

Council of the District of Columbia
COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
MEMORANDUM

1350 Pennsylvania Avenue, NW, Washington, DC 20004

TO: Chairman Phil Mendelson
FROM: Councilmember Charles Allen *CA*
RE: Request to Agendize Measures for the December 15, 2020 Additional Committee of the Whole and Legislative Meetings
DATE: December 10, 2020

I am requesting that you agendize the following measure for the December 15, 2020 Additional Committee of the Whole, should one be scheduled, pursuant to a waiver of Committee of the Whole Rule 403(b), and should one not be scheduled, for the Additional Legislative Meeting pursuant to Council Rule 339(b):

Measures from Committee

- PR23-0937, the “Chief of the Fire and Emergency Medical Services Department John Donnelly Confirmation Resolution of 2020”

This measure was approved by the Committee at its Additional Meeting this morning and has been timely filed with the Secretary.

I am requesting that you agendize the following measures for the December 15, 2020 Additional Legislative Meeting:

Emergency Contract Legislation at the Request of the Executive

- “Contract No. CW80913 with E-One, Inc. Emergency Declaration Resolution of 2020”
- “Contract No. CW80913 with E-One, Inc. Emergency Approval Resolution of 2020”

This emergency legislation would allow the Office of Contracting and Procurement, on behalf of the Fire and Emergency Medical Services Department, to enter into a multiyear contract ([CA23-0767](#)) with E-One, Inc. to provide a new foam unit to enhance the Department’s fire apparatus fleet. The price for the term of this multiyear contract with E-One, Inc. is \$1,149,659 for the two-year period of performance. Approval is necessary on an emergency basis to allow the District to receive the benefit of this vital service in a timely manner from E-One, Inc.

These measures have been timely filed by the Executive, and copies are attached.

Congressional Review Emergency Legislation

- “Community Harassment Prevention Second Congressional Review Emergency Declaration Resolution of 2020”
- “Community Harassment Prevention Second Congressional Review Emergency Amendment Act of 2020”

On October 6, 2020, the Council passed the Community Harassment Prevention Emergency Amendment Act of 2020, effective October 29, 2020 (D.C. Act 23-434; 67 DCR 12987) (“emergency act”). The emergency act will expire on January 19, 2021. On October 20, 2020, the Council passed the Community Harassment Prevention Temporary Amendment Act of 2020, enacted on November 16, 2020 (D.C. Act 23-493; 67 DCR 13915) (“temporary act”), which is pending transmittal to Congress. On December 15, 2020, the Council will take the final vote on the Bella Evangelista and Tony Hunter Panic Defense Prohibition and Hate Crimes Response Amendment Act of 2020, passed on 1st reading on December 1, 2020 (Engrossed version of Bill 23-409) (“permanent bill”). One section of the permanent bill contains provisions substantially similar to the emergency and temporary acts.

This congressional review emergency legislation is now necessary to prevent a gap in the law between the expiration of the emergency act and the effective date of the temporary act. However, since the permanent bill is also moving forward along a similar timeline, this congressional review emergency legislation conforms to the language of the permanent bill, rather than that of the temporary act.

Emergency Legislation

- [PR23-1057](#), the “Extreme Risk Protection Order Implementation Working Group Second Emergency Declaration Resolution of 2020”
- [B23-1021](#), the “Extreme Risk Protection Order Implementation Working Group Second Emergency Amendment Act of 2020”

On December 18, 2018, the Council passed the Firearms Safety Omnibus Amendment Act of 2018, effective May 10, 2019 (D.C. Law 22-314; 66 DCR 1672), which created the District’s “red flag” law. The “red flag” law allows concerned family and household members, mental health professionals, and law enforcement officials to file extreme risk protection orders with the Superior Court to have firearms and ammunition removed from people who pose a significant danger to themselves or others. On March 3, 2020, the Council passed the Extreme Risk Protection Order Implementation Working Group Emergency Amendment Act of 2020, effective March 17, 2020 (D.C. Act 23-252; 67 DCR 3467) (“emergency act”), which expired on June 15, 2020. The emergency act created an Extreme Risk Protection Order Implementation Working Group (“Working Group”), provided for its membership, and specified its duties. On March 17, 2020, the Council passed the Extreme Risk Protection Order Implementation Working Group Temporary Amendment Act of 2020, effective June 17, 2020 (D.C. Law 23-107; 67 DCR 3950) (“temporary act”), which is set to expire on January 28, 2021. On December 15, 2020, the Council will pass the Omnibus Public Safety and Justice Amendment Act of 2020, passed on 1st reading on December 1, 2020 (Engrossed version of Bill 23-127) (“permanent bill”). Section 102 of the permanent bill makes the Working Group permanent and extends its sunset date. This emergency legislation is now necessary to maintain the provisions of the temporary act until the permanent bill becomes law. Its provisions conform to the language of the permanent bill.

These measures have been timely filed with the Secretary. Please contact Kate Mitchell, Committee Director, at kmitchell@dccouncil.us, with any questions.

cc: Members, Council of the District of Columbia
Office of the Secretary
Office of the General Counsel
Office of the Budget Director
Mayor's Office of Policy and Legislative Affairs