Medical Examiner Mitchell – to create a Maternal Mortality Review Committee (“MMRC”) to investigate, examine, and make policy recommendations regarding pregnancy-associated and pregnancy-related maternal deaths in the District and of all District residents. OCME received dedicated funding for its fatality review program to hire an individual to manage the MMRC. The Committee anticipates that the MMRC will be operational soon after it is funded on October 1, 2018. The Committee proposed a subtitle that makes technical changes to the MMRC legislation, which is discussed in detail later in the Committee’s report below.

Based on conversations with the agency and auditor’s recommendations, the Committee does not believe that the Fatality Review Committee Division of OCME is properly staffed to fully support the various review committees as is needed. Accordingly, the Committee has taken steps to right-size this division in the FY19 budget by adding \$236,112 for two additional FTES.

NAME Accreditation: In FY16, OCME achieved full accreditation by the National Association of Medical Examiners (“NAME”) through February 16, 2021. To achieve accreditation, the agency prepared for two years by completing a self-assessment, working with the Office of the Inspector General to perform an

independent audit, updating their standard operating procedures, preparing the physical facility, and conducting training for staff. To maintain its NAME accreditation, during FY17 the agency facilitated the International Organization for Standardization (“ISO”) 17020 training to ten individuals on its staff. ISO training is part of new standards and guidelines now required for medical examiner offices as part of accreditation.

Quality Control/Records Management: The agency has several initiatives that fall within this priority area, including case and inventory management, document management, and professional development and career development. During FY17, the agency hired a manager to update its records management unit. In FY18, the agency contracted with a vendor to assist with developing an ISO compliant quality management system that integrates with the existing national program requirements, with District law, and with the agency’s policies and procedures. Finally, pertaining to the professional development component, the agency has taken efforts to ensure employees are afforded training and educational opportunities to maintain the necessary licensures and certificates and to remain compliant with industry standards.

Case Management System Implementation: During FY17, OCME established a new case management system called the Forensic Analytic Case Tracking System. Case management integrates death notification information and demographics, death investigation reports, autopsy findings, x-rays and photographs, decedent transport, intake and release information, medical or case records disposition, and case and death certificate status. The new system will help to improve functionality, as well as integrate mass fatality, toxicology, and fatality review into the existing system. This system will become operational in the remainder of FY18.

Medical Examiner Transport Team: Approximately 60% of OCME’s cases require a Death Investigator to conduct a scene visit. This includes scene assessment, body examination, and circumstance evaluation. During FY16, OCME created the Medical Examiner Transport Team (“METT”) to move body transport services in-house. This team also conducts fleet maintenance, decedent intake and release, fatality management response logistics, post-mortem radiology and identification, supply inventory and tracking, and mortuary quality assurance and control processing. The services of the METT have reduced response times from 67 to 40 minutes. As of FY18, this team has 12 members, which allows OCME to handle all decedent transport in-house.

Fatality Management: In FY17, the agency held its Second Annual Fatality Management Symposium and Full-Scale Exercise. At this event, the agency conducted a full-scale fatality management exercise to a complex coordinated attack, with all resources, personnel, communications, equipment, and high-level executives

taking part. This event helped with both training and relationship building between District agencies. OCME also invited guests from medical examiner offices internationally, nationally, and from within the region, including Brussels, Egypt, Bangladesh, New York, and San Bernardino.

Howard University School of Medicine Partnership: To encourage new physicians to enter into the field of forensic pathology, OCME signed an agreement with Howard University's School of Medicine for residents to rotate at the agency as part of their residency program. OCME has recognized that there is a shortage of qualified physicians and will use this local partnership to encourage more physicians to enter the field. The Committee is extremely supportive of this partnership.

c. Mayor's Proposed Fiscal Years 2019-2024 Capital Budget

The Mayor's Fiscal Years 2019-2024 proposed capital budget includes capital allotments for the Office of the Chief Medical Examiner as follows:

- Project No. FXEER (Equipment Replacement at the CFL): \$1,500,000 in FY19;
- Project No. FX0FR (OCME Facility Renovation at the CFL): \$1,375,000 in FY19; and
- Project No. VRPVR (OCME Vehicle Replacement Program): \$100,000 in FY19 and \$175,000 in FY20.

Committee Analysis and Comments

Equipment Replacement at the CFL: This project includes the purchase of Laboratory Information Management System ("LIMS") updates and other toxicology laboratory instruments and equipment.

OCME Facility Renovation at the CFL: This project includes modifications to the 5th and 6th floor of the Consolidated Forensic Laboratory of the OCME facility. The purpose is to provide for additional office spacing and seating for mortuary, forensic photography, toxicology, fatality management, information technology, and administrative staffing. OCME's staff has increased from approximately 73 to a current number of 92 FTEs, totaling 100 staff members when including grant and Mayoral initiative staffers.

OCME Vehicle Replacement Program: This project includes the purchase of at least 4 vehicles to replace aging vehicles.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 budget for the Office of the Chief Medical Examiner, as proposed by the Mayor, with the following modifications:

1. *Increase FTEs by 2, and create two new positions with the accompanying local funds as follows, as required to fund the fiscal impact of the Committee's proposed subtitle, the "Fatality Review Committee Amendment Act of 2018":*
 - a. Fatality Review Program Specialist: create a new position in Program 3000 (Fatality Review Committees), Activity 3100 (Child Fatality Review Committee): *increase CSG 11 (Regular Pay – Continuing Full Time) by \$97,006 and CSG 14 (Fringe Benefits – Current Personnel) by \$21,050: total PS increase = \$118,056*
 - b. Fatality Review Program Specialist: create a new position in Program 3000 (Fatality Review Committees), Activity 3100 (Child Fatality Review Committee): *increase CSG 11 (Regular Pay – Continuing Full Time) by \$97,006 and CSG 14 (Fringe Benefits – Current Personnel) by \$21,050: total PS increase = \$118,056*

b. Fiscal Years 2019-2024 Capital Budget Recommendations

The Committee recommends adoption of the FY19-24 capital budget for the Office of the Chief Medical Examiner, as proposed by the Mayor.

c. Policy Recommendations

1. The Committee recommends that the Mayor's Office of Talent and Appointments and OCME ensure that the nominations for participants to serve on the Maternal Mortality Review Committee are introduced shortly after the MMRC is funded on October 1, 2018, and that outreach to interested participants is conducted before October 1.
2. The Committee recommends that OCME continue to closely monitor opioid use in the District and keep the Committee informed of relevant developments and public policy recommendations.
3. The Committee recommends that OCME contract with a burial vendor within the District so that remains of District residents are buried within the District.

V. OFFICE OF UNIFIED COMMUNICATIONS

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The mission of the Office of Unified Communications (“OUC”) is to provide a fast, professional, and cost-effective response to emergency (“911”) and non-emergency (“311”) calls in the District. OUC also provides centralized, District-wide coordination and management of public safety voice radio technology and other public safety wireless and data communication systems and resources.

The **911 Operations division** develops and enforces policy directives and standards regarding public safety communications. The **311 Operations division** processes city service requests and handles telephone reporting of specific crimes. The **Technology Operations division** operates and maintains public safety voice radio technology and oversees all land and mobile radio systems tied to the response network. The **Transcription and Quality division** provides audio transcribing for the Metropolitan Police Department, the Fire and Emergency Medical Services Department, and the 311 Operations division. **Agency Management** administers programs supporting the call center and public safety communications. In addition, Agency Management oversees the employee performance management system, new employee training, and in-service training for OUC personnel. Agency Financial Operations provides comprehensive and efficient financial management services to, and on behalf of, District agencies.

b. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Analysis and Comments

Agency Operations: In FY17, the agency drafted a two-year strategic plan that prioritized six focus areas: Qualified and Engaged Staff, Customer Service and Citizen Engagement, Strong Partnerships, Continuous Training, Balanced Technology, and Proper Governance.

Qualified and Engaged Staff: The Committee strongly supports the agency’s collaboration with the Department of Employment Services (“DOES”) through DOES’ LEAP Academy. OUC’s FY18 budget proposed to bring on 28 LEAP Academy FTEs permanently for the 311 system. In the agency’s FY19 budget oversight hearing, Director Karima Holmes was discussing the portion of OUC’s budget chapter that reallocated 34 FTEs from permanent to temporary status and explained that LEAP Academy participants currently occupy these positions. Based on the prior success of the LEAP partnership, the Committee is disappointed that these positions are being converted back to temporary status. This program has led to a decrease in customer

wait time for 311 calls from 6 minutes in July 2016 to 40 seconds in December 2017. Additionally, fewer calls are being abandoned. Keeping these positions permanent would strengthen the agency's commitment to this important and mutually-beneficial program, while also promoting a 311-to-911 career path to employees who wish to advance.

The Mayor's Errata letter proposed to add 23 FTEs to OUC's budget to support the conversion of contractors to FTEs. The Committee supports this change.

Table 1 below shows that the agency has been able to maintain relatively low call times. In FY17, OUC answered 90.3% of 911 calls within 10 seconds and 80.4% of 311 calls within 90 seconds. The Committee would like to see the agency continue to meet these goals into FY19.

Table 1: Average Answer Time, Average Processing Time, and Average Dispatch Time for 911 Calls, and Average Answer time for 311 Calls, FY17 and FY18, as of Jan 12, 2018

	911 Avg. Answer Time	911 Avg. Processing Time	911 Avg. Dispatch Time	311 Avg. Answer Time
Oct 2016	00:00:03	00:01:48	00:04:55	00:01:41
Nov 2016	00:00:03	00:01:50	00:04:38	00:01:55
Dec 2016	00:00:02	00:01:51	00:04:37	00:01:34
Jan 2017	00:00:01	00:01:52	00:04:36	00:01:18
Feb 2017	00:00:03	00:01:50	00:04:16	00:01:00
Mar 2017	00:00:04	00:01:51	00:04:23	00:01:09
Apr 2017	00:00:06	00:01:54	00:05:01	00:01:30
May 2017	00:00:09	00:01:56	00:05:39	00:01:06
Jun 2017	00:00:05	00:02:05	00:05:47	00:00:56
Jul 2017	00:00:03	00:01:55	00:05:13	00:01:17
Aug 2017	00:00:02	00:01:54	00:05:45	00:01:27
Sep 2017	00:00:02	00:01:52	00:05:03	00:01:06
Oct 2017	00:00:02	00:01:53	00:05:19	00:01:06
Nov 2017	00:00:03	00:01:53	00:04:56	00:00:41
Dec 2017	00:00:03	00:01:54	00:04:54	00:00:40
Total Average	00:00:04	00:01:53	00:05:00	00:01:16

Source: Office of Unified Communications

Customer Service and Citizen Engagement: In FY17 and FY18, to date, the agency endeavored to improve its community outreach to District residents by

participating in nearly 100 community engagement events across all eight wards. This included Advisory Neighborhood Commission and neighborhood association meetings, agency tours, and school programming. Director Holmes also maintains an open-door policy open for the agency and invites all interested parties to tour the center.

Strong Partnerships: In FY17, the agency launched an “OUC/Fire and Emergency Medical Services Department (“FEMS”) Communication Taskforce” that meets twice per month and strives to align the agencies to achieve the operational and emergency response goals of both agencies. OUC will continue to collaborate with FEMS on the Nurse Triage Line initiative that became operational in April 2018 (*see* FEMS chapter for more information). Jointly with the Metropolitan Police Department (“MPD”), OUC has also initialized an internal task force, where the MPD Liaison Officer and OUC personnel can collaborate. OUC also partnered with the MPD Training Academy to send OUC employees to the Academy to provide dispatching. This partnership allowed participants to engage in realistic scenarios in a controlled environment, thereby improving training. The agency is discussing setting up a similar collaboration with the FEMS Training Academy. Finally, OUC, FEMS, and MPD are working together to develop new call taking and dispatching guidelines to fully transition to Criteria-Based Dispatching by the summer 2018.

Continuous Training: The agency’s main training focus in FY17 was establishing the Office of Professional Standards (“OPSD”). Since May 2016, OPSD has held more than 85,000 hours of training for employees, including more 600 hours of “teachable moments” and call review.

The Committee recently learned from several members of the community who had experienced call takers unfamiliar with District addresses and point of interest. When these individuals called 911, they were pressed them for a specific address, even when the individual informed the call taker that they were in a geographic area without a specific address, such as Rock Creek Park. Director Holmes discussed this at the agency’s budget oversight hearing and shared that the Computer-Aided Dispatch (“CAD”) system allows a call taker to put a symbol on the map where the individual is, in order to avoid requiring an address. The Committee recommends that OUC continue to strengthen its training as it relates to geographic areas and points of interest.

Balanced Technology: In February of 2018, OUC reported that it is in the final stages of transitioning over to the Next Generation 911 (“NG911”) technology. This will support new programs, such as Text-to-9-1-1, as well as improve the efficiency of 911 call processing services.

Proper Governance: Finally, for this last focus area, the agency’s goal is to “[ensure] that the Office of Unified Communications has policies and procedures that

govern operations and fiscal management.” The Committee believes that part of the fiscal management required of the agency is maintaining the balance of the E-911 Fund and ensuring that fund expenditures are for statutorily-authorized purposes. Revenues in the Fund are generated from remittances of a small fee from phone service providers in the District of .76 cents for each line. The Fund was established in the “Fiscal Year 2001 Budget Support Act of 2000” in order to defray technology upgrade and equipment costs incurred by providing a 911 system, and the agency – due to agency needs exceeding revenues – has been reducing the Fund balance.

Table 2: Use of E-911 Fund Balance

<i>E-911 Fund Balance</i>				
	<i>FY17</i>	<i>FY18 (actual as of Nov. 30)</i>	<i>FY18 (estimated as of Nov. 30)</i>	<i>Origin</i>
<i>Beginning Fund Balance</i>	\$6,937,911	\$6,937,911	\$7,366,895	
<i>Revenue Collections</i>	\$11,187,070	\$19,387	\$19,387	Assessed on Carriers providing 911 services
<i>Payment from the Courts</i>	\$0	\$0		
<i>Interest Income</i>	\$0	\$0		
<i>Less Expenditures</i>	10,758,087			911/311 related Non-Personnel, supplies, equipment, maintenance and other support
<i>Ending Fund Balance</i>	<i>\$7,366,895</i>	<i>\$5,103,741.31</i>		

Source: Office of Unified Communications

CPR and AED Emergency Medical Application: Section 3112 of the Fiscal Year 2017 Budget Support Act of 2016, effective October 8, 2016 (D.C. Law 21- 160), required the creation of a CPR and AED emergency medical application. In FY17, in conjunction with FEMS, OUC launched the PulsePoint application that allows individuals who have been CPR-trained to be connected to a nearby person who needs assistance and to the nearest AED. PulsePoint sends a smartphone alert to app subscribers whenever someone is in cardiac arrest within 1/4 mile of the user’s location. The PulsePoint app also identifies the location of the AED nearest to the patient. As of January 2018, PulsePoint had 2,763 subscribers. OUC’s Office of Professional Standards and Development provided training to every operations employee to ensure they can assist users of the app. Employees were also provided with FAQ and reminder handouts in the weeks following the initial training.

The Department of Consumer and Regulatory Affairs (“DCRA”) and 311: The integration of DCRA services and the 311 system is currently underway, and accordingly, DCRA has been included in the 311-working group. At the performance oversight hearing, Director Holmes stated that service requests for Vacant Property and Illegal Construction are now available. Next, users will be able to register Property Maintenance service requests through 311. Director Holmes explained that the process for developing an interface that is compatible with both systems has been time consuming, but is now complete. Director Holmes noted that the agency expects DCRA to bring a high volume of complaints, so this integration is taking place slowly.

BSA Subtitle: The Fiscal Year 2019 Budget Support Act of 2018 proposes one subtitle relating to the agency, for which the Committee recommends approval later in this report. This subtitle is the “Emergency and Non-Emergency Number Telephone Calling Systems Fund Amendment Act of 2018”. Currently, OUC can use the 911 Fund solely to pay for technology and equipment costs incurred by providing a 911 system, and direct costs incurred by wireless carriers in providing wireless E-911 service. The subtitle proposes to extend use of the fund to pay for personnel, hardware, software and software maintenance, contractual support, outreach, training, and supplies, but removes the authorization to use the funds toward direct costs incurred by wireless carriers in providing E911 service. The Mayor’s Errata letter proposes to convert 23 contractors to FTEs, based on the subtitle’s authorization to use money from the Fund toward personnel costs. This change will save the agency save approximately \$969,000 annually.

a. Mayor’s Proposed Fiscal Years 2019-2024 Capital Budget

The Mayor’s Fiscal Years 2019-2024 proposed capital budget includes capital allotments for the Office of Unified Communications as follows:

- Project No. DCCUC (911/311 Dispatch Consoles): \$4,000,000 in FY19
- Project No. UC304 (911/311 Radio Critical Infrastructure): \$1,900,000 in FY19 and \$3,900,000 in FY20
- Project No. AFC02 (IT Hardware 911/311 Systems): \$800,000 in FY20, \$300,000 in FY21, \$300,000 in FY22, \$300,000 in FY23, and \$300,000 in FY24
- Project No. DWB02 (IT Software (911/311 Applications): \$750,000 in FY19, \$750,000 in FY20, \$250,000 in FY23, and \$750,000 in FY24
- Project No. UC302 (MDC Replacement for MPD & FEMS): \$8,000,000 in FY20
- Project No. UC303 (MPD/FEMS Radio Replacement): \$4,000,000 in FY20, \$6,200,000 in FY21, \$4,493,000 in FY22, and \$6,750,000 in FY23
- Project No. CERCE (UCC Electrical Reconfiguration): \$3,000,000 in FY19

Committee Analysis and Comments

911/311 Dispatch Consoles: For this IT upgrade, the project team has invited four console furniture vendors to the UCC to present their products to OUC stakeholders. Preliminary console layout for the UCC is being finalized and installation will begin in October. The consoles will be installed when the operations floor is renovated late 2019.

911/311 Radio Critical Infrastructure: This project is occurring in two phases. The first phase is the replacement of the emergency generators. The design for the generators is complete and permitting and construction procurement activity is underway. The project team is finalizing the design scope for the space layout and remaining building systems.

IT Hardware 911/311 Systems: This project follows the replacement schedule for various hardware items. The first allotment is in FY20. Procurement planning will begin in FY19.

911/311 Applications: This project includes software upgrades to the CAD, Radio, GPS, and City-Wide Map. Procurement planning is underway for systems upgrade in FY19.

MDC Replacement for MPD & FEMS: Per replacement schedule, the agency estimates that replacement costs for Mobile Data Computing will total \$11.6M. An approved allotment of \$8M is available in FY20. Procurement planning will begin in FY19.

MPD/FEMS Radio Replacement: Per replacement schedule, the agency estimates that replacement costs will total \$25.7M. An approved allotment of \$4M is available in FY20. Procurement planning will begin in FY19.

UCC Electrical Reconfiguration: An additional emergency generator will be installed at the UCC. Design work is currently underway.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 operating budget for the Office of Unified Communications, as proposed by the Mayor, with the following modifications:

1. *Increase* FTEs by 1, and create a new position (311 Call Taker), as required to fund an update in 311 services to accept requests for services related to

maintenance or cleaning services at the Department of Parks and Recreation and District of Columbia Public School locations managed by the Department of General Services, with the accompanying recurring local funds as follows:

- c. (311 Call Taker): create a new position in Program 3000 (Non-Emergency Operations (311) Division), Activity 3020 (311 Call Taking Activity): *increase* CSG 11 (Regular Pay – Continuing Full Time) by \$40,000 and CSG 14 (Fringe Benefits – Current Personnel) by \$12,000: *total PS increase = \$52,000*
2. *Increase* CSG 41 (Contractual Services – Other), Program 4000 (Technology Operations Division), Activity 4030 (Information Technology Management Activity), by \$112,500 in one-time local funds to update 311 services to accept requests for services related to maintenance or cleaning services at the Department of Parks and Recreation and District of Columbia Public School locations managed by the Department of General Services
3. *Eliminate* 23 FTEs and *reduce* CSG 41 (Contractual Services – Other) by \$2,539,589, and by program as follows, as proposed in the Mayor’s Errata Letter:
 - a. In Program 4000 (Technology Operations Division), Activity 4020 (Radio Engineering Activity): *eliminate* 20 FTEs, and *reduce* CSG 41 by \$2,041,740: *total PS reduction = \$2,041,740*
 - b. In Program 4000 (Technology Operations Division), Activity 4030 (Information Technology Mgmt Activity): *eliminate* 3 FTEs, and *reduce* CSG 41 by \$497,849: *total PS reduction = \$497,849*
4. *Increase* FTEs by 23, with the accompanying local funds as follows, as proposed in the Mayor’s Errata Letter:
 - a. In Program 4000 (Technology Operations Division), Activity 4020 (Radio Engineering Activity): *increase* CSG 12 (Regular Pay – Other) by \$1,235,008 and CSG 14 (Fringe Benefits – Current Personnel) by \$366,797: *total PS increase = \$1,601,805*
 - b. In Program 4000 (Technology Operations Division), Activity 4030 (Information Technology Mgmt Activity): *increase* CSG 12 (Regular Pay – Other) by \$329,934 and CSG 14 (Fringe Benefits – Current Personnel) by \$97,990: *total PS increase = \$427,924*

b. Mayor’s Proposed Fiscal Years 2019-2024 Capital Budget

The Committee recommends adoption of the FY19 capital budget for the Office of Unified Communications, as proposed by the Mayor.

c. Policy Recommendations

1. The Committee recommends that the agency continue to work collaboratively with the Committee to consider the sustainability of the current E-911 fee structure.
2. The Committee recommends that OUC continue to work with FEMS to develop a targeted outreach strategy to educate District residents about 911 misuse.
3. The Committee recommends that OUC continue to strengthen its training for call takers as it relates to geographic areas and points of interest.
4. The Committee recommends that the agency continue to prioritize the integration of the 311 system and DCRA services.

W. OFFICE OF VICTIM SERVICES AND JUSTICE GRANTS

1. COMMITTEE ANALYSIS AND COMMENTS

a. Agency Mission and Overview

The Office of Victim Services and Justice Grants' ("OVSJG") mission is to develop, fund, and coordinate programs that improve public safety; enhance the administration of justice; and create systems of care for crime victims, youth, and their families in the District. The agency operates through the following programs:

Office of Victim Services ("OVS"): OVS provides federal grants, administers the District's Crime Victims Assistance Fund ("CVAF"), and uses local funds to support victims of domestic violence, sexual assault, homicide, child abuse, assault, and neglect. OVS also works with providers of safe temporary transitional housing for victims of domestic violence, coordinates with area hospitals to improve their assault-trauma services and counseling, maintains outreach programs to area teens and residents regarding dynamics and impact of victimization from violent crime, and provides direction to the Executive Office of the Mayor on laws and policies that enhance victims' rights to justice, care, and safety in the aftermath of a crime.

Justice Grants Administration ("JGA"): JGA's mission is to administer federal and other funding streams to government agencies and community-based organizations to improve the programs, policies, and coordination of the District's juvenile and criminal justice systems. As the District's State-Administering Agency for the U.S. Department of Justice funding related to juvenile and criminal justice, JGA manages federal and local grants, sub grants, and pass-through funds in compliance with federal and local guidelines. JGA also gathers stakeholder input to identify cross-cutting funding priorities each year, identifies sub-grantees that are well-positioned to advance the funding priorities, and provides financial, administrative, and programmatic oversight, training, and technical assistance to ensure program outcomes are achieved.

Access to Justice Initiative ("ATJI"): The Access to Justice Initiative is comprised of three activities: (1) Access to Justice ("ATJ"), which provides financial assistance to organizations and individuals who provide direct civil legal services to low-income and underserved District residents; (2) the Poverty Lawyer Loan Repayment Assistance Program ("LRAP"), which provides educational loan repayment assistance to lawyers who live and work in the District and are employed in areas of legal practice that serve low-income residents; and (3) the new Civil Legal Counsel Projects Program, which provides grants to legal services organizations for eviction defense.

b. Mayor's Proposed Fiscal Year 2019 Operating Budget

Committee Analysis and Comments

OVSJG's FY19 proposed budget does not fully meet the needs of victims and justice-involved persons, but there were not the significant reductions seen in past years. In the Victim Services program, the FY19 grants budget is \$2.25 million less than in FY18 in federal funds but \$410,000 higher in local funds. In the Justice Grants program, the FY19 grants budget is \$138,000 higher in federal funds and \$125,000 lower in local funds. In the Truancy Reduction program, there are no federal funds, and the local funds budget is flat. Lastly, in the Access to Justice program, there is a \$743,000 reduction in local funds, which represents a \$600,000 loss of one-time funding in the Civil Legal Counsel Projects Program from FY18 and a \$143,000 additional reduction to the program.

Victim Services:

The Victim Services program supports some of the most vulnerable District residents, including victims of domestic violence, sexual assault, homicide, child abuse, and assault. Through its funding, local service providers work to provide safe temporary transitional housing for victims of domestic violence, improve sexual assault trauma services and counseling, and maintain outreach programs to area teens and residents. It is one of the few grant-making entities in the District government, particularly with respect to crime prevention, intervention, and response programming. On the next page is a chart highlighting victim services grantees in FY18.

The proposed Victim Services budget for FY19 is comprised of \$11,478,314 in Local Funds, \$2,230,544 in Special Purpose Revenue Funds, and \$7,494,406 in Federal funds. Federal funds are expected to include Victims of Crime Act ("VOCA"), Services Training Officers Prosecution ("STOP"), Violence Against Women Act ("VAWA"), and Sexual Assault Services Program ("SASP") formula grants.⁹² In addition to those formula grants, federal funding includes discretionary grants from the Department of Justice for victims and male survivors of violence.⁹³

⁹² *Office of Victim Services and Justice Grants: Budget Oversight Hearing before the Committee on the Judiciary & Public Safety* (April 13, 2018) (written testimony of Michelle Garcia, Director, Office of Victim Services and Justice Grants at 2), available at http://dc.granicus.com/AgendaViewer.php?view_id=2&clip_id=4474.

⁹³ *Id.* at 2–3.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

Table 1: Fiscal Year 2018 Victim Services Grantees by Fund Source

Funding Source			
Federal Funds (Office for Victims of Crime ("OVC"))	Federal Funds (Office on Violence Against Women ("OVW"))	Local Funds	Crime Victim Assistance Fund
Crime Victim Assistance Grant Program ("VOCA")	Services Training Officers Prosecution ("STOP") Violence Against Women Formula Grant	Amara Legal Center	Children's National Medical Center
Ayuda	Ayuda	Asian Pacific American Legal Resource Center	DC Coalition Against Domestic Violence
Community Family Life Services	DC Courts	Asian Pacific Islander Domestic Violence Resource Project	Howard University Hospital Center
DC Volunteer Lawyers Project	DC Office of the Attorney General	Break the Cycle	MedStar Washington Hospital Center
Fair Fund	Metropolitan Police Department	Casa Ruby, Inc.	Network for Victim Recovery of DC
National Center for Victims of Crime	OVW GTEAP	Central American Resource Center	The Person Center
Network for Victim Recovery of DC	DC Forensic Nurse Examiners	Community Connections	UMD Prince George's Hospital Center
Network for Victim Recovery of DC	DC SAFE	DC Forensic Nurse Examiners	
Ramona's Way	Dynamic Strategies	DC Office of the Attorney General	
Safe Shores	Sexual Assault Services Program ("SASP")	DC Rape Crisis Center	
The Women's Center	DC Rape Crisis Center	DC SAFE	
Wendt Center for Loss and Healing	Network for Victim Recovery of DC	DEAF DAWN	
OVC Vision 21 Initiative - Victim Legal Network		Department of Forensic Sciences	
Amara Legal Center		District Alliance for Safe Housing	
Asian Pacific American Legal Resource Center		DC Coalition Against Domestic Violence (DCCADV)	
Ayuda		Dynamic Strategies	
Central American Resource Center		Far Southeast Family Strengthening Collaborative	
DC Volunteer Lawyers Project		Global Emergency Response/Pro-Sphere Tek	
ICF Macro		HER Resiliency Center	
Legal Aid Society of the District of Columbia		House of Ruth	
Network for Victim Recovery of DC		La Clínica del Pueblo	
Orchid Connect		Legal Aid Society of DC	
OVC Supporting Male Survivors of Violence		Mary's Center	
Latin American Youth Center		Men Can Stop Rape	
MedStar Washington Hospital Center		My Sister's Place	
Office of the Chief Medical Examiner		National Center for Victims of Crime	
The Research Foundation for the State University of New York		Office of the Chief Medical Examiner	
Wendt Center for Loss and Healing		UMD Prince George's Hospital Center	
OVC Victim Assistance Academy		Paving the Way	
Dynamic Strategies		Ramona's Way	
Wendt Center for Loss and Healing		The DC Center for the LGBT Community	
		The Women's Center	
		Wendt Center for Loss and Healing	
		Whitman Walker	

Source: Office of Victim Services and Justice Grants

Victim Legal Network of DC: The Victim Legal Network of DC (“VLNDC”)⁹⁴ is a network of organizations that provide legal services to victims of crime in the District, including assistance in the areas of family law, immigration, and criminal law. The VLNDC was planned in response to the federal Office for Victims of Crime’s Vision 21: Transforming Victim Services Final Report, which identified the need for comprehensive legal services for victims of crime.⁹⁵ The VLNDC has a robust network referral system—including a conflict review system—in which navigators connect victim-clients to member organizations that can best serve them. Current network members include the Amara Legal Center, American University Washington College of Law’s Domestic Violence Clinic, the Asian Pacific American Legal Resource Center, Ayuda, Break the Cycle, Central American Resource Center, DC Volunteer Lawyer’s Project, Legal Aid Society of the District of Columbia, Legal Counsel for the Elderly, and Network for Victim Recovery of DC. VLNDC hosted an event celebrating its launch on April 10, 2018.

Performance Management Initiative: During the agency’s FY16-FY17 performance oversight hearing, several grantees raised concerns about how programs are categorized as “high performing” or “high risk.” In its FY18 budget report, the Committee recommended that OVSJG conduct a training session for grantees to explain the category of grant performance and how to improve performance if considered a “high risk” grantee. Some grantees also expressed concern regarding the agency’s use of Survey Monkey in its data collection efforts. The Committee also recommended that OVSJG explore other platforms for data collection. The Committee was pleased to learn that in FY17, OVSJG held focus groups with grantees to solicit feedback on the agency’s performance measures. OVSJG also responded to grantee feedback and revised its outcome performance measures for FY17 and future years.

Address Confidentiality: On January 10, 2017, Chairperson Allen and Councilmembers Cheh, Evans, Grosso, McDuffie, Todd, and Robert White introduced B22-0037, the “Voter Address Confidentiality Amendment Act of 2017.” As introduced, the legislation required the Board of Elections to establish a procedure by which survivors of domestic violence, sexual assault, stalking, and human trafficking could maintain the confidentiality of their addresses with the Board. On April 28, 2017, Mayor Bowser introduced similar legislation – the “Victim Services Omnibus Amendment Act of 2017” – and it became clear to the Committee that its bill should create a more expansive program beyond only elections and similar to those established in 36 other states. The resulting legislation was passed by the

⁹⁴ More information regarding VLNDC can be found on its website, available at <https://vlndc.org/>. The website is available in English, Amharic, Mandarin, Korean, French, and Vietnamese.

⁹⁵ Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice, *Vision 21: Transforming Victim Services Final Report* (May 2013), available at https://ovc.ncjrs.gov/vision21/pdfs/Vision21_Report.pdf.

Council on April 10, 2018, and it created a new Address Confidentiality Program to be administered by OVSJG. In addition to the survivors above, the bill also covers individuals employed by organizations that serve survivors, as well as reproductive health care employees and volunteers.

The Office of Revenue Analysis estimated a fiscal impact of one additional FTE to implement the bill. The Committee is funding that impact through a new Policy Analyst FTE at a cost of \$72,457 for salary and \$15,941 in fringe, in addition to \$45,000 for non-personal services funding for training, mailing, and other related costs.

Hospital-Based Violence Intervention Program: Since its initial launch in April 2016 as the “Crisis Continuum Project”, the Hospital-Based Violence Intervention Program (“HBVIP”) has expanded significantly. The project was originally based at Washington MedStar Hospital Center, where medical forensic nurses would respond to medical traumas caused by criminal acts. The program has expanded to include funding for services at the University of Maryland Prince George’s Hospital Center and Howard University Hospital. OVSJG is currently working with the Far Southeast Family Support Collaborative and community partners to expand the Program to the United Medical Center. Staff of the George Washington University Hospital are also participating in program meetings.

Originally, the individuals offering services under the HBVIP were members of community-based organizations. In FY17, both Washington MedStar Hospital Center and Howard University Hospital hired social workers who now provide those services. The University of Maryland Prince George’s Hospital Center is also implementing this model. In FY18, the HBVIP partners are meeting regularly, developing common assessment tools for points of entry, and case conferencing. OVSJG does not plan to expand the program in FY19. OVSJG anticipates maintaining funding levels at approximately \$1,300,000, to be determined in part on the applications submitted by prospective grantees during FY19 grant cycles. The Committee is extremely pleased with the agency’s support for the program.

Table 2: Victims Served by the Hospital-Based Violence Intervention Program from FY16–18 (Second Quarter)

<i>FY16</i>	<i>FY17</i>	<i>FY18 (Q1 and Q2)</i>
321	486	216

Source: Office of Victim Services and Justice Grants

Initiatives on Addressing Missing Youth: On March 24, 2017, Mayor Bowser announced three initiatives related to missing youth that involved OVSJG: (1) the establishment of the Missing Persons Evaluation and Reconnection Resources

Collaborative; (2) an OVSJG-Child and Family Services Agency (“CFSA”) Working Group; and (3) Deputy Mayor for Health and Human Services (“DMHHS”) and OVSJG Grant Support for Non-Profits Addressing Runaway Youth.

The Committee supported the implementation of these measures when first announced and is pleased to report that OVSJG has begun implementation. CFSA and OVSJG were asked to assist MPD in evaluating missing youth who are found or returned home. The evaluation was to determine the circumstances of the youth’s departure from home and determine any services or resources that should be directed at the youth or their family. OVSJG—with the help of CFSA—established the Strengthening Youth Enriching Parents (“STEP”) Program. The STEP Program is physically located at the Department of Human Services (“DHS”) and involves partnerships between MPD (“Metropolitan Police Department”), the Department of Behavioral Health (“DBH”), Sasha Bruce Youthwork, and community-based service providers that together work to stabilize families and break the cycle of youth running away from home. STEP workers provide case management and coordination with providers for a range of services based on the youth’s and families’ needs, including stabilization services, temporary housing for youth, mentoring, mediation, and behavioral health interventions. Sasha Bruce Youthwork, the key community-based provider for STEP, has added five temporary beds and an in-home family strengthening program to support this work. The voluntary program lasts for three to six months, depending on the needs of the youth or their family.

The OVSJG and CFSA Working Group met each Thursday from March 30, 2017, to May 4, 2017. The initial meeting included only government agencies. The five subsequent meetings, however, were comprised of both government agencies and community-based organizations. Government actors and community partners presented on current data, policies, and services available to youth and their families—both in cases where they were reported missing and in cases where no report was made. The working group also convened three listening sessions with youth from Sasha Bruce Youthwork, Latin American Youth Center, Fair Girls, Courtney’s House, and CFSA to ensure the group’s recommendations were informed by the lived experience of the population they aim to serve. The working group identified gaps in data collection, sharing, policies, and services related to youth. The working group referred other activities to the Interagency Council on Homelessness’ Youth Subcommittee.

OVSJG’s grantees have included organizations that address the root causes of youth voluntarily leaving or being lured from their homes. The grantees include non-profit organizations providing services related to human trafficking, domestic violence, dating and sexual violence, truancy, and trauma-informed mental health services. CFSA and DHS were also awarded grants for addressing missing youth.

District of Columbia Victim Hotline: In FY17, the D.C. Victim Hotline expanded to 24-hour availability and is accessible via phone, text, and online chat. In FY17, the Hotline responded to 1,096 victims of crime, an increase of 653 victims from FY16. During FY17, the D.C. Hotline became the entry point to the D.C. Sexual Assault Nurse Examiner (“D.C. SANE”). OVSJG and the hotline staff continue to expand the hotline’s reach through an ongoing marketing campaign. That campaign includes advertising on WMATA Metro and bus, distributing materials tailored to victim-related awareness months, and providing MPD officers with posters and palm cards for distribution.

Crime Victims Assistance Fund: The Crime Victims Assistance Fund (“CVAF”) is a non-lapsing, interest-bearing fund. The funds from the CVAF come directly from the Crime Victims Compensation Fund. At the end of each fiscal year, fifty percent of the balance in the Crime Victims Compensation Fund is transferred to the Crime Victims Assistance Fund without fiscal year limitation for outreach activities designed to: 1) increase the number of crime victims who apply for such direct compensation payments, including victims of sexual assault, domestic violence, or child abuse, and 2) improve the intake, assessment, screening, and investigation of reports of child abuse and neglect and domestic violence. The CVAF is administered by OVSJG.

In FY17 and FY18, to date, \$3,699,000 has been awarded from the CVAF. This includes \$1,346,958 for sexual assault or abuse-related services, \$475,605 for domestic violence services, \$824,978 for hospital-based violence intervention services, and \$603,925 for other crime victim services. The fund balance for the Crime Victims Assistance Fund at the end of FY17 was \$4,744,858.

Table 3: Funding Use in the Crime Victims Assistance Fund, Fiscal Years 2014–18

<i>Fiscal Year</i>	<i>Amount Used</i>	<i>Purpose</i>
2014	\$100,000	The funding was used for the Assault.Services.Knowledge DC (“ASK DC”) application and website. ASK DC is a project between Men Can Stop Rape and OVSJG. Men Can Stop Rape empowers men and boys to use their strength to create cultures free from violence.
2015	\$31,208	The funding was used for ASK and University Assault.Services.Knowledge (“UASK”) redeployment. In Fiscal Year 2015, OVSJG intentionally did not spend a larger amount so that it could have funds for Sexual Assault Victims Rights Act Amendment (“SAVRAA”) improvements in Fiscal Year 2016.
2016	\$770,798	This obligated funding is being used for the Crisis Continuum Project, Elder Abuse Project, a toolkit for helping service providers work with teen and adolescent victims, the D.C. SANE program, outreach for the victim hotline, and a violence prevention program in collaboration with Men Can Stop Rape and Kelly Miller Middle School. OVSJG anticipates the following in Fiscal Year 2016: \$150,000 for a database to coordinate domestic violence housing services, \$200,000 for a youth-oriented sexual assault hotline, \$50,000 for a curriculum to credential sexual assault advocates, \$100,000 for a homicide fatality review manager at the OCME, and \$100,000 for a PERK tracking project with DFS. OVS also intends to fund some personnel for SART support and a consultant to coordinate the DV Fatality Review Board out of the CVAF in Fiscal Year 2016.
2017	\$1,362,332	Grants have been made to Medstar Washington Hospital Center, Men Can Stop Rape (ASK/UASK), and Prince George’s Hospital Center. Additionally, funds have been awarded for the development of a victim’s guide to the DC criminal justice system, the development of a Physical Evidence Recovery Kit (“PERK”) tracking system, and the development of the sexual assault advocate credentialing program. Funding is also obligated for the SAVRAA Independent Consultant and the consultant providing support to the Domestic Violence Fatality Review Board. CVAF funding will also support a Grants Management Specialist position when filled.
2018	\$1,943,048	Grants have been made to Children’s National Medical Center, DC Coalition Against Domestic Violence, Howard University Hospital, MedStar Washington Hospital Center, Network for Victim Recovery DC, UMD Prince George’s Hospital Center, and The Person Center. These funds support services addressing child abuse and neglect, domestic violence, sexual assault, elder abuse, and life threatening intentional trauma. CVAF funding also supports grants management staff.

Source: Office of Victim Services and Justice Grants

Emergency Shelters, Transitional Housing, and Other Forms of Housing Assistance: At the agency’s budget oversight hearing, dozens of public witnesses argued for the need for increased funding for transitional housing and

other forms of housing assistance for District residents – with focuses on assistance for victims of intimate partner violence and returning citizens.

With respect to victims of intimate partner violence, several public witnesses discussed the intersection of homelessness and intimate partner violence, and how traditional policy responses to homelessness are less cost-effective in the domestic violence context. According to much of the testimony, community-based organizations throughout the District are experiencing an increased demand for housing assistance from victims without a corresponding increase in funding services. Victims are, in turn, placed on lengthy waitlists for urgently needed services or simply turned away altogether.

Emergency and transitional housing provide a safe environment in which victims can recover from their trauma and connect with service providers in the District. Other forms of housing assistance, such as flexible funds, can be deployed to cover an individual's immediate needs and prevent them from losing their home in the first place. The Committee recognizes the critical role that housing assistance plays in our victim recovery efforts and supports increased funding for domestic violence shelters and other forms of housing assistance as part of its enhancement of \$500,000 in recurring funds to the Victim Services program and through the funds to be realized from Chairperson Allen's intention to decouple the estate tax leading up to the first budget vote later this month.

Domestic Violence Fatality Review Board: Established in 2015, the mission of the Domestic Violence Fatality Review Board ("DVFRB") is to prevent domestic violence fatalities by improving the response of individuals, the community, and government agencies to domestic violence.⁹⁶ The DVFRB examines police reports, court documents, and medical records to investigate the circumstances surrounding an individual's death, identify risk factors that were at play, and develop recommendations to improve District agencies' response to domestic violence. In April 2018, the DVFRB issued the first report it has produced since OVSJG assumed administrative support responsibilities (also the first report issued in nearly nine years). The Committee is displeased that the DVFRB has not issued past reports, but OVSJG anticipates that reporting will be timely moving forward.

For its first report, the Board reviewed and analyzed six domestic violence homicides that occurred in 2014.⁹⁷ The Board examined each case to identify which lethality risk factors—e.g., prior criminal history, access to firearms, or the presence of a child custody dispute—were present. The report found that 100% of perpetrators

⁹⁶ D.C. Official Code §16-1052.

⁹⁷ District of Columbia Domestic Violence Fatality Review Board, *2014 Annual Report*, available at https://ovsjg.dc.gov/sites/default/files/dc/sites/ovsjg/service_content/attachments/DVFRB%202014%20Annual%20Report.pdf.

had a prior criminal history (often including domestic violence) and had made threats against the victim.

The report also reviewed demographic information related to the fifteen adults and two children killed in domestic violence incidents in 2014. For cases involving adult victims, stabbings accounted for 40% of domestic violence fatalities, and gunshot wounds and blunt force trauma each accounted for another 20%.⁹⁸ Eight of the adult victims were black women, five were black men, one was a Hispanic woman, and one was a white man. Four—the highest number of domestic violence homicides in a single District ward—occurred in Ward 8; two fatalities took place in Wards 4 and 7, and one in Ward 6. In light of its findings, the report made two recommendations:

- **Increase opportunities for prevention and intervention among offenders who are on probation or other forms of supervision.** All but one offender was under supervision at the time of the homicide. The Board recommends that CSOSA inquire about its supervisee's relationship status to determine the need for domestic violence interventions.
- **Enhance the interagency responses to domestic violence victims who are at risk of severe injury or death.** In 2009, DC SAFE and agency partners developed the Lethality Assessment Program. Two of the fatalities in 2014 involved individuals who had been identified as at-risk. The Board, therefore, recommends that LAP partner agencies develop more robust interagency responses for engaging at-risk individuals with services.

Justice Grants Administration:

The proposed Justice Grants Administration budget for FY19 is comprised of \$1,729,404 in local funds and \$4,367,175 in projected federal funds.⁹⁹ OVSJG expects the core federal formula grants to include the Byrne Justice Assistance Grant ("JAG"), Title II Juvenile Justice Formula Funding, the Residential Substance Abuse Treatment ("RSAT") for State Prisoners Grant, and the Paul Coverdell Forensic Science Improvement Grant.¹⁰⁰

Below is a table highlighting OVSJG Justice Grants Programs and Initiatives grantees in FY18.

⁹⁸ *Id.* at 11. The percentages related to manner of homicide, victim demographics, and Ward pertain only to the fifteen adult fatalities.

⁹⁹ *Office of Victim Services and Justice Grants: Budget Oversight Hearing before the Committee on the Judiciary & Public Safety* (April 13, 2018) (written testimony of Michelle Garcia, Director, Office of Victim Services and Justice Grants at 4), available at http://dc.granicus.com/MediaPlayer.php?view_id=2&clip_id=4474.

¹⁰⁰ *Id.*

Table 4: Fiscal Year 2018 Justice Grants Grantees by Fund Source

<i>Local Funds</i>	<i>Edward Byrne Memorial Justice Assistance Grant (“JAG”)</i>	<i>Title II – Juvenile Justice & Delinquency Prevention (“OJJDP”)</i>
Collaborative Solutions for Communities	Access Youth	Criminal Justice Coordinating Council
Communities In Schools of the Nation's Capital	Community Family Life Services	Department of Youth Rehabilitative Services
Community Connections, Inc.	Council for Court Excellence	Multicultural Career Intern Program
Community Family Life Services	Department of Behavioral Health	Sasha Bruce Youthwork, Inc.
Free Minds Book Club & Writing Workshop	Department of Youth Rehabilitative Services	Urban Ed, Inc.
House of Ruth	Justice Research and Statistics Assn, Inc.	<i>Coverdell Forensic Science Improvement Grant Program</i>
Jubilee Housing, Inc.	Lorton Art Program	Department of Forensic Science
Thrive DC	Open City Advocates	Office of the Chief Medical Examiner
University Legal Services	Hillcrest Children & Family Center (The Washington City Orphan Asylum)	<i>Residential Substance Abuse Treatment</i>
Voices for a Second Chance		Department of Corrections

Source: Office of Victim Services and Justice Grants

At OVSJG’s budget oversight hearing, a number of witnesses discussed the need for increased funding related to re-entry services for returning citizens:

Justice-involved people in D.C. need myriad supports to help them overcome the challenges to their successful reintegration. The community-based organizations that provide re-entry services in the District are largely unfunded. These organizations employ evidence-based practices to connect people to the housing, income supports, and health care they need to return successfully to the community, but OVSJG funding covered the provision of services to fewer than 500 of 3,000 returning citizens who came home to D.C. from prison or jail in FY 2017.¹⁰¹

¹⁰¹ *Office of Victim Services and Justice Grants: Budget Oversight Hearing before the Committee on the Judiciary & Public Safety* (April 13, 2018) (written testimony of Benjamin Moser, Senior Research & Policy Analyst, Council for Court Excellence at 1), available at http://dc.granicus.com/MediaPlayer.php?view_id=2&clip_id=4474.

In its pre-performance oversight hearing responses, OVSJG identified the improvement of re-entry services as one of its five strategic priorities for the remainder of FY18. The Committee also recognizes the need for increased capacity among community-based organizations serving returning citizens and is grateful to OVSJG for supporting the Council for Court Excellence to allow it to serve as a new coordinator for the Reentry Action Network (“RAN”). The Committee appreciates the budget advocacy of RAN members and has identified funding for an enhancement of approximately \$370,000 in recurring funds and \$380,000 in one-time funds for re-entry-related grants. The Committee intends to explore enhancements in this area in future years, as well.

Truancy Reduction: The Mayor’s FY19 proposed budget allocates \$5,061,000 in funding to truancy reduction efforts, a modest increase of approximately \$6,000 from FY18. In FY17, OVSJG focused its efforts on the Show Up, Stand Out (“SUSO”) Program, a truancy reduction program targeting elementary and middle school students. In FY17, OVSJG awarded \$3.8 million to seven community-based organizations to provide SUSO programming at fifty-six public schools and fourteen charter schools in the District. A total of 3,927 students were referred to the program. The primary outcome measure for the SUSO program is how many students are re-referred to the program the following school year. Of the elementary school students referred during the 2015–2016 school year, 79% were not referred to the program the following year for attendance issues. Of the middle school students referred during the 2015–2016 school year, 89% were not referred to the program the following year for attendance issues.

OVSJG has continued to expand SUSO programming. In FY18, OVSJG awarded \$4.1 million to seven community-based organizations to provide SUSO programming at fifty-eight public schools and fifteen charter schools in the District. 1,636 students have been referred to the program as of January 2018.

In FY18, OVSJG awarded \$500,000 in specialized funding to three community-based organizations: Access Youth, Latin American Youth Center, and Hillcrest Children and Family Center. This funding is to provide high school truancy reduction programming in six District high schools: Anacostia High School, Ballou High School, Eastern High School, Roosevelt High School, Phelps ACE High School, and Maya Angelou Public Charter High School. The programs are administering a “Knowledge, Attitude, Behavior” assessment to students participating, at the start and conclusion of programming. OVSJG is working with Inner City Fund Macro (“ICF Macro”) to develop additional program measures. Below is a table listing all recipients of truancy-related grants in FY18.

Table 5: Truancy Reduction Program FY18 Grantees

<i>Truancy Reduction Program FY18 Grantees</i>
Access Youth
Boys Town of Washington DC
Catholic Charities
Collaborative Solutions for Communities
East River Family Support Collaborative
Edgewood/Brookland Family Support Collaborative
Far Southeast Family Support Collaborative
Finn Partners
Georgia Avenue Family Support Collaborative
Hillcrest Children & Family Center (The Washington City Orphan Asylum)
ICF Macro
Latin American Youth Center

Source: Office of Victim Services and Justice Grants

Private Security Camera Rebate and Voucher Program: On September 16, 2015, Chairperson Allen introduced B21-0345, the “Home Security Camera Tax Credit Amendment Act of 2015”,¹⁰² to provide an income tax credit for the installation of home security cameras. The bill was incorporated into the Neighborhood Engagement Achieves Results Amendment Act of 2016, effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), as a rebate and voucher program, rather than a tax credit, and was expanded to include non-profits and businesses. In FY17, OVSJG launched the rebate program and later allowed District residents who receive public assistance to have a camera system installed in their home via a voucher. In FY18, OVSJG partnered with the Department of Employment Services to install the cameras at the residences of approved voucher applicants, with \$20,000 in Intra-District transfer funds being allocated for that purpose. Six camera systems were installed by the end of calendar year 2017 with vouchers, while 9,465 cameras have been funded with vouchers *and* rebates. The Police Service Areas with the greatest number of vouchers and rebates issued are 104, 107, 108, 302, 403, 404, 407, 501, 502, 503, 504, and 507.

Access to Justice Initiative (“ATJI”):

The Access to Justice Initiative is comprised of three activities: (1) Access to Justice (“ATJ”) grants, which provides financial assistance to organizations and individuals who provide direct civil legal services to low-income and underserved

¹⁰² See Home Security Camera Tax Credit Amendment Act of 2015, effective __ (D.C. Law __ available at <http://lims.dccouncil.us/Download/34444/B21-0345-Introduction.pdf>.

District residents; (2) the Poverty Lawyer Loan Repayment Assistance Program (“LRAP”); and (3) the new Civil Legal Counsel Project Program. The Mayor’s proposed FY19 budget includes a \$600,000 reduction in one-time funding for the Civil Legal Counsel Projects Program and a \$143,000 reduction across the ATJ program.

Access to Justice Grants: ATJ funds are granted by the District to the D.C. Bar Foundation (“the Foundation”) to increase representation in housing-related cases and expand services to underserved communities. In the first round of grants this year, the Foundation received 43 applications from 25 legal services organizations requesting nearly \$5.3 million in funding. The Foundation awarded 31 grants totaling \$3,692,700.¹⁰³

Poverty Lawyer Loan Repayment Assistance Program (“LRAP”): The Poverty Lawyer LRAP provides educational loan repayment assistance to lawyers who live and work in the District and are employed in areas of legal practice that serve low-income residents. According to Kirra Jarratt, Executive Director for the D.C. Bar Foundation:

[The Foundation] received 46 applications from D.C. residents totaling \$316,000 this year; this was a 20% increase over the last fiscal year. And though we supplemented our FY18 funding with non-lapsing funds from prior years, we were only able to award \$245,000 to 45 attorneys. This was a shortfall of about \$71,000, and this was the first time ever, in the history of the program, that we weren’t able to fully meet the need.¹⁰⁴

Director Jarratt also discussed the impact – both financial and personal – that loan assistance has had on the attorneys receiving the funds:

The average salary of the attorneys we support through D.C. LRAP is \$64,000. Their average debt is \$160,000. One LRAP participant has said of the support they receive through the program: ‘In addition to lifting a significant financial burden, it also serves as a source of encouragement. It is a reminder that the DC legal community cares about public interest law and values my position.’¹⁰⁵

Despite that shortfall, Nancy Drane, the Executive Director of the D.C. Access to Justice Commission, discussed the impact of public funds on the community:

¹⁰³ *Office of Victim Services and Justice Grants: Budget Oversight Hearing before the Committee on the Judiciary & Public Safety* (April 13, 2018) (written testimony of Kirra Jarratt, Executive Director, D.C. Bar Foundation at 2).

¹⁰⁴ *Office of Victim Services and Justice Grants: Budget Oversight Hearing before the Committee on the Judiciary & Public Safety* (April 13, 2018) (oral testimony of Kirra Jarratt, Executive Director, D.C. Bar Foundation), available at http://dc.granicus.com/MediaPlayer.php?view_id=2&clip_id=4474.

¹⁰⁵ *Id.*

The [LRAP] funds now support more than fifty lawyers who represent clients in some of the most underserved parts of our city. The funds have doubled the number of attorneys East of the Anacostia River, eased transportation burdens, made legal services known and trusted parts of the community, and promoted community collaboration.¹⁰⁶

Several witnesses at the Committee's budget oversight hearing voiced concerns about the decreased funding for the program and how the reductions will affect the program's ability to provide competent legal representation to, and improved outcomes for, individuals facing eviction.

Civil Legal Counsel Projects Program: On January 10, 2017, Councilmember Kenyan R. McDuffie, along with Chairperson Allen and Councilmembers Bonds, Evans, and Silverman, introduced Bill 22-0024, the "Expanding Access to Justice Act of 2017". That bill was incorporated into, and passed in conjunction with, the Fiscal Year 2018 Budget Support Act of 2017. The legislation permits the DC Bar Foundation ("DCBF") to issue grants to legal services providers for the representation of tenants in eviction proceedings. The program aims to reduce disparities in legal representation between landlords and tenants; only 5–10% of District tenants have legal representation during an eviction proceeding, compared against 90–95% of landlords.¹⁰⁷

In its first round of grants, the program has awarded \$2,484,272 to four organizations: Bread for the City, Legal Counsel for the Elderly, Legal Aid Society of DC, and DC Law Students in Court. The second round of funding will be dispersed shortly.

The Committee is committed to maintaining funding for the Civil Legal Counsel Projects Program and accepts an enhancement of \$600,000 in one-time funds from the Committee on Business and Economic Development to restore funding to the Committee's approved FY18 level. Over time, the Committee intends to enhance the funding, make it recurring, and consider expanding the program beyond eviction. However, the Committee will wait at least one year until all grantees are stabilized under the infusion of significant grant dollars and the first outcomes reporting before any additional enhancements.

¹⁰⁶ *Office of Victim Services and Justice Grants: Budget Oversight Hearing before the Committee on the Judiciary & Public Safety* (April 13, 2018) (oral testimony of Nancy Drane, Executive Director, D.C. Access to Justice Commission), available at http://dc.granicus.com/MediaPlayer.php?view_id=2&clip_id=4474.

¹⁰⁷ *Committee on the Judiciary Public Hearing on Bill 21-0879, the "Expanding Access to Justice Act of 2016"* (October 19, 2016) (written testimony of Beth Harrison, Supervising Attorney & Project Director, Housing Law Unit, Legal Aid Society of the District of Columbia).

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 operating budget for the Office of Victim Services and Justice Grants, as proposed by the Mayor, with the following modifications:

1. *Increase* CSG 50 (Subsidies and Transfers), Program 2000 (Justice Grants), Activity 2010 (Justice Grants), by \$368,585 in recurring local funds to enhance grants for reentry-related services, including \$100,000 as required to fund the fiscal impact of B22-0451, the “Youth Rehabilitation Amendment Act of 2018”
2. *Increase* CSG 50 (Subsidies and Transfers), Program 2000 (Justice Grants), Activity 2010 (Justice Grants), by \$350,000 in one-time local funds to enhance grants for reentry-related services, including \$150,000 to fund a grant to build stakeholder engagement and solicit feedback related to the design and construction of a new correctional facility
3. *Increase* CSG 50 (Subsidies and Transfers), Program 3000 (Access to Justice), Activity 3010 (Access to Justice), by \$391,000 in recurring local funds for the Access to Justice Initiative for grants and loan repayment assistance
4. *Increase* CSG 50 (Subsidies and Transfers), Program 3000 (Access to Justice), Activity 3010 (Access to Justice), by \$600,000 in one-time local funds for the Civil Legal Counsel Projects Program
5. *Increase* CSG 50 (Subsidies and Transfers), Program 4000 (Victim Services), Activity 4010 (Victim Services), by \$500,000 in recurring local funds to enhance grants for victim services
6. *Increase* FTEs by 1, and create a new position (Program Analyst), as required to fund the fiscal impact of B22-0037, the “Address Confidentiality Amendment Act 2018”, with the accompanying recurring local funds as follows:
 - a. Program Analyst: create a new position in Program 4000 (Victim Services), new Activity 4020 (Address Confidentiality Program): *increase* CSG 11 by \$72,457 and CSG 14 by \$15,941: *total PS increase = \$88,398*
7. *Increase* CSG 40 (Other Services and Charges), Program 4000 (Victim Services), new Activity 4020 (Address Confidentiality Program), by \$45,000 in recurring local funds for nonpersonal services needs, including training,

mailing, and appeals, as required to fund the fiscal impact of B22-0037, the “Address Confidentiality Amendment Act 2018”

b. Policy Recommendations

1. The Committee recommends that OVSJG continue supporting the Council for Court Excellence (“CCE”) as the coordinator of the Reentry Action Network (“RAN”). It is clear that CCE’s work has leveraged the existing strengths of RAN members and resulted in more coordinated advocacy during the FY19 budget process. The Committee further recommends that (1) OVSJG and CCE focus on relationship development within the reentry services provider community, and (2) continue to reach out to potential new grantees during FY19.
2. The Committee recommends that OVSJG strengthen its prioritization of reentry funding in FY19, in recognition of the sometimes-porous border between victim and offender.
3. The Committee recommends that OVSJG continue to expand funding for victim service providers that offer culturally-specific services to marginalized communities.
4. The Committee recommends that OVSJG ensure that the Domestic Violence Fatality Review Board issues timely reports to the Mayor and Council.

X. SENTENCING COMMISSION

1. COMMITTEE ANALYSIS AND COMMENTS

c. Agency Mission and Overview

The mission of the District of Columbia Sentencing Commission (“Commission”) is to implement, monitor, and support the District’s voluntary sentencing guidelines, to promote fair and consistent sentencing policies, to increase public understanding of sentencing policies and practices, and to evaluate the effectiveness of the guidelines system in order to recommend changes based on actual sentencing and corrections practice and research. The sentencing guidelines provide recommended sentences that enhance fairness so that offenders, victims, the community, and all other parties will understand the sentence, and sentences will be both more predictable and consistent. The Commission also provides analysis of sentencing trends and guideline compliance to the public to assist in identifying sentencing patterns of felony convictions.

d. Mayor’s Proposed Fiscal Year 2019 Operating Budget

Committee Analysis and Comments

Sentencing Guideline Evaluation Project: The Commission has the ongoing mandate of ensuring that the Sentencing Guidelines meet the statutory goals of consistency, certainty, and adequacy of punishment. After the development and launch of the Commission’s GRID/GSS data system, the agency conducted a systematic assessment of the Sentencing Guidelines, culminating in the Guideline Evaluation Project. The Guideline Evaluation Project examined sentencing-related trends prior to and after the development of the Sentencing Guidelines. The study was completed in December 2016, and the findings were released on March 31, 2017.¹⁰⁸ The report found that the Guidelines are operating as intended, with more than 92% of sentences imposed in the District complying with the type and length of sentence recommended by the Guidelines. The report also determined that the Guidelines provide certainty, consistency, and adequacy of punishment.

Additionally, the report made eleven discrete recommendations in light of its findings. After a discussion of those recommendations, the Commission has identified three recommendations for implementation:

¹⁰⁸ District of Columbia Sentencing Commission, *An Evaluation of the D.C. Voluntary Sentencing Guidelines* (March 2017), available at https://scdc.dc.gov/sites/default/files/dc/sites/scdc/service_content/attachments/Final%20Evaluation%20Report%203-21-17.pdf.

1. **Seek Input from Judges, Prosecutors, and Defense Attorneys Regarding their Use and Perception of the Guidelines.** The Commission will seek input from judges, prosecutors, and defense attorneys regarding their use and perception of the Sentencing Guidelines. As it currently stands, the Commission receives little feedback from judges on whether they believe sentences recommended under the Guidelines are in fact adequate. The Commission also does not receive feedback from judges, prosecutors, and defense attorneys as to whether they believe the Guidelines are functioning well. The Commission's Research Committee recommended using surveys and focus groups for the Commission to understand how other criminal justice actors view the Guidelines.
2. **Examine the Role of Criminal History in Determining the Recommended Guidelines Sentence.** Criminal history is one of two primary factors that affect the recommended sentence under the Sentencing Guidelines. The criminal history score is based on an individual's prior convictions. As an individual's criminal history score increases, the likelihood of receiving a prison sentence increases, and a prison sentence is more likely to be longer. The impact of criminal history scores, however, varied between the Drug Grid and Master Grid. Additionally, the way criminal history scores are calculated and applied depends on the purpose of sentencing. The Committee recommended that the Commission discuss the use and calculation of criminal history scores within the Guidelines and how these rules support the purpose and goals of sentencing in the District. The report also found that the way criminal history scores are calculated may "double count" prior convictions, and recommended that the Commission explore potential instances of double counting under the Guidelines, and how it affects the goals of sentencing in the District. Finally, with respect to criminal history scores, the report noted that many jurisdictions limit the timeframe from which prior convictions can be used to calculate criminal history scores. The District is in the minority of jurisdictions that considers all adult criminal convictions when calculating a criminal history score. The Commission should, therefore, consider conducting a study on the validity and reliability of the Guidelines' current methodology for calculating criminal history scores.
3. **Request Additional Data.** The Commission will require access to additional data in order to implement many of the proposals contained in the Guidelines Evaluation Project Report. To understand the impact of criminal history scores and sentencing factors, the Commission must be able to track cases through various stages of the criminal justice process. The specific data points the Commission is recommended to collect include release data from the Bureau of Prisons, presentence reports generated by the Court Services and Offender Supervision Agency, and Drug Court data.

The Committee is pleased to report that the Commission has begun implementation of the three recommendations discussed in the Guidelines Evaluation Project Report. The Commission developed an electronic survey to be completed by judges, prosecutors, defense attorneys, and CSOSA officers in the Diagnostic Unit for critical feedback on the guidelines. The survey's twenty-six questions relate to the overall structure of the guidelines, criminal history, recommended sentences under the Guidelines, and actual sentencing practices. The Commission is currently analyzing the survey results to plan focus groups. The Commission has already selected a vendor to conduct the focus groups. The current plan is to convene the focus groups during Summer 2018, with a final report to the Commission to be submitted by September 30, 2018.

The Commission has also begun implementation of the third recommendation by executing a Memorandum of Understanding with the Bureau of Prisons ("BOP") on March 14, 2017. BOP has agreed to provide the Commission, on an annual basis, with data concerning admissions to, releases from, and the current population of BOP facilities. The information provided will only concern adult U.S. citizens who were sentenced in the D.C. Superior Court. In exchange, the Commission has agreed to use this information only for lawful purposes and prevent the disclosure of personal information through privacy and security measures.

Departure Letters: The Commission sends departure letters to the Court if, after a preliminary review of an imposed sentence, the sentence appears to be noncompliant with the Sentencing Guidelines. In many cases, the sentence would otherwise be compliant, but data concerning departures, criminal history scores, or sentencing enhancements was incomplete or inaccurate. Departure letters provide the Court an opportunity to review and correct this information. In FY17, the response rate for departure letters was only 33%.

Table 1: Departure Letter Response Rate in FY17

<i>FY17 Quarter</i>	<i>Total Departure Letters Sent</i>	<i>Responses Received</i>
Q1	44	14
Q2	0	0
Q3	27	9
Q4	32	11
Total	103	34

Source: Sentencing Commission

In FY17, the Commission instituted a new process to improve departure letter response rates. An initial departure letter is sent to the Court within 30 days of sentencing, with follow-up letters sent within 60 and 90 days. A sentence is deemed

noncompliant if there is no response from the Court within six weeks of the initial departure letter. The Commission hoped to improve response rates by 10% with the new follow-up system. This initiative has been extraordinarily successful, and far exceeded expectations. The response rate in FY18, to date, is now 83%.

Table 2: Departure Letter Response Rate in FY18

<i>Fiscal Year</i>	<i>Total Departure Letters Sent</i>	<i>Responses Received</i>
Q1	40	32
Q2	13	12

Source: Sentencing Commission

Implementation of Other Initiatives: In FY17 and FY18, to date, the Commission continued the implementation of several other initiatives, including:

- The development of a standardized template for the Sentencing Commission’s Annual Report that inputs data from the GRID System and automatically generates charts, graphics, and accompanying text.
- The design and implementation a Guideline Training Evaluation Form to be completed by Sentencing Guideline training participants.
- The creation of a Frequently Asked Questions section has been added to the Commission’s website.
- The analysis of pleas under Rule 11(c)(1)(c) of the Superior Court Rules of Criminal Procedure. Rule 11(c)(1)(c) permits plea agreement in which the prosecutor will “agree that a specific sentence or sentencing range is the appropriate disposition of the case, or that a particular provision of the Sentencing Guidelines, or policy statement, or sentencing factor does or does not apply.”¹⁰⁹ Once a court accepts such a plea agreement, the prosecutor’s recommendation is binding.¹¹⁰ The data indicates that a total of 196 pleas were entered under Rule 11(c)(1)(c). 140 of those 196 pleas – 71% – were compliant in-the-box sentences.
- The Commission held an all-day retreat to discuss how criminal history scores are calculated under the Sentencing Guidelines on November 14, 2017. The training was provided by Professor Richard Frase of the Robina Institute of Criminal Law and Criminal Justice at the University of Minnesota Law School. The training specifically discussed the varying uses of criminal history in sentencing, how the criminal history score is calculated, and a comparison of the District’s calculation scheme to that of other jurisdictions.

¹⁰⁹ Fed. R. Crim. P. 11(c)(1)(c).

¹¹⁰ *Id.*

Finally, the Committee would like to recognize The Honorable Frederick H. Weisberg for his outstanding service to the Commission. Prior to his retirement in March 2018, he served as the Commission's Chair since 1999. He was also a member of the Sentencing Guidelines Commission, serving as its Chair from 1987 until its dissolution in 1992. The Committee thanks Judge Weisberg for a lifetime of service to the development of fair and consistent sentencing practices and wishes him a restful retirement. Judge Weisberg is succeeded as Chair by The Honorable Milton C. Lee.

2. COMMITTEE RECOMMENDATIONS

a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 operating budget for the District of Columbia Sentencing Commission, as proposed by the Mayor.

b. Policy Recommendations

1. The Committee applauds the Sentencing Commission for identifying three recommendations from the Guidelines Evaluation Project to prioritize. The Committee looks forward to seeing the Commission's progress for the remaining fiscal year and into FY19.
2. After implementation of its three strategic priorities, the Committee hopes to see the Commission tackle the eight remaining recommendations that were discussed in the Guidelines Evaluation Project Report.

III. FISCAL YEAR 2019 LOCAL BUDGET ACT AND FEDERAL PORTION BUDGET REQUEST ACT RECOMMENDATIONS

On March 21, 2018, Chairman Phil Mendelson introduced, on behalf of Mayor Muriel Bowser, B22-0756, the “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018”; B22-0754, the “Fiscal Year 2019 Local Budget Act of 2018”; and B22-0755, the “Fiscal Year 2019 Federal Portion Budget Request Act of 2018”. The Committee recommends the following:

“Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018”

The Committee recommends that the Committee of the Whole seek to identify one-time funds to restore the \$1 million cut to the Department of Forensic Sciences in FY18. The Council has approved millions of dollars in recent years to right-size the agency, and this cut should not have been made and will not be able to be absorbed. Alternatively, the Committee recommends that the Executive pursue the use of contingency funds.

“Fiscal Year 2019 Local Budget Act of 2018”

The Committee recommends that the Committee of the Whole work with the Committee to ensure that non-lapsing funds language is included in conjunction with the Committee’s proposed subtitle, the “Access to Justice Amendment Act of 2018”.

The Committee also recommends that the Committee of the Whole work with the Office of the Attorney General to consider including the following language: “provided further, that local and other funds appropriated under this act may be used to pay expenses for District government attorneys at the Office of the Attorney General for the District of Columbia to obtain professional credentials, including bar dues and court admission fees, that enable these attorneys to practice law in other state and federal jurisdictions and appear outside the District in state and federal courts;”.

IV. FISCAL YEAR 2019 BUDGET SUPPORT ACT RECOMMENDATIONS

On March 21, 2018, Chairman Mendelson introduced, on behalf of the Mayor, Bill 22-0753, the “Fiscal Year 2019 Budget Support Act of 2018”. The bill contains ten subtitles on which the Committee has provided comments.

A. RECOMMENDATIONS ON BUDGET SUPPORT ACT SUBTITLES PROPOSED BY THE MAYOR

The Committee provides comments on the following subtitles of the “Fiscal Year 2019 Budget Support Act of 2018” proposed by the Mayor:

1. Title I, Subtitle A. Fair Elections Implementation Amendment 235
2. Title I, Subtitle B. Information Sharing for Program Evaluation and Improvement 240
3. Title III, Subtitle A. Criminal Code Reform Commission Term Extension Amendment 241
4. Title III, Subtitle B. Retired Police Officer Redeployment Program Amendment 243
5. Title III, Subtitle C. Emergency and Non-Emergency Number Telephone Calling Systems Fund Amendment 246
6. Title III, Subtitle D. Neighborhood Engagement Achieves Results Amendment 250
7. Title III, Subtitle E. Extension of the Comprehensive Homicide Elimination Strategy Task Force 253
8. Title III, Subtitle F. Transfer of a Portion of the Roving Leaders Program to the Office of Neighborhood Safety and Engagement 254
9. Title III, Subtitle G. Transfer of Administration of the Public Fund for Drug Prevention and Children at Risk to the Office of Neighborhood Safety and Engagement 255
10. Title VI, Subtitle E. Rail Safety Office Implementation 256

1. TITLE I, SUBTITLE A. FAIR ELECTIONS IMPLEMENTATION AMENDMENT

a. Purpose, Effect, and Impact on Existing Law

This subtitle would amend the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01 *et seq.*), to remove special elections and a reserve for contingencies from the estimate of public funds for the Fair Elections Program that the Director of Campaign Finance must submit to the Mayor in time for inclusion in the budget. Special elections and contingencies, should they occur, would instead be funded through contingency funds transfers to the agency from the Executive.

The Committee supports the proposed subtitle and expands it to include several technical amendments to the Fair Elections Amendment Act of 2018 that could not be added as record techs at final reading. The Committee also reinserts the act's November 7, 2018, applicability date that was erroneously removed by the subtitle as introduced to make clear that the law will not affect the 2018 election cycle, but rather will take effect for the 2020 election cycle, which begins the day after the November 2018 General Election.

b. Committee Reasoning

The Committee recommends inclusion of this subtitle, as modified by the Committee. The Office of Campaign Finance confirmed at the agency's budget oversight hearing that it does not take issue with funding participating candidates running in special elections through contingency funds rather than through funding included in the agency's annual budget.

c. Section-by-Section Analysis

Sec. 1001. States the short title.

Sec. 1002. Amends the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01 *et seq.*) to make technical changes to the Fair Elections Amendment Act of 2018.

Sec. 1003. Amends the Fair Elections Amendment Act of 2018, enacted March 12, 2018 (D.C. Act 22-278; 65 DCR 2847), to reinsert the applicability date of November 7, 2018.

d. Legislative Recommendations for Committee of the Whole

Sec. 1001. Short title.

This subtitle may be cited as the “Fair Elections Implementation Amendment Act of 2018”.

Sec. 1002. The Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01 *et seq.*), is amended as follows:

(a) Section 101(22A) (D.C. Official Code § 1-1161.01(22A)) is amended as follows:

(1) Subparagraph (A) is amended by striking the phrase “per calendar year” and inserting the phrase “per election cycle” in its place.

(2) Subparagraph (B)(ii) is amended by striking the phrase “per calendar year” and inserting the phrase “per election cycle” in its place.

(b) Section 310a (D.C. Official Code § 1-1163.10a) is amended as follows:

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

(2) The newly designated subsection (a) is amended by striking the phrase “Except as provided in section 332h, within” and inserting the word “Within” in its place.

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

“(b) This section shall not apply to subtitle C-i.”.

(c) Section 332b(c) (D.C. Official Code § 1-1163.32b(c)) is amended by striking the phrase “per seat per covered office” and inserting the phrase “per candidate” in its place.

(d) Section 332f (D.C. Official Code § 1-1163.32f) is amended as follows:

(1) Subsection (b) is amended by striking the phrase “each election cycle” and inserting the phrase “each election cycle, excluding election cycles for special elections,” in its place.

(2) Subsection (c) is amended as follows:

(A) Paragraph (1)(C)(ii) is amended to read as follows:

“(ii) The election is an uncontested election, subtracts the total amount of the expended contributions, up to the base amount to which the participating candidate would have been eligible under section 332d if the election were a contested election, from the matching payments to which the candidate would be eligible under section 332e.”.

(B) Paragraph (2) is amended by striking the phrase “to which the candidate would be eligible under section 332d” and inserting the phrase “to which a candidate for the seat for that covered office would be eligible under section 332d if the election was a contested election” in its place.

(e) Section 332i(e)(1) (D.C. Official Code § 1-1163.32i(e)(1)) is amended as follows:

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

(2) Subparagraph (B) is amended by striking the semicolon and inserting a period in its place.

(3) Subparagraph (C) is repealed.

(4) Subparagraph (D) is repealed.

(f) Section 332j (D.C. Official Code § 1-1163.32j) is amended as follows:

(1) The section heading is amended by striking the phrase “by the Director of Campaign Finance” and inserting a period in its place.

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

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

“(b) No later than December 31, 2021, the District of Columbia Auditor shall prepare and submit to the Mayor and Council a report on the Fair Elections Program’s operations during the election cycle beginning on November 7, 2018, and ending on November 3, 2020. The report shall include:

“(1) An evaluation of the extent to which the Fair Elections Program and participating candidates met the requirements of the Fair Elections Amendment Act of 2018, enacted on March 12, 2018 (D.C. Act 22-278; 65 DCR 2847);

“(2) A financial audit of the Fair Elections Program; and

“(3) Recommendations for improving the Fair Elections Program.”.

(g) Section 332k (D.C. Official Code § 1-1163.32k) is repealed.

Sec. 1003. Section 3 of the Fair Elections Amendment Act of 2018, enacted on March 12, 2018 (D.C. Act 22-278; 65 DCR 2847), is amended to read as follows:

“Sec. 3. Applicability.

“This act shall apply as of November 7, 2018.”.

**2. TITLE I, SUBTITLE B. INFORMATION SHARING FOR PROGRAM
EVALUATION AND IMPROVEMENT**

a. Purpose, Effect, and Impact on Existing Law

As introduced, this subtitle would allow the Mayor to authorize the disclosure of data and information from the Department of Youth and Rehabilitation Services to other District agencies “for the purposes of designing, administering, and evaluating policies or programs related to children, youth, or young adults”. The subtitle would also allow the Mayor, City Administrator, Deputy Mayor for Public Safety and Justice, or their designees, to gain access to juvenile case records, juvenile social records, and law enforcement records and files concerning a child.

b. Committee Reasoning

The Committee strikes this subtitle. The Committee can appreciate the intentions behind the subtitle to have data inform youth and young adult programming and will work with the Executive outside of the budget process to determine which records should be accessible to which agencies.

3. TITLE III. SUBTITLE A. CRIMINAL CODE REFORM COMMISSION TERM EXTENSION AMENDMENT

a. Purpose, Effect, and Impact on Existing Law

As introduced, this subtitle amends the Criminal Code Reform Commission Establishment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 3-151 *et seq.*), to delay the submission of the Commission's comprehensive criminal code reform recommendations to the Council and Mayor to April 1, 2019, rather than October 1, 2018. The subtitle also extends the Commission's sunset date from October 1, 2018, to October 1, 2019, in accordance with funding proposed for the Commission in the FY19 budget.

b. Committee Reasoning

The mission of the Criminal Code Reform Commission ("CCRC") is to prepare comprehensive recommendations for the Council and Mayor on how to revise the District's criminal laws to be clear, consistent, and proportionate. CCRC is an independent agency that began operation on October 1, 2016. Prior to that date, its work was performed by the Criminal Code Revision Project within the District of Columbia Sentencing Commission. Under current District law, the Commission must submit its comprehensive criminal code reform recommendations to the Council and Mayor by October 1, 2018.¹¹¹ The Commission's enabling statute and, therefore, the Commission itself, is set to expire on October 1, 2018.¹¹²

The Commission submitted its first report to the Council and Mayor on May 5, 2017.¹¹³ The Committee is pleased with the progress of the Commission thus far and supports extension of the Commission's authorization until October 1, 2019. This extension will allow the Commission to develop recommendations for reforms to additional District statutes before finishing its work and issuing its final recommendations to the Council and Mayor.

c. Section-by-Section Analysis

Sec. 3001. States the short title.

Sec. 3002. (a) Amends Section 3123(a) of the Criminal Code Reform Commission Establishment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 3-152) to require that the Commission submit its

¹¹¹ D.C. Official Code § 3-152(a).

¹¹² D.C. Official Code § 3-156.

¹¹³ District of Columbia Criminal Code Reform Commission, *Report #1: Recommendations for Enactment of D.C. Code Title 22 and Other Changes to Criminal Statutes* (May 5, 2017), available at <http://lims.dccouncil.us/Download/38043/RC22-0053-Introduction.pdf>.

comprehensive criminal code reform recommendations to the Council and Mayor by September 30, 2019 rather than October 1, 2018.

(b) Amends Section 3127 of the Criminal Code Reform Commission Establishment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 3-156) to extend the Commission's term from October 1, 2018 to October 1, 2019.

d. Legislative Recommendations for Committee of the Whole

Sec. 3001. Short title.

This subtitle may be cited as the “Criminal Code Reform Commission Term Extension Amendment Act of 2018”.

Sec. 3002. The Criminal Code Reform Commission Establishment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; D.C. Official Code § 3-151 *et seq.*), is amended as follows:

(a) Section 3123(a) (D.C. Official Code § 3-152(a)) is amended by striking the phrase “October 1, 2018” and inserting the phrase “September 30, 2019” in its place.

(b) Section 3127 (D.C. Official Code § 3-156) is amended by striking the phrase “October 1, 2018” and inserting the phrase “October 1, 2019” in its place.

4. TITLE III, SUBTITLE B. RETIRED POLICE OFFICER REDEPLOYMENT PROGRAM AMENDMENT

a. Purpose, Effect, and Impact on Existing Law

Under current law, the Chief of Police for the Metropolitan Police Department (“MPD”) may rehire retired officers without jeopardizing the officers’ retirement benefits.¹¹⁴ Generally, an officer rehired under this statute “shall be paid a salary of no more than that equal to the salary paid a Class 1, Step 5 Officer and shall not be eligible for longevity pay.”¹¹⁵

Between the years of 2015 and 2017, MPD experienced increased rates of sworn personnel attrition due to an unprecedented number of officers reaching retirement eligibility: 21% of sworn personnel reached retirement eligibility in 2015, and another 30% were eligible for retirement in 2017. To combat that increased attrition and maintain adequate force levels, the Senior Police Officer Program was expanded to allow for retired sergeants and detectives to be paid salaries higher than Class 1, Step 5 Officers as was originally authorized in D.C. Official Code § 5-761(d).¹¹⁶ This option to pay rehired detectives and sergeants an increased salary is referred to as the “expanded pay authority”, and it is set to expire on October 12, 2019.

As introduced, the subtitle would allow retired officers to be rehired under this authority through September 30, 2022, rather than October 12, 2019, and would authorize their increased pay for up to five years – effectively 2027 for those hired in 2022.

b. Committee Reasoning

The Mayor’s proposal represents a significant change in the Senior Police Officer Program, and the Committee cannot support such an expansion. The Committee – in addition to the Fraternal Order of Police – has been consistently concerned that the program stifles the upward mobility of newer recruits and negatively impacts the morale of sworn personnel.¹¹⁷

The Committee is instead proposing a compromise subtitle that advances the original sunset provision for the expanded pay authority from October 12, 2019, to October 1, 2019, to align with the beginning of the new fiscal year, but would also

¹¹⁴ D.C. Official Code § 5-761(a).

¹¹⁵ D.C. Official Code § 5-761(d).

¹¹⁶ D.C. Official Code § 5-761(h)(2).

¹¹⁷ *Metropolitan Police Department: Performance Oversight Hearing before the Committee on the Judiciary & Public Safety* (March 1, 2018) (written testimony of Matthew Mahl, Chair, Fraternal Order of Police), available at <http://dcpoliceunion.com/page/about>.

allow any retired officers rehired before October 1, 2019, to be paid under the expanded pay authority for up to three years from the date they were rehired. This will result in staggered departures from the force based on officers' rehire dates, rather than a sharp drop-off. The Committee's modified subtitle will allow MPD to continue to benefit from the experience of retired police officers while recognizing that the program limits the upward mobility of junior personnel and should be phased out.

c. Section-by-Section Analysis

Sec. 3011. States the short title.

Sec. 3012. (a) Amends paragraph (1) 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(h)) to limit the expanded pay authority to retired sergeants and detectives rehired before October 1, 2019.

(b) Amends paragraph (2) to limit a rehired sergeant or detectives' eligibility for an increased salary to three years from the date of his or her rehire.

d. Legislative Recommendations for Committee of the Whole

Sec. 3011. Short title.

This subtitle may be cited as the "Retired Police Officer Redeployment Amendment Act of 2018".

Sec. 3012. Section 2(h) 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(h)), is amended as follows:

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

"(1) Notwithstanding subsection (d) of this section, a police officer who retired at a rank other than Officer who is rehired under subsection (a) of this section before October 1, 2019, shall be eligible to be paid for the duration of rehire a salary of no more than the salary paid at the following service steps:

(A) Class 3 (Detective Grade 1) – Step 4; or

(B) Class 4 (Sergeant) – Step 3.”.

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

“(2) A retired police officer rehired under subsection (a) of this section and paid under paragraph (1) of this subsection shall not be paid for more than 3 years from the date on which the officer was rehired.”.

5. TITLE III, SUBTITLE C. EMERGENCY AND NON-EMERGENCY NUMBER TELEPHONE CALLING SYSTEMS FUND AMENDMENT

a. Purpose, Effect, and Impact on Existing Law

As introduced, the subtitle amends Section 603 of the Emergency and Non-Emergency Number Telephone Calling Systems Fund Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 34-1802). This is the section of the Code that created the Emergency and Non-Emergency Number Telephone Calling Systems Fund, or “the Fund”. The Fund was originally established to offset the costs of technology upgrades incurred at the Office of Unified Communications (“OUC”). The Fund, which is administered by OUC, requires phone service carriers and providers to remit small fees of either 76 or 62 cents per line on a monthly or quarterly basis. Providers must remit 76 cents for each wireline located in the District, for a wireless number with a billing address in the District, or for interconnected Voice Over Internet Protocol (“VoIP”) service. Providers must remit 62 cents for a Centrex line in the District or for a private branch exchange station.

Currently, OUC can use the Fund solely to pay for technology and equipment costs incurred by providing a 911 system and direct costs incurred by wireless carriers in providing wireless E-911 service. The subtitle proposes to extend use of the Fund to pay for personnel, technology hardware, software and software maintenance, contractual support, outreach, training, supplies, and equipment costs. However, OUC will no longer be authorized to use the funds toward direct costs incurred by wireless carriers in providing E911 service.

b. Committee Reasoning

Using the Fund to defray personnel costs will allow OUC to recognize cost savings. Currently, the agency is using the Fund to contract information technology contractors. With the authorization to use money from the Fund toward personnel costs, OUC will convert these contractors to full-time employees. The agency does not currently use the Fund to reimburse wireless carriers in providing E911 service, so this change will not have any impact on the Fund balance. The Committee also prohibits the Funds from being used for non-personnel costs related to overhead, including energy, rentals, janitorial services, security, or occupancy costs.

The Committee’s modified subtitle additionally removes the requirement that the Chief Financial Officer transmit quarterly reports to the Mayor and the Council summarizing the income and expenditures of the Fund. This requirement is redundant, and the Office of the Inspector General also conducts an annual audit.

c. Section-by-Section Analysis

Sec. 3021. States the short title.

Sec. 3022. Amends Section 603 of the Emergency and Non-Emergency Number Telephone Calling Systems Fund Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 34-1802) to broaden the agency's authority to use the Fund for personnel, technology hardware, software and software maintenance, contractual support, outreach, training, supplies, and equipment costs, and remove the quarterly reporting requirement on the Office of the Chief Financial Officer.

d. Legislative Recommendations for Committee of the Whole

Sec. 3021. Short title.

This subtitle may be cited as the “Emergency and Non-Emergency Number Telephone Calling Systems Fund Amendment Act of 2018”.

Sec. 3022. Section 603 of the Emergency and Non-Emergency Number Telephone Calling Systems Fund Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 34-1802), is amended to read as follows:

“Sec. 603. Emergency and Non-Emergency Number Telephone Calling Systems Fund.

“(a) There is established as a special fund the Emergency and Non-Emergency Number Telephone Calling Systems Fund (“Fund”), which shall be administered by the Office of Unified Communications in accordance with subsection (c) of this section.

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

“(1) The assessment imposed under section 604;

“(2) The prepaid wireless E911 charge imposed under section 604b; and

“(3) The sources identified in section 604c.

“(c) Money in the Fund shall only be used to pay for personnel, technology hardware, software and software maintenance, contractual support, outreach, training, supplies, and equipment costs necessary to provide the 911 and 311 systems.

“(d) Money in the Fund may not be used to defray:

“(1) Non-personnel costs related to overhead, including energy, rentals, janitorial services, security, or occupancy costs; or

“(2) Direct costs incurred by wireless carriers in providing wireless E911 service.

“(e)(1) The money deposited into the Fund 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.

“(f) The Mayor shall submit to the Council, as a part of the annual budget, a requested appropriation for expenditures from the Fund.

“(g)(1) All revenue and expenditures of the Fund shall be audited annually by the Chief Financial Officer, who shall transmit the audit to the Mayor and the Council.

“(2) The annual audit shall include the following:

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

“(A) The assets, liabilities, fund balance, revenue, and expenditures of the Fund;

“(B) A detailed accounting of the Fund’s expenditures;

“(C) Recommendations to improve the Fund’s financial management processes;

“(D) Identification of any Fund expenditures that are not permitted under law;

“(E) Recommendations to improve the language of the Fund’s enabling statute to reflect best practices; and

“(F) Any other information deemed important by the Chief Financial Officer.”.

6. TITLE III, SUBTITLE D. NEIGHBORHOOD ENGAGEMENT ACHIEVES RESULTS AMENDMENT

a. Purpose, Effect, and Impact on Existing Law

As introduced, this subtitle would amend the Neighborhood Engagement Achieves Results Amendment Act of 2016 (“NEAR Act”), effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), to require that the Mayor provide an annual, rather than monthly, report of information to the Council relating to the Private Security Camera System Incentive Program, with monthly updates only provided online.

b. Committee Reasoning

Section 214(h) of the NEAR Act requires the Mayor to provide a monthly report to the Council that includes the following information from the Private Security Camera System Incentive Program created by the act: (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 to each type of purchaser; (5) The number of rebates and vouchers issued in each priority area; (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.

The Executive has filed monthly reports diligently, and it is no longer necessary to do so formally. The Office of Victim Services and Justice Grants, which administers the program, already includes a significant amount of information about the program on its website and will add these monthly reports.

The Committee is additionally expanding this subtitle to include Title III, Subtitle F, which also amends the NEAR Act. That subtitle would transfer a portion of the Roving Leaders Program into the Office of Neighborhood Safety and Engagement. Roving Leaders are individuals employed by the Department of Parks and Recreation whose charge is to “prevent, neutralize, and control hostile behavior in youth and youth groups through the development of positive relationships between teens/youth and outreach workers”,¹¹⁸ a skillset which will pair well with the Office’s mission to “foster a community-oriented model of violence prevention and public safety that is rooted in a public health approach, recognizing that reducing crime is

¹¹⁸ See, Department of Parks and Recreation “DPR Roving Leaders” website, available at <https://dpr.dc.gov/service/dpr-roving-leaders>.

not accomplished solely through law enforcement.”¹¹⁹ These ten FTEs were funded in the FY19 proposed budget and were provided salary enhancements.

c. Section-by-Section Analysis

Sec. 3031. States the short title.

Sec. 3032. Amends the Neighborhood Engagement Achieves Results Amendment Act of 2016, effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), to (a) transfer a portion of the Roving Leaders Program to the Office of Neighborhood Safety and Engagement, and (b) make the act’s required monthly report to the Council on the Private Security Camera System Incentive Program annual, with a monthly online component.

d. Legislative Recommendations for the Committee of the Whole

Sec. 3031. Short title.

This subtitle may be cited as the “Neighborhood Engagement Achieves Results Amendment Act of 2018”.

Sec. 3032. The Neighborhood Engagement Achieves Results Amendment Act of 2016, effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), is amended as follows:

(a) Section 101(a) (D.C. Official Code § 7-2411(a)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (2) is amended by striking the period and inserting the phrase “; and” in its place.

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

¹¹⁹ See the agency’s budget chapter:

https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/ns_nsaec_chapter_2019m.pdf.

“(3) A portion of the Roving Leaders Program, as determined by the Mayor, which shall be transferred to the ONSE from the Department of Parks and Recreation, along with all functions assigned, authorities delegated, positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available for the purposes of the portion of the program transferred.”.

(b) Section 214(h) (D.C. Official Code § 7-2831(h)) is amended by striking the phrase “a monthly report to the Council” and inserting the phrase “an annual report to the Council by January 15 of each year and a monthly update on the website of the District government agency that administers the Program” in its place.

**7. TITLE III, SUBTITLE E. EXTENSION OF THE COMPREHENSIVE
HOMICIDE ELIMINATION STRATEGY TASK FORCE**

a. Purpose, Effect, and Impact on Existing Law

Section 202 of the Neighborhood Engagement Achieves Results Amendment Act of 2016, effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-2411 *et seq.*), created the Comprehensive Homicide Elimination Strategy Task Force (“Task Force”) to “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”. D.C. Official Code § 22-4251. The Task Force is required to hold three public meetings, and after it issues its report, it is dissolved. The proposed subtitle would eliminate the report requirement, instead charging the Task Force with providing advice and recommendations. The subtitle would also eliminate the section’s sunset.

b. Committee Reasoning

The Committee strikes this subtitle. A modified version was already included in B22-466, the “Fiscal Year 2018 Budget Support Clarification Amendment Act of 2018”.

8. TITLE III, SUBTITLE F. TRANSFER OF A PORTION OF THE ROVING LEADERS PROGRAM TO THE OFFICE OF NEIGHBORHOOD SAFETY AND ENGAGEMENT

a. Purpose, Effect, and Impact on Existing Law

The Committee is including this subtitle in Title III, Subtitle D. *See* the summary for that subtitle.

9. TITLE III, SUBTITLE G. TRANSFER OF ADMINISTRATION OF THE PUBLIC FUND FOR DRUG PREVENTION AND CHILDREN AT RISK TO THE OFFICE OF NEIGHBORHOOD SAFETY AND ENGAGEMENT

a. Purpose, Effect, and Impact on Existing Law

District residents may currently contribute to the Public Fund for Drug Prevention and Children at Risk when they file their tax returns.¹²⁰ Funds received were historically granted to the Children and Youth Investment Trust Corporation (“CYITC”) to support programs for children who have direct or indirect contact with drugs or programs that promote drug and alcohol avoidance.¹²¹ The CYITC, however, dissolved in 2016. This subtitle as proposed would redirect the existing and future funds to the Office of Neighborhood Safety and Engagement for the same purpose.

b. Committee Reasoning

The Committee does not believe that the Office of Neighborhood Safety and Engagement’s mission aligns with the fund’s purposes. The Office does not serve children, specifically, and it is not charged with responsibilities relating to drug or alcohol avoidance. The Committee supports the use of the existing and future funds for grants from the Office of Out-of-School-Time Grants and Youth Outcomes (“OST Office”) and has worked with the Committee on Education on this subtitle with that shared goal.

The OST Office is responsible for “ensur[ing] the more than 33,400 young people who attend subsidized out-of-school time programs across the District of Columbia have access to high-quality learning opportunities outside of the normal school day.”¹²² The Committee on Education is currently working with the Council Budget Office and the Office of the Chief Financial Officer on final language for the subtitle, the drafts of which this Committee supports. Since the language is still in progress, the Committee will not make legislative recommendations other than to support the use of the funds for that purpose.

¹²⁰ District of Columbia Drug Prevention and Children at Risk Tax Check-Off Amendment Act of 1990, effective March 8, 1991 (D.C. Law 8-246; D.C. Official Code § 47-4001 *et seq.*).

¹²¹ D.C. Official Code §§ 47-4001, -4002

¹²² Office of the Deputy Mayor for Education, *Deputy Mayor for Education Jennifer Niles Launches Office of Out of School Time Grants and Youth Outcomes* (Oct. 24, 2017), <https://dme.dc.gov/release/deputy-mayor-education-jennifer-niles-launches-office-out-school-time-grants-and-youth>.

10. TITLE VI, SUBTITLE E. RAIL SAFETY OFFICE IMPLEMENTATION

a. Purpose, Effect, and Impact on Existing Law

The Rail Safety and Security Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-254; D.C. Official Code § 8-151.01 *et seq.*), created the Emergency Response and Rail Safety Division within the District Department of Energy and Environment (“DOEE”) to oversee a State Railroad Safety and Security Authority (“Authority”) that works with the Federal Railroad Administration (“FRA”) to ensure compliance with federal railroad safety laws. The legislation also designated DOEE as the state safety oversight agency for the streetcar, proposing to remove this responsibility from the Fire and Emergency Medical Services Department. While the Council approved this legislation, it was subject to appropriations and was never funded.

The subtitle as introduced moves forward with this shift of responsibilities due to the inclusion of the bill’s fiscal impact in the FY19 proposed budget. Additionally, it establishes a Rail Safety and Security Fund that is to be used for expenses related to emergency response, safety, and security activities for railroad operations in the District. The fees are to be paid by railroad carriers to reimburse the District for the inspection, surveillance, enforcement, and investigative activities for railroad operations. The fees will also require railroad carriers to reimburse the District for emergency response services related to actions of the railroad carrier. The subtitle additionally requires the Director of DOEE to issue rules to designate how the fees are to be assessed.

b. Committee Reasoning

The Committee believes the proper jurisdiction for the SSO is within DOEE. DOEE is the appropriate agency to run the functions of an Office of Rail Safety that will manage heavy (freight) rail use across the District. DOEE responds to incidents involving releases of hazardous materials from rail operations and works with CSX and other rail operators on numerous regulatory issues. By merging the office that manages Freight and DC Streetcar rail safety within DOEE, the agency will have full jurisdiction over rail safety in the District. This will allow FEMS to be able to continue to focus on its core mission. FEMS, with HSEMA as a lead, will still focus on response, mitigation, and approval of the District’s rail safety and emergency response plan. FEMS will also continue to assist with State Safety Oversight as the new office is stood up, and federally certified, in DOEE.

c. Section-by-Section Analysis

Sec. 6041. States the short title.

- Sec. 6042. Amends the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01 *et seq.*) to designate DOEE as the state oversight agency; extend the deadline for the report on the study of fees; establish the Rail Safety Fund; and require the Director of DOEE to issue rules to determine how the fees are to be paid.
- Sec. 6043. Amends the Rail Safety and Security Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-254; 64 DCR 2028) to update Section 203(b)(4) to be consistent with the changes described in Sec. 6042 and to repeal outdated portions of the legislation.

d. Legislative Recommendations for the Committee of the Whole

Sec. 6041. Short title.

This subtitle may be cited as the “Rail Safety and Security Amendment Act of 2018”.

Sec. 6042. The District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01 *et seq.*), is amended as follows:

(a) Section 108b(c) (D.C. Official Code § 8-151.08b(c)) is amended as follows:

(1) The lead-in language is amended by striking the phrase “The Director shall” and inserting the phrase “After the designation of DOEE as the state safety oversight agency, the Director shall” in its place.

(2) Paragraph (3) is amended by striking the period and inserting a semicolon its place.

(3) Paragraph (4)(B) is amended by striking the period and inserting a semicolon its place.

(4) Paragraph (5) is amended by striking the period and inserting a semicolon its place.

(5) Paragraph (6)(B) is amended by striking the period and inserting the phrase “; and” in its place.

(b) Section 108g (D.C. Official Code § 8-151.08g) is amended by striking the phrase “November 30, 2017” and inserting the phrase “July 1, 2019” in its place.

(c) A new section 108h is added to read as follows:

“Sec. 108h. Rail Safety and Security Fund.

“(a) There is established as a special fund the Rail Safety and Security Fund (“Fund”), which shall be administered by the Mayor in accordance with subsection (c) of this section.

“(b) Revenue from fees assessed pursuant to regulations issued under section 110(c) shall be deposited into the Fund.

“(c) Money in the Fund shall be used for expenses related to emergency response, safety, and security activities for railroad operations in the District.

“(d)(1) The money deposited into the Fund 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.”.

(d) Section 110(c) (D.C. Official Code § 8-151.10(c)) is amended as follows:

(1) Paragraph (1) is amended as follows:

(A) Strike the word “may” and insert the word “shall” in its place.

(B) Strike the phrase “to implement the Rail Safety and Security Amendment Act of 2016, passed on 2nd reading on December 20, 2016 (Enrolled version of Bill 21-3)” and insert the phrase “to implement sections 108a, 108b, 108c, 108d, 108e, 108f, and 108h” in its place.

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

“(1A) The rules promulgated pursuant to this subsection shall:

“(A) Establish fees to be paid by railroad carriers for the inspection, surveillance, enforcement, and investigative activities for railroad operations in the District, in an amount reasonably calculated to allow the District to be reimbursed for the inspection, surveillance, enforcement, and investigative activities for railroad operations in the District; and

“(B) Require reimbursement of costs from a railroad carrier for emergency response services related to actions of the railroad carrier in the District.”.

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

“(2) When proposed rules are developed pursuant to this subsection, at the time the proposed rules are submitted to the District of Columbia Register for public notice and comment, the Mayor shall provide any proposed rules relating to investigation and surveillance of federal railroad safety laws to the Rail Advisory Board for comment.”.

Sec. 6043. The Rail Safety and Security Amendment Act of 2016, effective April 7, 2017 (D.C. Law 21-254; 64 DCR 2028), is amended as follows:

(a) Section 203(b)(4) is amended by striking the phrase “developed pursuant to section 110(c) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.10(c))” and inserting the phrase “provided to the Board pursuant to section 110(c)(2) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.10(c)(2))” in its place.

(b) Section 501 is amended as follows:

- (1) Subsection (a) is repealed.
- (2) Subsection (b) is repealed.
- (3) Subsection (c) is repealed.

B. RECOMMENDATIONS FOR NEW BUDGET SUPPORT ACT SUBTITLES

The Committee recommends that the following new subtitles be added to Bill 22-0753, the “Fiscal Year 2019 Budget Support Act of 2018”:

1. Title --. Subtitle --. Clemency Board Establishment Act.....	262
2. Title --. Subtitle --. Fatality Review Committee Amendments	272
3. Title --. Subtitle --. Emergency Medical Services Transport Contract Authority Amendment	296
4. Title --. Subtitle --. Returning Citizens Opportunity to Succeed Amendment	300
5. Title --. Subtitle --. Voter Registration Agency Amendment.....	309
6. Title --. Subtitle --. Street Harassment Prevention Act	311
7. Title --. Subtitle --. BEGA Amendment	321
8. Title --. Subtitle --. Expanding Access to Justice Amendment.....	342
9. Title --. Subtitle --. Office of the Attorney General Information Technology Authority and Housing Receivership Costs Amendment.....	344
10. Title --. Subtitle --. Subject to Appropriations Repeals Amendment	346

1. TITLE --. SUBTITLE --. CLEMENCY BOARD ESTABLISHMENT ACT

a. Purpose, Effect, and Impact on Existing Law

This subtitle would create a Clemency Board within the Office of the Attorney General. The current law requires individuals to apply directly to the President of the United States through the federal clemency process. Until Congress legislates otherwise, the President will retain the final say in clemency cases for District of Columbia offenders. However, the Clemency Board will help to increase local control over the process, elevate strong applications, and ensure the District is ready to assume full control over the clemency process once it attains statehood.

The Board, comprised of nine members, will holistically evaluate applications for two forms of clemency: commutations and pardons. A commutation is a reduction in a sentence or fine imposed on an individual, and a pardon is the removal of collateral consequences associated with the punishment imposed on an individual, usually granted to restore an individual's civil rights. The Board will be tasked with developing criteria for the clemency application, reviewing applications, and making a determination within six months of receipt. The Board must consider cases of actual innocence as well as cases of those who are remorseful and have rehabilitated, while also giving special consideration to applicants who are terminally ill, elderly, or no longer present a danger to the community. The Board must consider the applicant's background and allow applicants the opportunity for a hearing with an attorney or non-attorney representative present. The Board will then recommend strong applications to the President, thereby elevating applications and giving them a stronger opportunity for success. The Board will submit an annual report to the Council tracking the number of applications it grants and denies, but it must refrain from publishing any personally-identifiable information.

In terms of eligibility, all District offenders will be eligible to apply once no other forms of judicial or administrative relief are available to them. Pardon applicants must wait five years from the end of incarceration before applying, and they must have not had further convictions, pending criminal charges, or been a party to a past or pending civil case that is relevant to the initial conviction. They must put forth evidence of rehabilitation and describe how a pardon would help them achieve their goals and contribute to the community.

Commutation applicants must describe evidence of rehabilitation and how commutation would help them achieve their goals and contribute to the community. These applicants will also be given special consideration if the sentencing scheme or any mandatory-minimum sentence for the crime they committed was lessened after they were initially convicted of the crime.

The proceedings of the Clemency Board will be open to the public, except for when the Board is discussing information that pertains to specific clemency applications.

b. Committee Reasoning

It is nearly impossible for District of Columbia Code offenders to receive clemency. As previously stated, the current process requires individuals to apply directly to the President through the federal clemency process. As a result, only one District offender has received clemency since 1989. By contrast, each of the 50 states oversees its own system for granting clemency for violations of their state laws. This means that while state and federal offenders have an opportunity for relief, D.C. Code offenders face a dead end.

Not only does this process leave District offenders without meaningful access to this type of relief, the current process also strips the District of jurisdiction over individuals convicted of violating its own laws. Although the Committee recognizes that the Clemency Board is only a partial solution, as District offenders would still rely on the President to make a final determination on their case, the Board will bring the District closer to controlling its own clemency process. It will also ensure that the District is ready to assume full responsibility over these determinations once recognized as a state.

c. Section-by-Section Analysis

Sec. XXXX. States the short title.

Sec. XXX2. Provides definitions for “Board”, “Clemency”, “Commutation”, “District Offenders”, “OAG”, and “Pardon”.

Sec. XXX3. Establishes the Clemency Board within the Office of the Attorney General for the District of Columbia and defines the purpose and duties of the Board.

Sec. XXX4. Establishes the Committee’s composition and designates the terms of service for members.

Sec. XXX5. Establishes eligibility requirements for Clemency applications.

Sec. XXX6. Establishes confidentiality requirements for Board proceedings.

Sec. XXX7. Establishes confidentiality requirements for information collected for Board proceedings.

Sec. XXX8. Establishes that the Office of the Attorney General for the District of Columbia may issue rules.

Sec. XXX9. Contains a conforming amendment to Section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)).

d. Legislative Recommendations for Committee of the Whole

Sec. XXXX. Short title.

This subtitle may be cited as the "Clemency Board Establishment Act of 2018".

Sec. XXX2. Definitions.

For the purposes of this subtitle, the term:

(1) "Board" means the Clemency Board established in section XXX3.

(2) "Clemency" means the power of the President of the United States to modify an individual's criminal sentence through either commutation or pardon.

(3) "Commutation" means a reduction in a sentence or fine imposed on an individual.

(4) "District offenders" means a person convicted of violating a District law or regulation.

(5) "OAG" means the Office of the Attorney General for the District of Columbia.

(6) "Pardon" means the removal of collateral consequences associated with the punishment imposed on an individual, usually granted to restore an individual's civil rights.

Sec. XXX3. Establishment; purpose and duties.

(a) There is established a Clemency Board within the OAG to review the applications of District offenders and determine which applications to recommend to the President of the United States for clemency. The Attorney General shall provide staff, office space, and administrative support to the Board.

(b) The Board shall:

(1) Develop criteria and an application for clemency and publicize the application procedure;

(2) Review each application and determine, within 6 months after an application is received, whether to recommend the application to the President of the United States;

(3) Consider both cases of actual innocence and cases of those who are remorseful and can show they have been rehabilitated;

(4) Give special consideration to applicants who are terminally ill, elderly, or no longer present a danger to the community;

(5) Develop criteria for the consideration of an applicant's background, including from outside organizations that the applicant has interacted with;

(6) Endeavor to conduct in-person, telephone, or video conference hearings with applicants;

(7) Allow applicants to have access to an attorney or non-attorney representative during the hearing;

(8) When the Board decides to recommend an application to the President of the United States, send the application to the Office of the Pardon Attorney and to the President of the United States; and

(9) Track and publish the number of applications the Board grants and denies, including the number of applications recommended to the President of the United States, in an annual report to the Council and on the OAG's website; provided, that the annual report shall exclude personally identifiable information.

Sec. XXX4. Composition.

(a) The Board shall consist of 9 members as follows:

(1) The Mayor shall appoint 5 individuals with the following qualifications pursuant to section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)):

(A) One member with a background in returning citizen issues;

(B) A mental health professional;

(C) One member with a background in victim's rights;

(D) A member of the District of Columbia Bar in good standing, with experience in criminal law; and

(E) One District resident community member;

(2) The Attorney General for the District of Columbia, or the Attorney General's designee;

(3) The Director of the Public Defender Service for the District of Columbia, who shall be invited to participate by the Mayor, or the Director's designee; and

(4) The United States Attorney for the District of Columbia, who shall be invited to participate by the Mayor, or the United States Attorney's designee; and

(5) The chairperson of the Council committee with jurisdiction over judiciary and public safety matters, or the chairperson's designee.

(b) The Board shall select a chairperson from among the members appointed pursuant to subsection (a)(1) of this section.

(c)(1) 5 members of the Board shall constitute a quorum for the transaction of business.

(2) Applications for clemency shall be approved for recommendation to the President of the United States by a majority vote of the members present and voting.

(e)(1) Board members appointed pursuant to subsection (a)(1) of this section shall serve for terms of 4 years, except as provided in paragraph (2) of this subsection.

(2) Of the members initially appointed under subsection (a)(1) of this section, 3 members shall be appointed to serve for a 4-year term and 2 members shall be appointed to serve for a 3-year term. The terms of the members first appointed pursuant to subsection (a)(1) of this section shall begin on the date that a majority of the members appointed pursuant to subsection (a)(1) of this section are sworn in, which shall become the anniversary date for all subsequent appointments.

(f) The OAG shall employ at least one full-time staff member to assist the Board in carrying out its duties under section XXX3(b).

Sec. XXX5. Eligibility for Clemency Recommendation.

(a) All District of Columbia Code offenders are eligible to apply for clemency recommendation.

(b) No application for clemency shall be filed pursuant to this subtitle if other forms of judicial or administrative relief are available.

(c) The application criteria developed by the Board, pursuant to XXX3(b)(1) for pardon applications shall require the applicant to:

(1) Before applying, wait 5 years after the date of the release of the applicant from confinement or, in case no prison sentence was imposed, wait 5 years after the date of the conviction of the applicant;

(2) Have not been convicted of any other criminal offense that is relevant to the conviction for which the applicant seeks clemency;

(3) Not be subject to any pending criminal charge that is relevant to the conviction for which the applicant seeks clemency;

(4) Not be a party to a past or pending civil case that is relevant to the conviction for which the applicant seeks clemency;

(5) Demonstrate that the applicant has been rehabilitated; and

(6) Describe how the receipt of a pardon would help the applicant achieve his or her goals and contribute to the community.

(d) The application criteria developed by the Board, pursuant to XXX3(b)(1) for commutation applications shall require the applicant to:

(1) Demonstrate that the applicant has been rehabilitated; and

(2) Describe how commutation would help the applicant achieve his or her goals and contribute to the community.

(e) An applicant shall be given special consideration if the sentencing scheme, including any mandatory minimum sentence, for the offense for which they were convicted was reduced after the applicant was convicted under the sentencing scheme.

Sec. XXX6. Confidentiality of proceedings.

(a) Proceedings of the Board shall be subject to the Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*), except that the Board shall hold closed sessions when:

(1) Considering applications for clemency; or

(2) Discussing matters where the identity of any person, other than a person who has expressly consented to be identified, could be ascertained.

(b) Persons other than Board members who attend any Board meeting that is closed to the public shall not disclose what occurred at the meeting to anyone who was not in attendance, except insofar as disclosure is necessary for that person to comply with a request for information from the Board. Board members who attend closed meetings shall not disclose what occurred with anyone who was not in

attendance (except other Board members), except insofar as disclosure is necessary to carry out the duties of the Board.

Sec. XXX7. Confidentiality of information.

(a) Except as provided by this section, information and records of the Board shall not be disclosed voluntarily, pursuant to a subpoena, in response to a request for discovery in any adjudicative proceeding, in response to a request made under the Freedom of Information Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*), nor shall they be introduced into evidence in any administrative, civil, or criminal proceeding.

(b)(1) Information and records of the Board may be disclosed by members of the Board only as necessary to carry out the Board's duties and purposes.

(2) A member of the Board who discloses information pursuant to this act shall take all reasonable steps to ensure that the information disclosed, and the persons to whom the information is disclosed, are as limited as possible.

(c) Information and records presented to the Board shall not be immune from subpoena or discovery, or prohibited from being introduced into evidence, solely because the information and records were presented to the Board, if the information and records have been obtained through other sources.

Sec. XXX8. Rules.

The Attorney General, pursuant to Title I of the District of Columbia Administrative Procedure Act, effective 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. XXX9. Section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)), is amended as follows:

- (a) Paragraph (32) is amended by striking the word “and”.
- (b) Paragraph (33) is amended by striking the period at the end and inserting the phrase “; and” in its place.

(c) A new paragraph (34) is added to read as follows:

“(34) The Clemency Board within the Office of the Attorney General for the District of Columbia.”.

2. TITLE --. SUBTITLE --. FATALITY REVIEW COMMITTEE AMENDMENTS

a. Purpose, Effect, and Impact on Existing Law

Violence Fatality Review Committee:

This subtitle will create a Violence Fatality Review Committee (“VFRC”) within the Office of the Chief Medical Examiner (“OCME”) to study homicides and suicides of District residents ages 19 and older. The goal of the VFRC is to both reduce and prevent homicides and suicides in the District. In order to accomplish this, the VFRC will study individual cases and will describe and record any patterns or trends that arise. The VFRC will also consider the relationship between socioeconomic status and incidence of homicide or suicide. Based on patterns that are found among individual cases, the VFRC will make recommendations for systemic improvements and for improved access to employment, healthcare, mental healthcare, housing and education programs. The VFRC will also recommend training to District agencies to improve the prevention of homicides and suicides and to identify risk factors and develop protective factors in the individual, family and community response to violence.

The Mayor will appoint one member from each of the following agencies to serve on the VFRC: OCME; the Metropolitan Police Department; the Office of the Attorney General; the Office of Neighborhood and Safety Engagement; the Fire and Emergency Medical Services Department; the Department of Behavioral Health; the Office of Victim Services and Justice Grants; the Department of Behavioral Health; the Department of Human Services; the Department of Health; and the District of Columbia Housing Authority. The Mayor will also request the designation of members from federal, judicial, and private agencies or entities with relevant expertise in homicide or suicide cases. This includes the Superior Court of the District of Columbia; the Office of the United States Attorney for the District of Columbia; and the Court Services and Offender Supervision Agency. Finally, the Mayor will appoint one representative from each hospital located in the District of Columbia; two representatives from organizations providing hospital-based violence intervention programs; two representatives from organizations providing mental and behavioral health services; a representative from each college or university within the District providing research in homicide and suicide prevention; one representative from an organization providing services to secondary victims of homicide or suicide; and three community members. The VFRC may choose to invite other stakeholders to attend or present at any relevant portion of a Committee meeting.

The VFRC will be responsible for preparing an annual report that summarizes its findings and makes recommendations for reform, but excludes any information that can individually identify a victim, the victim’s family, or an alleged perpetrator.

If a recommendation involves a specific District agency, that agency is required to respond to the VFRC within 30 days of the issuance of the report. The language of the subtitle grants the VFRC access to the information it needs to conduct case review.

Maternal Mortality Review Committee:

This subtitle also includes a minor technical change to the Maternal Mortality Review Committee Establishment Act of 2018, enacted on April 12, 2018 (D.C. Act 22-315). This change will ensure the legislation is consistent with the Home Rule Act's requirements relating to open meetings and clarify the confidentiality protections for Maternal Mortality Review Committee ("MMRC") records and the scope of immunity for MMRC members.

Child Fatality Review Committee:

Finally, this subtitle includes several updates to the Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.01 *et seq.*). The changes will allow the Child Fatality Review Committee ("CFRC") to conduct maternal interviews when reviewing cases of infant mortality and review information on known perpetrators. This subtitle will also add the Public Charter School Board to the CFRC's membership and allow community representative nominees to the CFRC to be "deemed approved" when they come to the Council.

b. Committee Reasoning

Violence Fatality Review Committee:

The newly established VFRC will be tasked with evaluating homicides and suicides in the District in order to reduce and prevent the incidence homicides and suicides. The VFRC will work to improve how individuals, the community, and government agencies respond to these types of cases. Although OCME hosts several fatality review committees, none of the other committees have specific jurisdiction over homicides and suicides. However, it is clear that the District is greatly impacted by these types of deaths. In FY17 and FY18, to date, OCME has reviewed 160 homicide cases and 68 suicide cases. Establishing the VFRC will provide OCME with additional insight and information on these types of tragedies and how they can be prevented.

During the agency's budget oversight hearing, Chief Medical Examiner Dr. Roger Mitchell spoke about how important it is to view violence as a public health issue, both in the case of homicides and suicides. He expressed that suicides are just as violent as homicides are, and in fact there are three times more suicides than

homicides using guns across the country. Dr. Mitchell explained that the VFRC will be novel in that most fatality review committees across the country have their origins in law enforcement, but the VFRC will take a public-health approach to addressing violence prevention. He noted that there is statistical power in looking at numbers and trends, and the information gleaned from the VFRC will help to inform better policies on violence prevention and help to establish better support services for people who engage in violence or are victims of violence.

Maternal Mortality Review Committee:

The Committee made the minor changes to the MMRC legislation based on recommendations from the Office of the Attorney General.

Child Fatality Review Committee:

Finally, the changes to the CFRC legislation are the result of advocacy from the OCME as well as the July 21, 2017, report by the Office of the District of Columbia Auditor (“the Auditor”) titled “Critical Work of the Child Fatality Review Committee Should Build on Recent Reforms”.

OCME requested that the CFRC members be granted authorization to conduct maternal interviews. The maternal interview is a national evidence-based practice that began as a collaborative effort between the American College of Obstetricians and Gynecologists (“ACOG”) and the Maternal and Child Health Bureau (“MCHB”) in 1990 to address the rate of infant and fetal deaths. Out of this collaboration, a Fetal Infant Mortality Review Program (“FIMR”) was established and became the national model. The national FIMR model utilizes a staff person to interview mothers and caregivers on their perspectives of why the infant or fetal death occurred and the ways in which the system could have assisted in the prevention of the death for incorporation into FIMR’s case summary.

Currently, the District of Columbia incorporates an Infant Mortality Review team (“IMRT”) within their Child Fatality Review Committee with similar functions to that of the FIMR national model. However, the District’s CFRC does not currently have the ability to conduct voluntary maternal interviews as part of the case review process. Therefore, authorizing maternal interviews as part of the case review process is critical to the team’s ability to obtain information that may not be contained in records or documents directly from the mother and caregiver and to align with best practices of the FIMR national model. The addition of information gathered through the maternal interview will create a more holistic case review process to identify preventable contributing factors and analyze causes of infant health disparities with the goal of developing findings and recommendations to improve services to women and children.

The ability to review known perpetrator information will allow the CFRC to expand its prevention efforts and assist in better identifying perpetrator trends to improve services, policies and programs to perpetrators in hopes of preventing future child deaths. Often the cases reviewed by CFRC are homicides committed by other adolescents. Review of perpetrator information gives a unique opportunity to understand the systematic issues that lead to violent behavior as well as systematic issues that affect the victims of violence.

As noted in the Auditor's report, the CFRC does not have access to public charter school educational records, nor is there a representative who can speak to their programs and policies. Through case reviews over the years, the CFRC membership also noted the need for charter school representation to the Committee. This is a significant omission, as charter schools in the District enroll almost as many students as District of Columbia Public Schools. In collaboration with OCME, the Committee added this provision to the subtitle.

Finally, the Auditor's report noted that there have been a significant number of vacancies on the CFRC and recommended the Committee exempt community members of the CFRC from the confirmation process. The Committee agrees that making the nominees deemed approved will expedite the practice of nominating members and preventing vacancies.

c. Section-by-Section Analysis

Sec. XXXX. States the short title.

Sec. XXX2. Establishes the Violence Fatality Review Committee within the Office of the Chief Medical Examiner and defines the purpose, duties, and reporting requirements of the Committee.

Sec. XXX3. Establishes the Committee's composition and designates the terms of service for members.

Sec. XXX4. Provides the Committee with the ability to access necessary information to carry out its duties.

Sec. XXX5. Provides the Committee with the authority to issue subpoenas to compel witnesses.

Sec. XXX6. Protects the confidentiality of Committee meetings, in addition to the information and records that the Committee collects.

Sec. XXX7. Provides immunity from liability for those who provide information to the Committee.

- Sec. XXX8. Provides penalties for misuse of confidential information.
- Sec. XXX9. Gives the Executive the authority to issue rules to implement the Violence Fatality Review Committee.
- Sec. XX10. Provides a conforming amendment to Section 203(a) of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1302.03(a)).
- Sec. XX11. Provides a conforming amendment to Section 306(a) of the Prevention of Child Abuse and Neglect Act of 1977, effective October 18, 1979 (D.C. Law 3-29; D.C. Official Code § 4-1303.06(a)).
- Sec. XX12. Provides a conforming amendment to Section 20 of the Vital Records Act of 1981, effective October 8, 1981 (D.C. Law 4-34; D.C. Official Code § 7-219).
- Sec. XX13. Provides conforming amendments to Sections 311, 1053(c), 2331(c)(4), 2332(c)(4), 2333(b)(4), and 2335(d) of Title 16 of the District of Columbia Official Code.
- Sec. XX14. Provides a conforming amendment to Section 204(d) of the Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(d)).
- Sec. XX15. Makes minor technical amendments to the Maternal Mortality Review Committee Establishment Act of 2018, enacted on April 12, 2018 (D.C. Act 22-315; 65 DCR 4278).
- Sec. XX16. Amends the Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.01 *et seq.*) to provide a definition for “maternal interview” and give the Committee authority to conduct maternal interviews; to give the Committee the authority to review records of an alleged perpetrator; to add the Public Charter School Board to the list of agencies represented on the Committee; and to change the nominations of community representatives to be “deemed approved” by the Council.
- Sec. XX17. Provides a conforming amendment to Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)).

d. Legislative Recommendations for the Committee of the Whole

Sec. XXXX. Short title.

This subtitle may be cited as the “Fatality Review Committee Amendment Act of 2018”.

Sec. XXX2. Establishment and purpose.

(a) There is established a Violence Fatality Review Committee (“Committee”) within the Office of the Chief Medical Examiner (“OCME”). The OCME shall provide facilities, staffing, and other administrative support for the Committee.

(b) The Committee shall evaluate homicides and suicides in the District and of District residents, regardless of the place of death.

(c) The Committee’s duties shall include:

(1) Identifying and characterizing the scope and nature of homicides and suicides in the District, involving District residents 19 years of age and older;

(2) Coordinate with other District fatality review entities to minimize duplication of efforts;

(3) Describing and recording any data or patterns that are observed surrounding homicides and suicides;

(4) Performing a retrospective review of socioeconomic determinant risk and protective factors surrounding homicides and suicides in the District and of District residents, regardless of the place of death;

(5) Developing and revising, as necessary, operating rules and procedures for review of homicides and suicides, including identification of cases to

be reviewed, establishment of sub-committees as necessary, and improvement of the identification, data collection, and record keeping of the causes of homicides and suicides;

(6) Recommending systemic improvements to prevent and respond to homicides and suicides;

(7) Recommending policies for improved access to employment, healthcare, mental and behavioral healthcare, housing, and education programs; and

(8) Recommending training to improve the prevention of homicides and suicides and to identify risk factors and develop protective factors in the individual, family, and community response to violence.

(d)(1) By July 1st of each year, the Committee shall make publicly-available and submit to the Council and Mayor an annual report of its findings, recommendations, and steps taken to evaluate the implementation of past recommendations, which includes the following information:

(A) A description of the causes of and contributing factors to the homicides and suicides the Committee reviewed during the preceding calendar year;

(B) A description of the state of homicides and suicides in the District, including statistics; and

(C) Recommendations for systemic changes and legislation relating to the prevention of homicides and suicides in the District.

(2) If a recommendation in the annual report is directed at a particular subordinate agency, the head of the subordinate agency shall respond in writing to

the Committee within 30 days of the issuance of the annual report, describing the subordinate agency's plans to address the recommendation.

(3) The annual report submitted pursuant to paragraph (1) of this subsection shall not contain any personally identifiable information but may include aggregated data.

Sec. XXX3. Composition of the Committee; procedural requirements.

(a) The Mayor shall appoint one representative from each of the following District agencies:

- (1) The Office of the Attorney General;
- (2) The Office of the Chief Medical Examiner;
- (3) The Metropolitan Police Department;
- (4) The Office of Neighborhood Safety and Engagement;
- (5) The Office of Victim Services and Justice Grants;
- (6) The Fire and Emergency Medical Services Department;
- (7) The Department of Behavioral Health;
- (8) The Department of Human Services;
- (9) The Department of Health; and
- (10) The District of Columbia Housing Authority.

(b) The Mayor shall request the designation of members from federal, judicial, and private agencies or entities with relevant expertise in homicide or suicide cases, to include one representative from each of the following:

- (1) The Superior Court of the District of Columbia;

(2) The Office of the United States Attorney for the District of Columbia;
and

(3) The Court Services and Offender Supervision Agency.

(c) The Mayor shall additionally appoint the following members in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)):

(1) One representative from each hospital located in the District;

(2) Two representatives from organizations providing hospital-based violence intervention programs;

(3) Two representatives from organizations providing mental and behavioral health services;

(4) A representative from each college or university within the District conducting research in homicide and suicide prevention;

(5) One representative from an organization providing services to secondary victims of homicide or suicide; and

(6) Three community members who are not District government employees.

(d)(1) Members appointed pursuant to subsections (a) and (b) of this section shall serve at the pleasure of the Mayor, or of the entity designating their availability for appointment.

(2) Members appointed pursuant to subsection (c) of this section shall serve a 3-year term and may be removed by the Mayor for cause. Vacancies in

membership shall be filled in the same manner in which the original appointment was made.

(e) The Committee shall select a Chairperson according to procedures set forth by the Committee.

(f) The Committee shall establish quorum and other procedural requirements as it considers necessary.

(g) No member shall serve in a hold-over capacity for longer than 180 days after the expiration of the term to which they were appointed.

(h) The Committee may invite other stakeholders to attend or present at any relevant portion of a Committee meeting.

Sec. XXX4. Access to information.

(a) Notwithstanding any other provision of law, immediately upon the request of the Committee and as necessary to carry out the Committee purpose and duties, the Committee shall be provided, without cost and without authorization of the persons to whom the information or records relate to, access to:

(1) All information and records of:

(A) Any District agency, or a District agency's contractors, including birth and death certificates, law enforcement investigation data, unexpurgated juvenile delinquency records and adult criminal records, intellectual and developmental disabilities records, autopsy reports, parole and probation information and records, school records, and records of human services, behavioral health, housing; and

(B) Health agencies that provided services to the victim, the victim's family, or an alleged or suspected perpetrator whose acts led to the death of the victim;

(2) All information and records of any healthcare providers located in the District, including providers of health and mental health services who provided services to the deceased victim, the deceased victim's family, or the alleged or suspected perpetrator whose acts led to the death of the victim;

(3) All information and records of any public or private child welfare agency, educational facility or institution, or child care provider doing business in the District who provided services to the victim, the victim's family, or the alleged or suspected perpetrator whose acts led to the death of the victim; and

(4) Information made confidential by sections 203 or 306 of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1302.03 or 4-1303.06), section 20 of the Vital Records Act of 1981, effective October 8, 1981 (D.C. Law 4-34; D.C. Official Code § 7-219), section 302 of the District of Columbia Mental Health Information Act of 1978, effective March 3, 1979 (D.C. Law 2-136; D.C. Official Code § 7-1203.02), section 512 of the Citizens with Intellectual Disabilities Constitutional Rights and Dignity Act of 1978, effective March 3, 1979 (D.C. Law 2-137; D.C. Official Code § 7-1305.12), D.C. Official Code §§ 16-2331, 16-2332, 16-2333, and 16-2335, and section 28 of the Health Maintenance Organization Act of 1996, effective April 9, 1997 (D.C. Law 11-235; D.C. Official Code § 31-3426).

(b) The Committee may seek information from entities and agencies outside the District by any legal means available to it.

(c)(1) Notwithstanding subsection (a)(1) of this section, information and records concerning a current law enforcement investigation may be withheld, at the discretion of the investigating authority, if disclosure of the information would compromise a criminal investigation or prosecution.

(2) If information or records are withheld under paragraph (1) of this section, a report on the status of the investigation shall be submitted to the Committee by the investigating authority every 3 months until the earliest of the following events occurs:

(A) The investigation is concluded and the information or records are provided to the Committee; or

(B) The investigating authority determines that providing the information will no longer compromise the investigation and the information or records are provided to the Committee.

(e) All records and information obtained by the Committee pursuant to subsections (a) and (b) of this section pertaining to a deceased victim or any other individual shall be destroyed immediately following the preparation of the Committee's annual report. All additional information concerning a review, except statistical data, shall be destroyed by the Committee one year after publication of the Committee's annual report.

Sec. XXX5. Subpoena power.

(a) When necessary for the discharge of its duties, the Committee may issue subpoenas to compel witnesses to appear, testify, or produce books, papers, correspondence, memoranda, documents, medical records, or other relevant records.

(b) Except as provided in subsection (c) of this section, subpoenas shall be served personally upon the witness or the witness's designated agent, not less than 5 business days before the date the witness must appear or the documents must be produced, by a special process server, at least 18 years of age, engaged by the Committee.

(c) If, after a reasonable attempt, personal service on a witness or a witness's agent cannot be effected, a special process server identified in subsection (b) of this section may serve a subpoena by registered or certified mail not fewer than 8 business days before the date the witness must appear, testify, or produce documents.

(d) If a witness who has been personally summoned neglects or refuses to obey the subpoena issued pursuant to subsection (a) of this section, the Committee may report that fact to the Superior Court of the District of Columbia, and the court may compel obedience to the subpoena to the same extent as witnesses may be compelled to obey the subpoenas of the court.

Sec. XXX6. Confidentiality of information and proceedings.

(a) Except as provided in this section, information and records obtained or created by the Committee are confidential and not subject to civil discovery or to disclosure pursuant to the Freedom of Information Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

(b) Information and records presented to the Committee for review shall not be immune from subpoena, discovery, or prohibited from being introduced into evidence solely because they were presented to or reviewed by the Committee if the information and records have been obtained through other sources.

(c) Information required to be reported under section 2 or 3 of An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, approved November 6, 1966 (80 Stat. 1354; D.C. Official Code § 4-1321.02 or 4-1321.03), shall be disclosed by the Committee to the Child and Family Services Agency.

(d) A person other than a Committee member who appears before or participates in the Committee's review of homicides or suicides shall sign a confidentiality agreement acknowledging that any information provided to the Committee is confidential; provided, that any such confidentiality agreement shall account for situations where disclosure is necessary for the person to comply with a request for information from the Committee.

(e) Committee meetings shall be subject to the Open Meetings Act, approved October 21, 1968 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*), except that Committee meetings shall be closed when the Committee is discussing cases of individual homicides or suicides or where the identity of any person, other than a person who has expressly consented to be identified, can be ascertained.

(f) Information identifying a victim of homicide or suicide, the victim's family members, or the alleged or suspected perpetrator of the homicide or suicide shall not be disclosed by the Committee in any report that is available to the public.

(g) The Committee may disclose information to other entities when the Committee determines that disclosure is necessary to carry out the Committee's purpose and duties. The Committee may disclose Committee records to another District fatality review committee or board at the request of the District fatality review committee or board, if the other District fatality review committee or board is governed by confidentiality that is substantially similar to the confidentiality by which the Committee is governed.

(h) This section shall not be construed to prohibit a person from:

(1) Disclosing information that the person obtained independently of the Committee; or

(2) Disclosing information that is already public.

Sec. XXX7. Immunity from liability for providing information to the Committee.

(a) Any person, hospital, or institution participating in good faith in providing information to the Committee pursuant to sections XXX1 through XXX9 of this subtitle shall have immunity from administrative, civil, or criminal liability that might otherwise be incurred or imposed with respect to the disclosure of the information. In any such proceeding, there shall be a rebuttable presumption that

the person, hospital, or institution that provided information to the Committee acted in good faith.

(b) If acting in good faith, without malice, and within the parameters of the operating rules and procedures established by sections XXX1 through XXX9 of this subtitle, members of the Committee are immune from civil liability for an activity related to reviews of homicides or suicides.

Sec. XXX8. Unlawful disclosure of information; penalties.

Whoever knowingly discloses, receives, makes use of, or permits the use of information concerning a deceased woman or other person in violation of sections XXX1 through XXX9 of this subtitle shall be subject to a civil fine of not more than \$1,000. Violations of sections XXX1 through XXX9 of this subtitle shall be prosecuted by the Office of the Attorney General or the Attorney General's designee in the name of the District of Columbia.

Sec. XXX9. Rules.

(a) 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 sections XXX1 through XXX9 of this subtitle.

Sec. XX10. Section 203(a) of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1302.03(a)), is amended as follows:

(a) Paragraph (8) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Paragraph (9) is amended by striking the period and inserting the phrase "; and" in its place.

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

"(10) The Violence Fatality Review Committee, for the purpose of examining past events and circumstances surrounding homicides and suicides in the District. The Violence Fatality Review Committee shall be granted, upon request, access to information contained in the files maintained on any deceased child or on the parent, guardian, custodian, kinship caregiver, day-to-day caregiver, relative/godparent, caregiver, or sibling of a deceased child."

Sec. XX11. Section 306(a) of the Prevention of Child Abuse and Neglect Act of 1977, effective October 18, 1979 (D.C. Law 3-29; D.C. Official Code § 4-1303.06(a)), is amended as follows:

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

(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) The investigation or review of homicides or suicides by representatives of the Violence Fatality Review Committee, established by section

XXX2 of the Fatality Review Committee Amendment Act of 2018, as approved by the Committee of the Whole on May 15, 2018 (Committee print of Bill 22-753).”.

Sec. XX12. Section 20 of the Vital Records Act of 1981, effective October 8, 1981 (D.C. Law 4-34; D.C. Official Code § 7-219), is amended by adding a new subsection (e) to read as follows:

"(e) Notwithstanding the provisions of this section, the Registrar shall provide reports of homicides or suicides of adults 19 years of age or older, to the Violence Fatality Review Committee pursuant to section XXX4 of the Fatality Review Committee Amendment Act of 2018, as approved by the Committee of the Whole on May 15, 2018 (Committee print of Bill 22-753).”.

Sec. XX13. Title 16 of the District of Columbia Official Code is amended as follows:

(a) Section 16-311 is amended by striking the phrase “Child Fatality Review Committee for inspection if the adoptee is deceased and inspection of the records and papers is necessary for the discharge of the Committee’s” and inserting the phrase “Child Fatality Review Committee or the Violence Fatality Review Committee for inspection if the adoptee is deceased and inspection off the records and papers is necessary for the discharge of the relevant Committee’s” in its place.

(b) Section 16-1053(c) is amended to read as follows:

“(c) The Mayor shall additionally appoint 8 community representatives, none of whom shall be employees of the District, in accordance with section 2(f) of the

Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)).”.

(c) Section 16-2331(c)(4) is amended as follows:

(1) Subparagraph (E) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(2) A new subparagraph (G) is added to read as follows:

"(G) The Violence Fatality Review Committee for the purposes of examining past events and circumstances surrounding suicides and homicides of children in the District of Columbia or of children who are either residents or wards of the District of Columbia, or for the discharge of its official duties."

(d) Section 16-2332(c)(4) is amended as follows:

(1) Subparagraph (D)(ii)(II) is amended by striking the semicolon and inserting the phrase "; and" at the end.

(2) A new subparagraph (E) is added to read as follows:

"(E) The Violence Fatality Review Committee for the purposes of examining past events and circumstances surrounding suicides and homicides of children in the District of Columbia or of children who are either residents or wards of the District of Columbia, or for the discharge of its official duties."

(e) Section 16-2333(b)(4) is amended as follows:

(1) Subparagraph (D) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(2) A new subparagraph (F) is added to read as follows:

"(F) The Violence Fatality Review Committee when necessary for the discharge of its official duties."

(f) Section 16-2335(d) is amended by striking the phrase "the Child Fatality Review Committee" and inserting the phrase "Child Fatality Review Committee and the Violence Fatality Review Committee" in its place.

Sec. XX14. Section 204(d) of the Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(d)), is amended by adding a new paragraph (3) to read as follows:

"(3) The provisions of this title shall not apply to:

"(A) The Violence Fatality Review Committee, established by section XXX2 of the Fatality Review Committee Amendment Act of 2018, as approved by the Committee of the Whole on May 15, 2018 (Committee print of Bill 22-753);

"(B) The Child Fatality Review Committee, established by section 4603 of the Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.03);

"(C) The Maternal Morality Review Committee, established by section 3 of the Maternal Mortality Review Committee Establishment Act of 2018, enacted on April 12, 2018 (D.C. Act 22-315; 65 DCR 4278); and

"(D) The Domestic Violence Fatality Review Board, established by section 2(c) of the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act of 2002, effective April 11, 2003 (D.C. Law 14-296; D.C. Official Code § 16-1052).".

Sec. XX15. The Maternal Mortality Review Committee Establishment Act of 2018, enacted on April 12, 2018 (D.C. Act 22-315; 65 DCR 4278), is amended as follows:

(a) Section 3(c)(4) is amended by striking the phrase “coordination among the agencies and professionals involved” and inserting the phrase “coordination of records requests by the Committee, establishment of sub-committees as necessary, and” in its place.

(b) Section 7 is amended as follows:

(1) Subsection (a) is amended by striking the phrase “discovery or to disclosure pursuant” and inserting the phrase “discovery, or to disclosure from the Committee pursuant” in its place.

(2) Subsection (d) is amended to read as follows

“(d) Committee meetings shall be subject to the Open Meetings Act, approved October 21, 1968 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*), except that Committee meetings shall be closed when the Committee is discussing cases of individual maternal deaths or where the identity of any person, other than a person who has expressly consented to be identified, can be ascertained.”.

(3) Subsection (f) is amended to read as follows:

“(f) This section shall not be construed to prohibit a person from:

“(1) Disclosing information that the person obtained independently of the Committee; or

“(2) Disclosing information that is already public.”.

(c) Section 8(b) is amending by striking the phrase “protocols established by this act” and inserting the phrase “operating rules and procedures established pursuant to this act” in its place.

Sec. XX16. The Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.01 *et seq.*) is amended as follows:

(a) Section 4602 (D.C. Official Code § 4-1371.02) is amended by adding a new paragraph (3) to read as follows:

“(3) “Maternal interview” means Committee interaction, either in person or through other means of communication, with the biological mother, primary caregiver of any gender, or guardian of any gender, of a deceased child.”.

(b) Section 4603 (D.C. Official Code § 4-1371.03) is amended by adding a new subsection (c) to read as follows:

“(c) The Committee may:

“(1) Conduct voluntary maternal interviews as part of the fatality review process when necessary to identify and characterize the scope and nature of a child death; and

“(2) Review records and other pertinent documents of District agencies and private agencies that provided services, treatment, or education to the alleged perpetrator of abuse which led to the death of the child, for the purpose of providing recommendations consistent with subsection (b)(4), (5), and (6) of this section.”.

(c) Section 4604 (D.C. Official Code § 4-1371.04) is amended as follows:

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

(A) Paragraph (12) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(B) Paragraph (13) is amended by striking the period and inserting the phrase “; and” in its place.

(C) A new paragraph (14) is added to read as follows:

“(14) Public Charter School Board.”.

(2) Subsection (c) is amended to read as follows:

“(c) The Mayor shall additionally appoint 8 community representatives, none of whom shall be employees of the District, in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)).”.

Sec. XX17. Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), is amended as follows:

(a) Paragraph (56) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(b) Paragraph (57) is amended by striking the period and inserting the phrase “; and” in its place.

(c) New paragraphs (58), (59), and (60) are added to read as follows:

“(58) The Maternal Morality Review Committee, established by section 3 of the Maternal Mortality Review Committee Establishment Act of 2018, enacted on April 12, 2018 (D.C. Act 22-315; 65 DCR 4278);

“(59) The Child Fatality Review Committee, established by section 4603 of the Child Fatality Review Committee Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 4-1371.03);

“(60) The Violence Fatality Review Committee, established by section XXX2 of the Fatality Review Committee Amendment Act of 2018, as approved by the Committee of the Whole on May 15, 2018 (Committee print of Bill 22-753); and

“(61) The Domestic Violence Fatality Review Board, established by section 2(c) of the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act of 2002, effective April 11, 2003 (D.C. Law 14-296; D.C. Official Code § 16-1052).”.

3. TITLE --. SUBTITLE --. EMERGENCY MEDICAL SERVICES TRANSPORT CONTRACT AUTHORITY AMENDMENT

a. Purpose, Effect, and Impact on Existing Law

This subtitle would extend the authority of the Fire and Emergency Medical Services Department (“FEMS” or “the Department”) to contract with a third-party provider for basic life support transport. FEMS’ authority to do so is currently set to expire on September 30, 2019, per section 3073 of the Emergency Medical Services Transport Contract Authority Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; 63 DCR 10775). This subtitle will extend the Department’s authority to contract for only two years, through September 30, 2021.

The District’s current contract requirements mandate that the third-party provide basic life support (“BLS”) emergency ambulance service eighteen hours per day, between 7:00 a.m. to 1:00 a.m., 365 days per year. FEMS remains the designated first responder for all 9-1-1 emergency medical incidents within the District and performs the initial triage and assessment of all patients, and also provides ambulance transport for higher priority Advance Life Support (“ALS”) calls. FEMS additionally transports some categories of BLS patients, including when third-party resources run low. These basic tenets of the contracting authority will not change.

The subtitle also adds a new reporting requirement for the third-party contractor to include in its now-biannual report to the Council. Based on this subtitle, the third-party contractor will be obligated to report the number of minutes within the statutorily required period of service during which none of its ambulances were available for service.

b. Committee Reasoning

When the Committee first granted FEMS the authority to contract with a third-party, the Department was facing critical shortfalls and fundamental challenges with responding to calls for service. The District faces a unique problem in that the population is the 27th highest in the country, while the 9-1-1 call volume is the seventh highest. This means that the District has the highest per capita Emergency Medical Service (“EMS”) call volume in the country. As a result, the Department’s call volume far outpaced the Department’s resources and capability to respond, which put critical patients at risk. FEMS maintains its belief that if it had not acted immediately to obtain and deploy supplemental ambulances during FY16, the EMS system would have experienced sustained “capacity failure”, resulting in days or weeks of EMS service levels being unable to consistently meet call volume demand, especially during the summer months. The goal of the contract was to stabilize the Department and to improve unit availability, response times, vehicle maintenance and repair, training for providers, and patient care.

Since the Department began contracting with American Medical Response (“AMR”), FEMS has hired 108 new firefighter/EMTs and firefighter/paramedics, expanded the availability of transport units during heavy call volume periods, converted three BLS units to ALS medic units, decreased the average response time for higher priority calls, acquired a total fleet of 96 ambulances, and conducted more preventative maintenance and repairs on the existing fleet. The Department has also had 11 or more transport units available over 90% of the time since the contract has been in place. Additionally, the Department delivered a 40% increase in EMS-related training hours for providers.

The Committee does not believe the Department’s EMS capabilities are strong enough yet to operate without the third-party contract. FEMS estimates that it will take up to three years to replace the BLS transport capability offered by the third-party contractor, and the replacement would require adding and staffing between 20 to 25 new ambulances to FEMS at an estimated total cost of \$32 million in the first year. With continued authority to contract with AMR, the Department can focus on reforming its EMS system incrementally as well as changing the culture in the District surrounding use and misuse of EMS resources.

One initiative focused on relieving the burden on the EMS system is the recently-launched “Right Care, Right Now” Nurse Triage Line (“NTL”). Individuals who call 9-1-1 may be transferred to a nurse if they call in with non-emergency injuries or illnesses. The nurse will then talk through the symptoms the caller is experiencing and determine what type of care is needed. In most cases, the caller will be diverted to a community care clinic or urgent care clinic in the caller’s neighborhood and will be provided with transportation to and from the clinic. The Department hopes this will lead to lower call volumes, thereby preserving FEMS’ limited resources for the most critical patients.

The Committee would like to see the Department focus on hiring and building out the capacity of its ambulance and medic fleets. With this continued effort, coupled with the diversion of BLS patients through the NTL, the Committee hopes the Department will no longer need the authority to contract with a third-party provider after September 30, 2021, and will be able to bring full operations back in-house.

c. Section-by-Section Analysis

Sec. XXXX. States the short title.

Sec. XXX2. Amends Section 1(d) of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401(d)) to add a reporting requirement for the third-party contractor.

Sec. XXX3. Amends Section 3073 of the Emergency Medical Services Transport Contract Authority Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; 63 DCR 10775) to extend the authority of the Department to contract with a third-party provider.

d. Legislative Recommendations for the Committee of the Whole

Sec. XXXX. Short title.

This subtitle may be cited as the “Emergency Medical Services Transport Contract Authority Amendment Act of 2018”.

Sec. XXX2. Section 1 of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401), is amended as follows:

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

(1) The lead-in language is amended by striking the word “quarterly” and inserting the word “biannual” in its place.

(2) Paragraph (10) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(3) Paragraph (11) is amended by striking the period and inserting the phrase “; and” in its place.

(4) A new paragraph (12) is added to read as follows:

“(12) For each day of the reporting period, the number of minutes during the third-party contractor’s period of service that none of the third-party contractor’s ambulances were available.”.

(b) Subsection (e) is amended by striking the word “quarterly” and inserting the word “biannually” in its place.

(c) Subsection (f) is amended by striking the word “quarterly” and inserting the word “biannually” in its place.

Sec. XXX3. Section 3073 of the Emergency Medical Services Transport Contract Authority Amendment Act of 2016, effective October 8, 2016 (D.C. Law 21-160; 63 DCR 10775), is amended by striking the phrase “September 30, 2019.” and inserting the phrase “September 30, 2021.” in its place.

4. TITLE --. SUBTITLE --. RETURNING CITIZENS OPPORTUNITY TO SUCCEED AMENDMENT

a. Purpose, Effect, and Impact on Existing Law

This subtitle incorporates Bill 22-0268, the “Returning Citizens Opportunity to Succeed Amendment Act of 2017”, which was introduced by Councilmembers Robert White, Allen, Cheh, Nadeau, Todd, Bonds, McDuffie, Silverman, and Trayon White. The purpose of the subtitle is to assist the District’s residents returning from incarceration with their reintegration into the community.

The subtitle amends the Vital Records Act of 1981, effective October 8, 1981 (D.C. Law 4-34; D.C. Official Code § 7-201 *et seq.*) to establish a one-year pilot program to waive the fees for returning citizens within one year of their release from Bureau of Prisons (“BOP”) custody for vital records. It amends the Office on Ex-Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1301 *et seq.*) to do the same for identification cards issued by the Department of Motor Vehicles (“DMV”). The subtitle also allows returning citizens to use identifying documentation provided by BOP as a permissible form of identification to request a copy of vital records and apply for a special identification card. The subtitle additionally amends the Office on Ex-Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1301 *et seq.*) to establish a one-year pilot program within the Mayor’s Office on Returning Citizens Affairs (“MORCA”) to provide transportation subsidies to returning citizens.

b. Committee Reasoning

More than 4,000 District residents are currently incarcerated in BOP facilities across the country. After they serve their time, many return to the District without official identification, limited financial means, and few housing or employment opportunities. Returning citizens often do not have access to paper copies of their vital records, such as birth certificates. This type of documentation is necessary to obtain a DMV identification card, such as a driver’s license, permit, or special identification card. Photo identification is, in turn, almost always required by housing providers and employers.

The fees imposed by the Department of Health and the DMV on applicants for records and identification cards, respectively, can serve as a barrier to access to these services by returning citizens. Without photo identification, it is difficult for a returning citizen to apply for a job or for housing – both of which are vital to reentry into the community. Therefore, the Committee’s goal is to reduce barriers to vital

records and identification for this population, and in doing so, promote the successful reentry of our residents.

A lack of financial resources can also impact a returning citizen's ability to search for housing and employment in another way: unaffordable transportation costs. At a hearing held by this Committee last December, several witnesses testified about the high cost of public transportation in the District and how a transportation subsidy would be significantly beneficial to returning citizens. For this reason, the Committee includes in this subtitle a one-year pilot program within MORCA to provide transportation subsidies.

The Committee is committed to eliminating barriers for returning citizens, and therefore, recommends the inclusion of this subtitle. The Committee notes that the Committee on Housing and Neighborhood Revitalization is also funding an FTE at MORCA to effectuate this subtitle's provisions relating to MORCA's outreach to BOP-incarcerated residents and has recognized an enhancement of \$60,000 for the creation of the transportation subsidy referenced above.

c. Section-by-Section Analysis

Sec. XXXX. States the short title.

Sec. 2. Amends the Vital Records Act of 1981, effective October 8, 1981 (D.C. Law 4-34; D.C. Official Code § 7-201 *et seq.*), as follows:

(a) Requires the Registrar to accept identifying documentation provided by the Bureau of Prisons as a permissible form of identification.

(b) Establishes a pilot program for Fiscal Year 2019 to waive fees for a certificate of birth for returning citizens for one year after release from the Bureau of Prisons.

Sec. 3. Amends the Office on Ex-Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1301 *et seq.*), as follows:

(a) Establishes a pilot program for Fiscal Year 2019 within MORCA to provide transportation subsidies to returning citizens in the amount of \$60,000; and authorizes the Director to communicate and coordinate with the Bureau of Prisons, including by developing and maintaining a database of District inmates and contacting District inmates in advance of their release dates to provide information and resources.

(b) Makes technical and conforming changes.

Sec. 4. Amends the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-1401.01 *et seq.*) as follows:

(a) Establishes a pilot program for Fiscal Year 2019 to waive fees for motor vehicle operator's permits, learner's permits, and provisional motor vehicle operator's permits.

(b) Establishes a pilot program for Fiscal Year 2019 to waive fees for a driver's license or a special identification card.

d. Legislative Recommendations for Committee of the Whole

Sec. XXXX. Short title.

This subtitle may be cited as the "Returning Citizens Opportunity to Succeed Amendment Act of 2018".

Sec. XXX2. The Vital Records Act of 1981, effective October 8, 1981 (D.C. Law 4-34; D.C. Official Code § 7-201 *et seq.*), is amended as follows:

(a) Section 21 (D.C. Official Code § 7-220) is amended by adding a new subsection (a-1) to read as follows:

"(a-1) For applications received pursuant to subsection (a) of this section from inmates incarcerated by the Federal Bureau of Prisons, if the registrar requires an applicant to provide identification when requesting a certified copy of all or part of a vital record, the Registrar shall accept identifying information provided by the Federal Bureau of Prisons as one permissible form of identification."

(b) Section 22 (D.C. Official Code § 7-221) is amended by adding a new subsection (d) to read as follows:

"(d) Notwithstanding subsection (a) of this section, a pilot program for Fiscal Year 2019 shall be established to waive the fee for a certificate of birth for:

“(1) An individual released from the custody of the Federal Bureau of Prisons (“BOP”), for one year after the individual is released from the custody of the BOP; and

“(2) An individual in the custody of the BOP at a halfway house in the District.”.

Sec. XXX3. The Office on Ex-Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1301 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 24-1302) is amended as follows:

(1) Subsection (a) is amended by striking the word “career” and inserting the word “workforce” in its place.

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

(A) Paragraph (2) is amended as follows:

(i) Subparagraph (B) is amended by striking the phrase “the returning” and inserting the word “returning” in its place.

(ii) Subparagraph (H) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(iii) Subparagraph (I) is amended by striking the period and inserting the phrase “; and” in its place.

(iv) A new subparagraph (J) is added to read as follows:

“(J) Establish a pilot program for Fiscal Year 2019 to provide transportation subsidies to returning citizens, pursuant to criteria to be developed by the Office, in the amount of \$60,000.”.

(B) A new paragraph (4) is added to read as follows:

“(4) The Director may communicate and coordinate with and seek information from the Federal Bureau of Prisons (“BOP”), including by:

“(A) Developing and maintaining a database containing the name, location of incarceration, and contact information for each District resident incarcerated by the BOP who is expected to be released within the next 6 months; and

“(B) Contacting each District resident incarcerated by the BOP who is expected to be released within the next 6 months to provide:

“(i) Information detailing available housing and employment resources, including any necessary application forms;

“(ii) The Office’s contact information; and

“(iii) The necessary information to apply for birth certificates and non-driver identification cards.”.

(b) Section 4(b)(1) (D.C. Official Code § 24-1303(b)(1)) is amended as follows:

(1) Subparagraph (I) is amended by striking the word “Rehabilitative” and inserting the word “Rehabilitation” in its place.

(2) Subparagraph (L) is amended by striking the word “Mental” and inserting the word “Behavioral” in its place.

Sec. XXX4. The District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1121; codified in scattered cites of the D.C. Official Code), is amended as follows:

(a) Section 7(a) (D.C. Official Code § 50-1401.01(a)) is amended as follows:

(1) Paragraph (1)(A-i) is amended as follows:

(A) Designate the existing text as sub-subparagraph (i).

(B) The newly designated sub-subparagraph (i) is amended by striking the phrase “2015, an applicant” and inserting the phrase “2015, except as provided in sub-subparagraph (ii) of this subparagraph, an applicant” in its place.

(C) New sub-subparagraphs (ii) and (iii) are added to read as follows:

“(ii) A pilot program for Fiscal Year 2019 shall be established to waive the fee described in sub-subparagraph (i) of this subparagraph for:

“(I) An individual released from the custody of the Federal Bureau of Prisons (“BOP”), for one year after the individual is released from the custody of the BOP; and

“(II) An individual in the custody of the BOP at a halfway house in the District.

“(iii) 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 sub-subparagraph (ii) of this subparagraph.”.

(2) Paragraph (2)(A) is amended as follows:

(A) Designate the existing text as sub-subparagraph (i).

(B) The newly designated sub-subparagraph (i) is amended by striking the phrase “The applicant shall” and inserting the phrase “Except as provided in sub-subparagraph (ii) of this subparagraph, the applicant shall” in its place.

(C) New sub-subparagraphs (ii) and (iii) are added to read as follows:

“(ii) A pilot program for Fiscal Year 2019 shall be established to waive the fee described in sub-subparagraph (i) of this subparagraph for:

“(I) An individual released from the custody of the Federal Bureau of Prisons (“BOP”), for one year after the individual is released from the custody of the BOP; and

“(II) An individual in the custody of the BOP at a halfway house in the District.

“(iii) 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 sub-subparagraph (ii) of this subparagraph.”.

(3) Paragraph (2A)(A) is amended as follows:

(A) Designate the existing text as sub-subparagraph (i).

(B) The newly designated sub-subparagraph (i) is amended by striking the phrase “The applicant shall” and inserting the phrase “Except as provided in sub-subparagraph (ii) of this subparagraph, the applicant shall” in its place.

(C) New sub-subparagraphs (ii) and (iii) are added to read as follows:

“(ii) A pilot program for Fiscal Year 2019 shall be established to waive the fee described in sub-subparagraph (i) of this subparagraph for:

“(I) An individual released from the custody of the Federal Bureau of Prisons (“BOP”), for one year after the individual is released from the custody of the BOP; and

“(II) An individual in the custody of the BOP at a halfway house in the District.

“(iii) 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 sub-subparagraph (ii) of this subparagraph.”.

(b) Section 8a(a) (D.C. Official Code § 50-1401.03(a)) is amended as follows:

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

“(1B)(A) A pilot program for Fiscal Year 2019 shall be established to waive the application fee for a driver’s license or a special identification card issued pursuant to this section for:

“(i) An individual released from the custody of the Federal Bureau of Prisons (“BOP”), for one year after the individual is released from the custody of the BOP; and

“(ii) An individual in the custody of the BOP at a halfway house in the District.

“(B) 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 subparagraph (A) of this paragraph.”.

5. TITLE --. SUBTITLE --. VOTER REGISTRATION AGENCY AMENDMENT

a. Purpose, Effect, and Impact on Existing Law

Voter registration agencies are selected agencies in the District that provide individuals with voter registration applications and assistance while individuals are seeking other services from that agency. The agencies must forward the completed voter applications to the Board of Elections. Currently, the statutorily designated voter registration agencies are: the Department of Parks and Recreation, the Department of Corrections, the Department of Youth and Rehabilitative Services, and the Office on Aging, along with any agency that provides public assistance or operates programs providing services to people with disabilities.¹²³ The Mayor may designate additional agencies through regulation.

This subtitle incorporates Bill 22-0345, the “Voter Registration Agency Amendment Act of 2017”, which was introduced by Councilmember Mary Cheh, and would amend Section 7(d) of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.07(d)) to add the District of Columbia Public Schools (“DCPS”) and the District of Columbia Public Library (“DCPL”) to the statutory list of voter registration agencies. It would also require that the Board of Elections transmit an annual report to the Council containing the number of voter registration forms received by each voter registration agency.

b. Committee Reasoning

The Committee is committed to making registering to vote as easy and convenient as possible for District residents. DCPS and DCPL are frequently visited agencies in the District, so designating these agencies as voter registration agencies increases the opportunity for residents to register to vote.

c. Section-by-Section Analysis

Sec. XXXX. States the short title.

Sec. 2. Amends Section 7(d) of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.07(d)), to include the District of Columbia Library and the District of Columbia Public Schools as voter registration agencies.

d. Legislative Recommendations for Committee of the Whole

¹²³ D.C. Code § 1-1001.07 (d)(1)(A)-(B).

Sec. XXXX. Short title.

This subtitle may be cited as the “Voter Registration Agency Amendment Act of 2018”.

Sec. 2. Section 7(d) of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.07(d)), is amended as follows:

(a) Paragraph (1)(B) is amended by striking the phrase “and the Office of Aging shall be designated as voter registration agencies” and inserting the phrase “the Office of Aging, the District of Columbia Public Library, and the District of Columbia Public Schools shall be designated as voter registration agencies; provided, that access to voter registration services at District of Columbia Public Schools shall be restricted to District of Columbia Public Schools students and employees” in its place.

(b) A new paragraph (15) is added to read as follows:

“(15) The Board shall transmit an annual report to the Mayor and Council providing the number of voter registration applications received at each voter registration agency and the number of approved applications.”.

6. TITLE --. SUBTITLE --. STREET HARASSMENT PREVENTION ACT

a. Purpose, Effect, and Impact on Existing Law

District residents are routinely subjected to threatening, harassing, or disrespectful behavior as they navigate public spaces such as parks, transportation hubs, restaurants, and schools. In some instances, the conduct is motivated by the actual or perceived characteristics or traits of the subject, including sexual orientation, sex, gender identify or expression, race, ethnicity, religion, or national origin. This conduct undermines a person’s sense of security and self-worth and discourages participation in civic life and enjoyment of the District’s rich public spaces.

In 2016, the Washington Metropolitan Area Transit Authority (“WMATA”), Collective Action for Safe Spaces (“CASS”), and Stop Street Harassment partnered together to conduct a comprehensive study on the incidence of street harassment for D.C. Metropolitan Area residents.¹²⁴ The survey’s findings were published on April 11, 2018.¹²⁵ The report (“Metro Report”) found that 21% of D.C. Metro riders experienced some form of harassment, with women being nearly twice as likely to experience harassment as compared to men. The Metro Report’s findings, coupled with the rise in bias-related crimes, served as a rallying cry to renew the District’s efforts to combat harassment and discrimination.

Table 1: Bias-Related Crimes¹²⁶ in the District

<i>Type of Bias</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018 (Q1 & Q2)</i>
Ethnicity or National Origin	7	5	3	3	3	13	14	4
Race	28	13	18	13	19	13	47	8
Religion	2	6	6	8	5	18	12	2
Sexual Orientation	43	46	31	28	27	40	56	11

¹²⁴ See Collective Action for Safe Spaces, *WMATA Campaign*, available at <https://www.collectiveactiondc.org/our-work/wmata-anti-sexual-harassment-campaign/>, for a full description of CASS’s partnership with WMATA and Stop Street Harassment.

¹²⁵ Washington Metropolitan Area Transit Authority, *Understanding Sexual Harassment on Public Transportation – 2018*, available at <https://www.wmata.com/about/news/upload/2018-Sexual-Harassment-Report-Final.pptx>.

¹²⁶ D.C. Official Code § 22-3701(1) defines a “bias-related crime” as “a designated act that demonstrates an accused’s prejudice based on the actual or perceived race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibility, homelessness, physical disability, matriculation, or political affiliation of a victim of the subject designated act.”

Gender Identity or Expression	11	9	12	15	10	19	13	8
Disability	0	1	0	1	0	1	1	1
Political Affiliation	0	1	0	1	2	2	10	1
Homelessness	1	0	0	2	0	1	0	0
Total	92	81	70	71	66	107	179	34

Source: Metropolitan Police Department¹²⁷

On February 21, 2017, Councilmember Nadeau introduced Bill 22-0129, the “Street Harassment Prevention Act of 2017”.¹²⁸ The Committee held a public hearing on the bill on July 12, 2017. Testimony at the hearing discussed the frequency with which individuals face street harassment in the District. Public witnesses also described the destructive effects of street harassment and the need for a robust response. Despite the call for action to stop street harassment, many witnesses expressed skepticism about the wisdom of creating new criminal penalties to address street harassment. One witness commented, for example, that “[W]e believe that a comprehensive, community-based, non-criminal approach will best prevent street harassment, particular for those at greater risk, including women, LGBTQ, and gender nonconforming (LGBTQGNC) individuals.”¹²⁹

Rather than through arrest and incarceration, numerous witnesses expressed their support for public information campaigns and new trainings to address the problem. As one witness stated:

By establishing a public awareness campaign to address street harassment in Washington D.C., we have the opportunity to shift history and influence the next generation to evolve the way they think about approaching public behavior. Bystander intervention training is so critical because it gives our DC public-facing employees the skills they need to prevent abuse and identify high-risk situations before they

¹²⁷ Metropolitan Police Department, *Bias-Related Crimes (Hate Crimes) Data*, available at <https://mpdc.dc.gov/page/bias-related-crimes-hate-crimes-data>.

¹²⁸ B22-0129, the “Street Harassment Prevention Act of 2017”, available at <http://lims.dccouncil.us/Legislation/B22-0129?FromSearchResults=true>.

¹²⁹ *Committee on the Judiciary & Public Safety Public Hearing on Bill 22-0329, the “Street Harassment Prevention Act of 2017”* (written testimony of Kate Liverman, Policy and Outreach Fellow, D.C. Coalition Against Domestic Violence), available at <http://lims.dccouncil.us/Download/37471/B22-0129-HearingRecord1.pdf>.

escalate. Training empowers individuals to strategize—to intervene—in real-time, and that makes all the difference.¹³⁰

This subtitle, the Street Harassment Prevention Act of 2018, is modeled after B22-0129. The subtitle establishes an Advisory Committee on Street Harassment (“ACSH”), composed of eight representatives from District agencies and nine representatives from community organizations. The ACSH will submit to the Mayor and Council a report proposing model policies and training materials to be used by District agencies to prevent street harassment. OHR is tasked with conducting a survey related to the prevalence of street harassment and monitoring District agencies for compliance with ACSH’s recommendations.

b. Committee Reasoning

The Committee supports the adoption of this subtitle to combat street harassment in the District. The Committee believes OHR is the agency best suited to monitor compliance with model policies related to street harassment. The Committee similarly supports the designation of the Director of OHR (or her designee) as the chairperson of the ACSH. OHR is already tasked with enforcing many of the District’s anti-harassment and anti-discrimination laws and has recently conducted widescale discrimination training for District government employees. Director Palacio of OHR also expressed confidence in her agency’s ability to lead anti-harassment efforts:

Based on our experience, it seems the root causes of street harassment — bias, intolerance and disrespect — are also the same root causes that result in discrimination...We know that the work to reduce discrimination and bias is grounded in changing social and cultural norms. OHR is already home to social equity programs that lead similar efforts, such as the Mayor’s Youth Bullying Prevention Program and the Language Access program that provide extensive trainings and intervention models for the public and District agencies. Therefore, OHR welcomes the opportunity to assist in leading the effort on reducing and preventing harm caused by street harassment.¹³¹

As introduced, the bill would have provided ACSH with grant-making authority to implement many of the initiatives. The Committee Print has removed this from the ACSH, as it is not common for an advisory body to have this authority.

¹³⁰ *Committee on the Judiciary & Public Safety Public Hearing on Bill 22-0329, the “Street Harassment Prevention Act of 2017”* (oral testimony of Nasreen Alkhateeb, Digital Strategist, Defend Yourself), available at http://dc.granicus.com/MediaPlayer.php?view_id=44&clip_id=4062.

¹³¹ *Committee on the Judiciary & Public Safety Public Hearing on Bill 22-0329, the “Street Harassment Prevention Act of 2017”* (written testimony of Mónica Palacio, Director, Office of Human Rights), available at <http://lims.dccouncil.us/Download/37471/B22-0129-HearingRecord1.pdf>.

When asked about the need for ACSH to retain its grant-making authority, Dave Chandrasekaran of Collective Action for Safe Spaces responded:

I think we are very open to working with you and the Committee to figure out what makes sense within D.C. government infrastructure. It may be that it's the Advisory Committee [on Street Harassment]; it could be that it's another agency with grant-making authority. I think we want to be sensitive to agencies that already have a lot on their plate, both in terms of grant-making and oversight, and direct service.¹³²

c. Section-by-Section Analysis

Sec. XXX1. States the short title.

Sec. XXX2. Defines “street harassment”, “OHR”, and “High-risk area”.

Sec. XXX3. Creates an Advisory Committee on Street Harassment (“ACSH”), composed of seventeen individuals from District agencies and the community; designates the Director of OHR as the Chairperson for ACSH; requires the vice-chairperson to be a community representative selected by a majority vote of the community representatives; requires the ACSH to meet on at least a quarterly basis; mandates that ACSH meetings are subject to the Open Meetings Act.

Sec. XXX4. Requires that OHR conduct a survey regarding street harassment no later than April 1, 2019.

Sec. XXX5. (a) Requires that the ACSH submit no later than September 30, 2019, a report that identifies populations most at-risk of street harassment, proposes model policies to combat street harassment, designs strategies to improve public awareness of street harassment, discusses the need for a process to report street harassment, and summarizes the ACSH's activities, to date.

(b) Requires that District agencies implement model policies and integrate into employee training materials developed by the ACSH.

(c) Requires that OHR implement and monitor compliance with model policies developed by the ACSH; also requires that OHR conduct a public information campaign about street harassment no later than September 30, 2019.

¹³² *Committee on the Judiciary & Public Safety Public Hearing on Bill 22-0329, the “Street Harassment Prevention Act of 2017”* (written testimony of Dave Chandrasekaran, Board Member, Collective Action for Safe Spaces), available at <http://lims.dccouncil.us/Download/37471/B22-0129-HearingRecord1.pdf>.

Sec. XXX6. Requires that the ACSH submit a report no later than September 30, 2020, that summarizes ACSH activities to date, discusses OHR's implementation of model policies, and summarizes OHR's public information campaign efforts.

d. Legislative Recommendations for the Committee of the Whole

Sec. XXX1. Short title.

This subtitle may be cited as the "Street Harassment Prevention Act of 2018".

Sec. XXX2. Definitions.

For the purposes of this subtitle, the terms:

(1) "High-risk area" means:

(A) The enclosed area within any Metrorail car, Metrobus, MetroAccess vehicle, DC Circulator bus, DC Streetcar, or any other commercial vehicle capable of carrying more than 6 passengers;

(B) The area within 25 feet of any Metrorail station, Metrobus stop, DC Circulator stop, DC streetcar stop, or a location designated for the loading and unloading of a commercial vehicle capable of carrying more than 6 passengers;

(C) The enclosed area within any private vehicles-for-hire, as that term is defined in section 4(16A) of the Department of For-Hire Vehicles Establishment Act of 1985, effective March 25, 1985 (D.C. Law 6-97; D.C. Official Code § 50–301.03(16A)), or public vehicles-for-hire, as that term is defined in section 4(17) of the Department of For-Hire Vehicles Establishment Act of 1985, effective March 25, 1985 (D.C. Law 6-97; D.C. Official Code § 50–301.03(17));

(D) Food service entities, as that term is defined in section 401 of the Sustainable DC Omnibus Amendment Act of 2014, effective December 17, 2014 (D.C. Law 20-142; D.C. Official Code § 8-1531(4)), hotels, as that term is defined in D.C. Official Code § 25-101(25), nightclubs, as that term is defined in D.C. Official Code § 25-101(33), taverns, as that term is defined in D.C. Official Code § 25-101(52), and any other establishments that serve food or alcohol;

(E) Any school, library, or other building primarily used for the instruction of students, including day care centers, nurseries, elementary schools, secondary schools, colleges, and universities;

(F) Any bank, health care facility, laundromat, retail store, shopping mall, sports arena, music venue, and theater;

(G) All the publicly owned property between property lines shown on the records of the District, including any roadway, tree space, sidewalk, or parking between such property lines; and

(H) All buildings or land that are owned, leased, or otherwise occupied by the District government.

(2) “OHR” means the Office of Human Rights established by section 202 of the Office of Human Rights Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code 2-1411.01).

(3) “Street harassment” means disrespectful, offensive, or threatening statements, gestures, or other conduct directed at an individual in a high-risk area without their consent and motivated by the individual’s actual or

perceived sexual orientation, sex, gender identity or expression, race, ethnicity, religion, national origin, or any other protected class identified in the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.01 *et seq.*).

Sec XXX3. Advisory Committee on Street Harassment.

(a) There is established an Advisory Committee on Street Harassment (“ACSH”), which shall be composed of 15 members as follows:

- (1) The Director of OHR, or the Director’s designee;
- (2) The Director of the Office of Victim Services and Justice Grants, or the Director’s designee;
- (3) The Director of the Mayor’s Office of Lesbian, Gay, Bisexual, Transgender and Questioning Affairs, or the Director’s designee;
- (4) The Director of the District Department of Transportation, or the Director’s designee;
- (5) The Chief of the Metropolitan Police Department, or the Chief’s designee;
- (6) The Chairman of the Council, or the Chairman’s designee;
- (7) The General Manager of the Washington Metropolitan Area Transit Authority, or the General Manager’s designee;
- (8) The Director of the Alcoholic Beverage Regulation Administration, or the Director’s designee; and

(9) Seven community representatives, appointed by the Mayor pursuant to D.C. Official Code § 1-523.01(g), who are District residents or members of organizations that engage in policy, advocacy, or direct service within the District related to:

- (A) Street harassment;
- (B) Gender-based violence;
- (C) Gender equity;
- (D) LGBTQ rights;
- (E) Racial equity;
- (F) Religious tolerance;
- (G) Poverty or homelessness; or
- (H) Immigrant rights.

(b) The Director of OHR, or the Director's designee, shall serve as the ACSH's chairperson.

(c) One community representative shall be selected by a majority vote of the community members of the ACSH to serve as vice-chairperson.

(d) The ACSH shall meet at least on a quarterly basis, at times to be determined by the chairperson at the ACSH's first meeting.

(e) The ACSH meetings shall be subject to the Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*).

Sec. XXX4. Survey.

No later than April 1, 2019, OHR, in consultation with the ACSH, shall conduct a survey regarding the incidence of street harassment in the District. The specific data elements to be collected in the study shall be determined by the ACSH.

Sec. XXX5. Street harassment prevention report; model policies; public information campaign.

(a) No later than September 30, 2019, the ACSH shall submit a report to the Mayor and Council that:

(1) Identifies categories of District employees and District residents most at-risk of street harassment;

(2) Proposes model policies and training materials to be adopted by District agencies for preventing and responding to street harassment, including model policies and training materials for public-facing employees;

(3) Proposes strategies to improve public awareness and understanding of street harassment;

(4) Discusses the need, if any, for a process by which victims and witnesses of street harassment can report instances of street harassment to District agencies; and

(5) Summarizes any actions taken by the ACSH since the effective date of this subtitle.

(b) No later than April 1, 2020, all District agencies shall:

(1) Implement the model policies developed pursuant to subsection (a) of this section; and

(2) Integrate training materials developed pursuant to subsection (a) of this section into the training of District employees.

(c) OHR shall:

(1) Monitor District agencies implementation of the model policies developed pursuant to subsection (a) of this section; and

(2) No later than September 30, 2019, conduct a public information campaign about street harassment and resources available in the District for victims of street harassment.

Sec. XXX6. Implementation report.

No later than September 30, 2020, the ACSH shall submit a report to the Mayor and Council that:

(1) Summarizes the work of the ACSH since the effective date of this subtitle;

(2) Discusses District agencies' implementation of model policies pursuant to section XXX5(b); and

(3) Summarizes elements of OHR's public information campaign, required by section XXX5(c)(2).

Sec. XXX7. Sunset.

This subtitle shall expire on October 1, 2020.

7. TITLE --. SUBTITLE --. BEGA AMENDMENT ACT

a. Purpose, Effect, and Impact on Existing Law

See the BEGA chapter earlier in this report for a detailed analysis of the purpose and impact on existing law for the Committee's proposed subtitle.

b. Committee Reasoning

See the BEGA chapter earlier in this report for a detailed analysis of the reasoning for the Committee's proposed subtitle.

c. Section-by-Section Analysis

Sec. XXXX. States the short title.

Sec. XXX2. Amends the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), by making technical edits and changing the name of the Board from the "Ethics Board" to the "Board of Ethics and Government Accountability".

Sec. XXX3. Amends the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01, *et seq.*), as follows:

- Modifies the definition of "administrative decision" to include "any contract, grant, reprogramming, or procurement of goods and services". Modifies the definition of "legislative action" to include "measures that review or consider any contracts, grants, reprogrammings, or procurement decisions.
- Makes technical and conforming changes to the titles of the Director of Government Ethics and the Director of Open Government.
- Requires the Mayor to appoint at least one member of the Board with experience in open government and transparency.
- Makes technical and conforming changes.
- Establishes within the Board an Office of Government Ethics, headed by the Director of Government Ethics, who is appointed by the Board. Also establishes with the Board a co-equal Office of Open

Government, headed by the Director of Open Government, who is appointed by the Board. Requires the Director of Open Government to submit a report on the office's activities by December 31 of each year. Allows the Office of Open Government to bring suit to enforce the Open Meetings Act and issue advisory opinions on the implementation of the Freedom of Information Act.

- Requires the Board to select a Director of Government Ethics and a Director of Open Government and provide each office with staff. Both directors will serve terms of 5 years, may be reappointed, and may only be removed for cause. Requires each director to be a District resident.
- Modifies the Board's quorum requirement from two members to a "majority of sitting members" of the Board.
- Establishes an Ethics Fund.
- Establishes an Open Government Fund.
- Modifies the reporting requirements for registrants to require registrants to file with the Director of Government Ethics between the 1st and 15th day of January, April, July, and October of each year. Requires the reports to include information about the name, position, agency or office of each official in the executive or legislative branch and member of the official's staff with whom the registrant has had written or oral communications during the reporting period related to lobbying activities conducted by the registrant, as well as a precise description of the subject matter of the communication. Requires the Board to make the reported information available to the public on its website and sortable by various fields.
- Makes technical and conforming changes.

Sec. XXX4. Amends the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Official Code § 2-501 *et seq.*) to allow a public body to seek an advisory opinion from OOG regarding compliance with this title.

Sec. XXX5. Amends Section 2(1) of the Prohibition on Government Employee Engagement in Political Activity Act of 2010, effective March 31, 2011 (D.C. Law 18-335; D.C. Official Code § 1-1171.01(1)) by making technical and conforming changes.

d. Legislative Recommendations for Committee of the Whole

Sec. XXXX. Short title.

This subtitle may be cited as the “BEGA Amendment Act of 2018”.

Sec. XXX2. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 301 (D.C. Official Code § 1-603.01) is amended as follows:

(1) Paragraph (13) is amended by striking the phrase “Board of Elections and Ethics” and inserting the phrase “Board of Elections, Board of Ethics and Government Accountability” in its place.

(2) Paragraph (14A)(I) is amended by striking the phrase “Ethics Board” and inserting the phrase “Board of Ethics and Government Accountability” in its place.

(b) Section 404(g) (D.C. Official Code § 1-604.04(g)) is amended by striking the phrase “Board of Elections and Ethics” and inserting the phrase “Board of Elections” in its place.

(c) Section 406(b) (D.C. Official Code § 1-604.06(b)) is amended by adding a new paragraph (4A) to read as follows:

“(4A) For employees of the Board of Ethics and Government Accountability, the personnel authority is the Board of Ethics and Government Accountability.”.

(d) Section 908(3) (D.C. Official Code § 1-609.08(3)) is amended by striking the phrase “Board of Elections and Ethics” and inserting the phrase “Board of Elections” in its place.

(e) Section 1108(c)(5) (D.C. Official Code § 1-611.08(c)(5)) is amended by striking the phrase “District of Columbia Board” and inserting the word “Board” in its place.

(f) Section 1801(a-2)(2) (D.C. Official Code § 1-618.01(a-2)(2)) is amended by striking the phrase “District of Columbia Board” both times it appears and inserting the word “Board” in its place.

Sec. XXX3. The Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 1-1161.01) is amended as follows:

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

“(1) “Administrative decision” means any activity directly related to action by an executive agency or official in the executive branch to:

“(A) Make any contract, grant, reprogramming, or procurement of goods or services;

“(B) Issue a Mayor’s order;

“(C) Cause to be undertaken a rulemaking proceeding (which does not include a formal public hearing) under the Administrative Procedure Act; or

“(D) Propose of legislation or make nominations to the Council, the President, or Congress.”.

(2) Paragraph (3A) is redesignated as paragraph (3B).

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

“(3A) “Board” means the Board of Ethics and Government Accountability established by section 202.”.

(4) A new paragraph (13A) is added to read as follows:

“(13A) “Director of Open Government” means the Director of Open Government created by section 206.”.

(5) Paragraph (19) is repealed.

(6) Paragraph (21)(B) is amended by striking the phrase “Ethics Board” and inserting the phrase “the Board of Ethics and Government Accountability” in its place.

(7) Paragraph (31) is amended by striking the phrase “any legislation in the Council.” and inserting the phrase “any legislation in the Council, including measures that review or consider any contracts, grants, reprogrammings, or procurement decisions.” in its place.

(8) Paragraph (39) is repealed.

(9) Paragraph (47)(I) is amended by striking the phrase “Ethics Board” and inserting the phrase “Board of Ethics and Government Accountability” in its place.

(b) Section 202 (D.C. Official Code § 1-1162.02) is amended as follows:

(1) The section heading is amended by striking the phrase “District of Columbia Board” and inserting the word “Board” in its place.

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

(A) The lead-in language is amended by striking the phrase “established a District of Columbia Board of Ethics and Government Accountability” and inserting the phrase “established, as an independent agency of the District government, a Board of Ethics and Government Accountability” in its place.

(B) Paragraph (2) is amended by striking the phrase “Director of the Open Government Office” and inserting the phrase “Director of Open Government” in its place.

(C) Paragraph (3) is amended by striking the phrase “Director of the Ethics Board,” and inserting the phrase “Director of Government Ethics,” in its place.

(3) Subsection (b) is amended to read as follows:

“(b) By December 31 of each year, the Board shall submit a report to the Mayor and Council with recommendations on improving the District’s government ethics and open government and transparency laws, including:

“(1) An assessment of ethical guidelines and requirements for employees and public officials;

“(2) A review of national and state best practices in open government and transparency; and

“(3) Amendments to the Code of Conduct, Open Meetings Act, and Freedom of Information Act of 1976, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*)”.

(c) Section 203 (D.C. Official Code § 1-1162.03) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(3) Subsection (c) is amended by striking the phrase “Chairperson of the Ethics Board” and inserting the phrase “Board’s Chairperson” in its place.

(4) Subsection (d) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(5) Subsection (g) is amended to read as follows:

“(g) When appointing and confirming a member of the Board, the Mayor and Council shall consider whether the individual possesses demonstrated integrity, independence, and public credibility, and whether the individual has particular knowledge, training, or experience in government ethics or in open government and transparency. At least one member of the Board shall have particular experience in open government and transparency.”.

(6) Subsection (h) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(7) Subsection (i) is amended as follows:

(A) The lead-in language is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(B) Paragraph (5) is amended by striking the phrase “Ethics Board’s” and inserting the word “Board’s” in its place.

(C) Paragraph (6) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(8) Subsection (j) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(d) Section 204 (D.C. Official Code § 1-1162.04) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” wherever it appears and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(e) Section 205 (D.C. Official Code § 1-1162.05) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(f) New sections 205a, 205b, and 205c are added to read as follows:

“Sec. 205a. Establishment of the Office of Government Ethics.

“There is established within the Board an Office of Government Ethics. The Office of Government Ethics shall be headed by the Director of Government Ethics, who shall report directly to the Board.

“Sec. 205b. Establishment of the Office of Open Government.

“There is established within the Board an Office of Open Government to promote open governance in the District of Columbia. The Office of Open Government shall be headed by the Director of Open Government, who shall report directly to the Board.

“Sec. 205c. Director of Open Government.

“(a) The Director of Open Government shall:

“(1) Issue advisory opinions pursuant to section 409(g) of the Open Meetings Act);

“(2) Provide training to public bodies, as that term is defined in section 404 of the Open Meetings Act, public officials, and employees related to the Open Meetings Act; and

“(3) Issue rules to implement the provisions of the Open Meetings Act.

“(b) The Office of Open Government may bring suit to enforce the Open Meetings Act pursuant to section 409 of the Open Meetings Act.

“(c) The Office of Open Government shall issue advisory opinions on the implementation of 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) If an advisory opinion is issued by the Director of Open Government to a request for an advisory opinion, the requesting employee or public official may appeal the opinion for consideration by the Board.

(g) Section 206 (D.C. Official Code § 1-1162.06) is amended as follows:

(1) Subsections (a) and (b) are amended to read as follows:

“(a)(1) The Board shall select, employ, and fix the compensation for a Director of Government Ethics, a Director of Open Government, and such staff as the Board considers necessary, subject to the pay limitations of section 1117 of the Merit Personnel Act. The Director of Government Ethics and the Director of Open Government shall serve terms of 5 years, may be reappointed, and may only be removed for cause.

“(2) Notwithstanding any other law, an employee assigned to:

“(A) The Office of Government Ethics shall be under the Director of Government Ethics’ direction and control and may not be transferred to the Office of Open Government without the concurrence of the Director of Government Ethics; and

“(B) The Office of Open Government shall be under the Director of Open Government’s direction and control and may not be transferred to the Office of Government Ethics without the concurrence of the Director of Open Government.

“(b) The Director of Government Ethics and the Director of Open Government shall be District residents throughout their term and failure to maintain District residency shall result in forfeiture of the position.”.

(2) Subsection (c) is amended as follows:

(A) Strike the phrase “the Ethics Board” both times it appears and insert the word “Board” in its place.

(B) Strike the phrase “an Ethics Board” and insert the phrase “a Board” in its place.

(h) Section 207 (D.C. Official Code § 1-1162.07) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(i) Section 208 (D.C. Official Code § 1-1162.08) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Two members of the Ethics Board” and inserting the phrase “A majority of the sitting members of the Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” and inserting the phrase “Board” in its place.

(j) Section 209 (D.C. Official Code § 1-1162.09) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(3) Subsection (c) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(k) Section 210 (D.C. Official Code § 1-1162.10) is amended to read as follows:

“Sec. 210. Ethics Fund.

“(a) There is established as a special fund the Ethics Fund (“Fund”), which shall be administered by the Board in accordance with this section.

“(b) Revenue from all fines collected under section 221 and Subtitle E of Title II shall be deposited into the Fund.

“(c) Money in the Fund shall be used for the operations and personnel of the Office of Government Ethics.

“(d)(1) The money deposited into the Fund 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.”.

(l) A new section 210a is added to read as follows:

“Sec. 210a. Open Government Fund.

“(a) There is established as a special fund the Open Government Fund (“Fund”), which shall be administered by the Board in accordance with this section.

“(b) Revenue from all fines and reasonable attorney’s fees and costs collected pursuant to section 409 of the Open Meetings Act shall be deposited in the Fund.

“(c) Money in the Fund shall be used for the operations and personnel of the Office of Open Government.

“(d)(1) The money deposited into the Fund 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.”.

(m) Section 211 (D.C. Official Code § 1-1162.11) is amended as follows:

(1) The lead-in language is amended by striking the phrase “Ethics Board” and inserting the phrase “Board” in its place.

(2) Paragraph (3) is amended as follows:

(A) Strike the phrase “Ethics Board’s” and insert the word “Board’s” in its place.

(B) Strike the phrase “Ethics Board” and insert the word “Board” in its place.

(n) Section 212 (D.C. Official Code § 1-1162.12) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(3) Subsection (c) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(4) Subsection (d) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(o) Section 213 (D.C. Official Code § 1-1162.13) is amended as follows:

(1) Subsection (a)(1) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(2) Subsection (e) is amended by striking the phrase “Ethics Board” wherever it appears and inserting the word “Board” in its place.

(p) Section 214(a) (D.C. Official Code § 1-1162.14(a)) is amended by striking the phrase “Ethics Board” wherever it appears and inserting the word “Board” in its place.

(q) Section 215 (D.C. Official Code § 1-1162.15) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(r) Section 216 (D.C. Official Code § 1-1162.16) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(s) Section 217 (D.C. Official Code § 1-1162.17) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(t) Section 218 (D.C. Official Code § 1-1162.18) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(u) Section 219 (D.C. Official Code § 1-1162.19) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(2) Subsection (a-1) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(3) Subsection (c) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(v) Section 220(a) (D.C. Official Code § 1-1162.20(a)) is amended by striking the phrase “Ethics Board” wherever it appears and inserting the word “Board” in its place.

(w) Section 221 (D.C. Official Code § 1-1162.21) is amended as follows:

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

(A) Strike the phrase “Ethics Board” wherever it appears and inserting the word “Board” in its place.

(B) Paragraph (5)(B) is amended by striking the phrase “Ethics Board’s” and inserting the word “Board’s” in its place.

(2) Subsection (b)(2)(B) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(3) Subsection (d) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(x) Section 222 (D.C. Official Code § 1-1162.22) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(y) Section 223 (D.C. Official Code § 1-1162.23) is amended as follows:

(1) Subsection (b) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(2) Subsection (c) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(z) Section 224 (D.C. Official Code § 1-1162.24) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(3) Subsection (c-1) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(4) Subsection (d) is amended by striking the phrase “Ethics Board” both times it appears and inserting the word “Board” in its place.

(5) Subsection (e) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(6) Subsection (g) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(7) Subsection (i) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(aa) Section 225 (D.C. Official Code § 1-1162.25) is amended as follows:

(1) Subsection (b) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(2) Subsection (c) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(ab) Section 227(c) (D.C. Official Code § 1-1162.27(c)) is amended by striking the phrase “Ethics Board” wherever it appears and inserting the word “Board” in its place.

(ac) Section 229(c) (D.C. Official Code § 1-1162.29(c)) is amended by striking the phrase “Ethics Board’s” and inserting the word “Board’s” in its place.

(ad) Section 230 (D.C. Official Code § 1-1162.30) is amended as follows:

(1) Section (a) is amended as follows:

(A) The lead-in language is amended by striking the phrase “Each registrant shall file with the Director of Government Ethics between the 1st and 10th

day of July and January of each year a report signed under oath concerning the registrant's lobbying activities during the previous 6-month period." and inserting the phrase "Each registrant shall file with the Director of Government Ethics between the 1st and 15th day of January, April, July, and October of each year a report signed under oath concerning the registrant's lobbying activities during the previous quarter." in its place.

(B) Paragraph (5) is amended to read as follows:

"(5) The name, position, and agency or office of each official in the executive or legislative branch and member of the official's staff with whom the registrant has had written or oral communications during the reporting period related to lobbying activities conducted by the registrant;"

(C) A new paragraph (5A) is added to read as follows:

"(5A) A precise description of the subject matter, including the title of any bill, proposed resolution, contract, reprogramming, or other legislation, of all written or oral communications related to lobbying activities conducted by the registrant with any official in the executive or legislative branch or member of the official's staff during the reporting period;"

(D) Paragraph (7) is amended by striking the phrase "Ethics Board" and inserting the word "Board" in its place.

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

"(d) The Board shall make the information reported under this section available to the public on its website and sortable by various fields, including by

reporting period, registrant name, name of each person who lobbies on the registrant's behalf, name of each official lobbied, the agency or office of each official lobbied, the subject of the communications (such as a specific administrative decision, bill, proposed resolution, contract, reprogramming, or other legislative action), and a listing of each political expenditure, loan, gift, honorarium, or contribution of \$50 or more required to be reported by subsection (a)(3) of this section.”.

(ae) Section 232 (D.C. Official Code § 1-1162.32) is amended by striking the phrase “Ethics Board” wherever it appears and inserting the word “Board” in its place.

(af) Section 601 (D.C. Official Code § 1-1164.01) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

(2) Subsection (b) is amended by striking the phrase “Ethics Board” and inserting the word “Board” in its place.

Sec. XXX4. The District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Official Code § 2-501 *et seq.*), is amended as follows:

(a) Section 208 (D.C. Official Code § 2-538) is amended by adding a new subsection (e) is added to read as follows:

“(e) A public body may seek an advisory opinion from the Office of Open Government regarding compliance with this title.”.

(b) Section 404(2) (D.C. Official Code § 2-574(2)) is amended to read as follows:

“(2) “Office of Open Government” means the Office of Open Government established by section 205b of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, as approved by the Committee of the Whole on May 15, 2018 (Committee print of Bill 22-753).”.

(c) Section 409 (D.C. Official Code § 2-579) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Open Government Office” and inserting the phrase “Office of Open Government” in its place.

(2) Subsection (c) is amended as follows:

(A) Paragraph (2) is amended by striking the phrase “; or” and inserting a semicolon in its place.

(B) Paragraph (3) is amended by striking the period and inserting the phrase “; or” in its place.

(C) A new paragraph (4) is added to read as follows:

“(4) Award reasonable attorney’s fees and costs which shall be deposited in the Open Government Fund established by section 210a of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, as approved by the Committee of the Whole on May 15, 2018 (Committee print of Bill 22-753).”.

(3) Subsection (g) is amended by striking the phrase “Open Government Office” and inserting the phrase “Office of Open Government” in its place.

(d) Section 410 (D.C. Official Code § 2-580) is amended by striking the phrase “The Office of Boards and Commissions, established December 19, 2001 (Mayor’s Order 2001-189), in coordination with the Open Government Office, shall” and inserting the phrase “The Office of Open Government shall” in its place.

(e) Title V (D.C. Official Code § 2-591 *et seq.*) is repealed.

Sec. XXX5. Section 2(1) of the Prohibition on Government Employee Engagement in Political Activity Act of 2010, effective March 31, 2011 (D.C. Law 18-335; D.C. Official Code § 1-1171.01(1)), is amended by striking the phrase “District of Columbia Board” and inserting the word “Board” in its place.

**8. TITLE --. SUBTITLE --. EXPANDING ACCESS TO JUSTICE
AMENDMENT**

a. Purpose, Effect, and Impact on Existing Law

This subtitle makes Civil Legal Counsel Projects Program funds non-lapsing. This Program, administered by the D.C. Bar Foundation, provides grants for the purpose of providing legal services to eligible individuals or groups in eviction proceedings. The subtitle will allow the D.C. Bar Foundation to make expenditures from the fund as best fits the needs of the Program. This language is similar to that of the DC Poverty Lawyer Loan Repayment Assistance Program.

b. Committee Reasoning

See above.

c. Section-by-Section Analysis

Sec. XXXX. States the short title.

Sec. XXX2. Amends the Expanding Access to Justice Amendment Act of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 4-1802(b)) to allow the grant awarded each fiscal year to the Bar Foundation for the purposes of administering the Civil Legal Counsel Projects Program to be nonlapsing.

d. Legislative Recommendations for the Committee of the Whole

Sec. XXXX. Short title.

This subtitle may be cited as the “Expanding Access to Justice Amendment Act of 2018”.

Sec. XXX2. Section 3053(b) of the Expanding Access to Justice Amendment Act of 2017, effective December 13, 2017 (D.C. Law 22-33; D.C. Official Code § 4-1802(b)), is amended by adding a new paragraph (3) to read as follows:

“(3) The grant shall be nonlapsing and interest earned by the Bar Foundation on grant funds shall remain available for use by the Bar Foundation for the purposes of the Program, without fiscal year limitation.”.

**9. TITLE --. SUBTITLE --. OFFICE OF THE ATTORNEY GENERAL
INFORMATION TECHNOLOGY AUTHORITY AND HOUSING
RECEIVERSHIP COSTS AMENDMENT**

a. Purpose, Effect, and Impact on Existing Law

This subtitle makes two minor amendments on behalf of the Office of the Attorney General (“OAG”): (1) it amends the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-301.88b(a)), to provide OAG with independent information technology authority; and (2) it amends the Drug-Related Nuisance Abatement Act of 1998, effective April 4, 2006 (D.C. Law 16-81; D.C. Official Code § 42-3111.01(b)), to allow OAG to use monies in the Fund for costs reasonably related to prosecuting and conducting investigations of housing receivership cases.

b. Committee Reasoning

See above.

c. Section-by-Section Analysis

Sec. XXXX. States the short title.

Sec. XXX2. Amends the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-301.88b(a)), to provide the Office of the Attorney General with independent information technology authority.

Sec. XXX3. Amends the Drug-Related Nuisance Abatement Act of 1998, effective April 4, 2006 (D.C. Law 16-81; D.C. Official Code § 42-3111.01(b)), to allow the Office of the Attorney General to use monies in the Fund for costs reasonably related to prosecuting and conducting investigations of housing receivership cases.

d. Legislative Recommendations for the Committee of the Whole

Sec. XXXX. Short title.

This subtitle may be cited as the “Office of the Attorney General Information Technology Authority and Housing Receivership Costs Amendment Act of 2018.”

Sec. XXX2. Section 108b(a) of the Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-301.88b(a)), is amended as follows:

(a) Designate the existing text as paragraph (1).

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

“(2) Sections 1813 and 1814 of the Office of the Chief Technology Officer Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code §§ 1-1402 and 1403), shall not apply to the Office of the Attorney General; provided, that the Office of the Attorney General may enter into written agreements with the Office of the Chief Technology Officer to coordinate and assist the operations or procurement of the Office of Attorney General’s electronic communications and information technology.”.

Sec. XXX3. Section 12a(b) of the Drug-Related Nuisance Abatement Act of 1998, effective April 4, 2006 (D.C. Law 16-81; D.C. Official Code § 42-3111.01(b)), is amended by striking the period and inserting the phrase “The Attorney General may also use the funds in the Fund to enforce Title V of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3651.01 *et seq.*), including all costs reasonably related to prosecuting and conducting investigations of housing receivership cases.” in its place.

10.TITLE --. SUBTITLE --. SUBJECT TO APPROPRIATIONS REPEALS AMENDMENT

a. Purpose, Effect, and Impact on Existing Law

This subtitle repeals the subject to appropriations clauses of three measures, two of which were funded by this Committee, and one of which will be absorbed by the agency in the FY19 proposed budget:

- The Fire and Police Medical Leave and Limited Duty Amendment Act of 2004 (D.C. Law 19-311)
- The Comprehensive Youth Justice Amendment Act of 2016 (D.C. Law 21-238)
- The Address Confidentiality Act of 2018 (Enrolled version of B22-0037)

<i>Law Number</i>	<i>Section</i>	<i>Agency</i>	<i>Program</i>	<i>Amount</i>	<i>FTEs</i>	<i>Notes</i>
L21-238	701	Department of Youth Rehabilitation Services/ Department of Corrections	N/A	N/A	N/A	Was absorbed by DYRS in proposed FY19 budget, but S2A language was mistakenly not included in the BSA
L19-311	656(c)	Fire and Emergency Medical Services Department	6000/6400 (CSG 41) 6400/6403 (FTE)	\$2,202,000	1	Funds the chronic disease treatment and retirement plan increase costs, in addition to a Police and Fire Clinic FTE
B22-37	301	Office of Victim Services and Justice Grants	CSGs 11, 14, and 20/Program 4000/Activity 4020	\$133,398	1	Add 1 new FTE and NPS

b. Committee Reasoning

See the table above.

c. Section-by-Section Analysis

Sec. XXXX. States the short title.

Sec. XXX2. Repeals the subject to appropriations clause of the Fire and Police Medical Leave and Limited Duty Amendment Act of 2004, effective May 1, 2013 (D.C. Law 19-311; D.C. Official Code § 5-656(c)).

Sec. XXX3. Repeals the subject to appropriations clause of the Comprehensive Youth Justice Amendment Act of 2016, effective April 4, 2017 (D.C. Law 21-238; 63 DCR 15312).

Sec. XXX4. Repeals the subject to appropriations clause of the Address Confidentiality Act of 2018, passed on 2nd reading on April 10, 2018 (Enrolled version of Bill 22-0037).

d. Legislative Recommendations for the Committee of the Whole

Sec. XXXX. Short title.

This subtitle may be cited as the “Subject to Appropriations Repeals Amendment Act of 2018”.

Sec. XXX2. Section 656(c) of the Fire and Police Medical Leave and Limited Duty Amendment Act of 2004, effective May 1, 2013 (D.C. Law 19-311; D.C. Official Code § 5-656(c)), is amended to read as follows:

“(c) Section 652 shall apply as of October 1, 2018.”.

Sec. XXX3. Section 701 of the Comprehensive Youth Justice Amendment Act of 2016, effective April 4, 2017 (D.C. Law 21-238; 63 DCR 15312), is repealed.

Sec. XXX4. Section 301 of the Address Confidentiality Act of 2018, passed on 2nd reading on April 10, 2018 (Enrolled version of Bill 22-0037), is repealed.

V. COMMITTEE ACTION AND VOTE

On Friday, May 4, 2018, at 2:10 p.m. in Room 500 of the John A. Wilson Building, the Committee met to consider and vote on the Mayor's proposed Fiscal Year 2019 budget for the agencies under its purview, the provisions of the Fiscal Year 2019 Budget Support Act of 2018 referred to the Committee for comment and the new subtitles proposed, and the Committee's Budget Report. Chairperson Charles Allen called the meeting to order and determined the existence of a quorum with Councilmembers Anita Bonds, Mary M. Cheh, Vincent C. Gray, and David Grosso present.

Councilmember Grosso noted his support for the Committee's proposed Clemency Board and Street Harassment Prevention subtitles; the \$150,000 identified for a new jail engagement effort; the new residency fraud attorney at the Office of the Attorney General; and the Committee's focus on the Office of Open Government.

Councilmember Cheh expressed her support for her Committee's transfer of funds for the final prong of the District's presumptive disability law; the Committee's proposed voter registration agency, returning citizens fee waiver, Clemency Board, and BEGA subtitles; first responder recruitment and retention efforts; and the Committee's identified funding for survivors in the address confidentiality program and through the Access to Justice Initiative. She concluded with noting her support for the Civil Legal Counsel Projects Program.

Councilmember Bonds highlighted the Committees' collaboration on funding an elder abuse investigator at the Office of the Attorney General; the Committee's funding for returning citizens through enhancements for grants at OVSJG and the inclusion of the returning citizens fee waiver subtitle; and her desire to work together on issues relating to the construction of a new correctional facility and the Portal of Entry's rollout. She expressed her disapproval of the Executive's proposed reduction from the Emergency Rental Assistance Program for the costs associated with implementing the NEAR Act's stop and frisk data collection.

Councilmember Gray expressed his support for the inclusion of the fiscal impact of the "Youth Rehabilitation Amendment Act" in the Committee's proposed budget; the Police Officers Retention Program funding; funding for engagement around the planning for a new correctional facility; the Committee's transfer to the Committee on Health to waive returning citizens' vital records fees as a new pilot program; the new elder abuse investigator at the Office of the Attorney General; and the \$600,000 restoration of a reduction to the Civil Legal Counsel Projects Program.

After an opportunity for further discussion, Chairperson Allen then moved the Report with leave for staff to make technical, conforming, and editorial changes. The Members voted unanimously to approve the recommendations.

COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
Fiscal Year 2019 Budget Report

Chairperson Allen then thanked his staff and adjourned the meeting at 3:02 p.m.

VI. ATTACHMENTS

- A. March 29, 2018, FY19 Budget Oversight Hearing Witness List and Testimony
- B. April 12, 2018, FY19 Budget Oversight Hearing Witness List and Testimony
- C. April 13, 2018, FY19 Budget Oversight Hearing Witness List and Testimony
- D. April 19, 2018, FY19 Budget Oversight Hearing Witness List and Testimony