

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To provide that the Ad Hoc Committee established for the purposes of considering evidence of a violation of the Code of Conduct, policy, or law by Councilmember Evans shall be composed of 12 members, to provide that the Ad Hoc Committee has 90 days from the date the Secretary to the Council receives the report from O’Melveny & Myers to report its recommendation and findings to the Council, to authorize the Ad Hoc Committee to issue subpoenas, and to authorize the filing of a petition or petitions in the Superior Court of the District of Columbia to compel witnesses to provide testimony to the Ad Hoc Committee.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Ad Hoc Committee Procedures Resolution of 2019”.

Sec. 2. The ad hoc committee appointed by the Chairman of the Council on October 8, 2019 (“Committee”) is an ad hoc committee established for the purposes of considering evidence of a violation of the Code of Conduct, policy, or law by Councilmember Evans, as provided for in Council Rule 651(a). Consistent with Council Rule 651(a), it may make recommendations for further action by the Council with respect to Councilmember Evans, including the potential sanctions of censure or expulsion pursuant to Council Rule 651(d).

Sec. 3. Notwithstanding Council Rule 651(c), the Committee shall be composed of all Members of the Council, except for Councilmember Evans, who is the subject of the request for an ad hoc committee.

36           Sec. 4. Notwithstanding Council Rule 653(e), if the Committee does not report its  
37 recommendation and findings to the Council within 90 calendar days after the Secretary to the  
38 Council receives the report required by section 3(e) of the Council Period 23 Rules and  
39 Investigation Authority Amendment Resolution of 2019, effective July 9, 2019 (Res. 23-175; 66  
40 DCR 8288), the matter shall be sent to the Council for its consideration.

41           Sec. 5. In furtherance of the Committee’s work, as described in the Chairman’s October  
42 8, 2019 Memorandum, the Council authorizes the Committee to issue subpoenas on behalf of the  
43 Council to compel the attendance of witnesses, to obtain testimony, or to require the production  
44 of documents or other information or tangible items. Notwithstanding Council Rule 612, a  
45 report to the Council before issuing a subpoena shall not be required.

46           Sec. 6. Pursuant to section 413(b) of the District of Columbia Home Rule Act, approved  
47 December 24, 1973 (87 Stat. 789; D.C. Official Code § 1-204.13(b)), the Council authorizes its  
48 General Counsel to file a petition or petitions in the Superior Court of the District of Columbia to  
49 compel witnesses who have refused to obey subpoenas issued by the Committee, or otherwise  
50 not cooperated with the Committee’s work, as described in the Chairman’s October 8, 2019  
51 Memorandum, to appear and testify on topics relevant to the investigation, under penalty of  
52 contempt.

53           Sec. 7. This resolution shall take effect immediately.