



Councilmember Charles Allen

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, due to congressional review, the Anti-Intimidation and Defacing of Public or Private Property Criminal Penalty Act of 1982 to expand the offense of defacement of certain symbols or display of certain emblems.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Community Harassment Prevention Second Congressional Review Emergency Amendment Act of 2020”.

Sec. 2. Section 3 of the Anti-Intimidation and Defacing of Public or Private Property Criminal Penalty Act of 1982, effective March 10, 1983 (D.C. Law 4-203; D.C. Official Code § 22-3312.02), is amended to read as follows:

“Sec. 3. Defacement of certain symbols; display of certain emblems.

“It shall be unlawful for any person to burn, desecrate, mar, deface, or damage a religious or secular symbol, or place or display a sign, mark, symbol, impression, or other emblem, including a Nazi swastika, noose, or real or simulated burning cross, on the private property of another, without the permission of the owner or the owner’s designee, or on public property, where the person acts reckless to the fact that a reasonable person would perceive that the intent of the person acting is to:

32                   “(1) Deprive a person or class of persons of equal protection under federal or  
33 District law;

34                   “(2) Hinder or interfere with, or retaliate for, a person’s exercise of any right  
35 secured by federal or District law;

36                   “(3) Threaten to injure, break, or destroy a person’s property or harm a person’s  
37 financial interests; or

38                   “(4) Threaten to do bodily harm to a person.”.

39                   Sec. 3. Fiscal impact statement.

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

43                   Sec. 4. Effective date.

44                   This act shall take effect following approval by the Mayor (or in the event of a veto by the  
45 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than  
46 90 days, as provided for emergency acts of the Council of the District of Columbia in section  
47 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
48 D.C. Official Code § 1-204.12(a)).