

BE Pinto

Councilmember Brooke Pinto

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5 A PROPOSED RESOLUTION  
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9 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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13 To declare the existence of an emergency with respect to the need to amend the Attorney General  
14 for the District of Columbia Clarification and Elected Term Amendment Act of 2010 to  
15 increase the not-to-exceed amount for the Litigation Support Fund to \$27 million, and to  
16 increase maximum spending from the fund on public safety initiatives from \$9 million to  
17 \$9.7 million.  
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19 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
20 resolution may be cited as the “Litigation Support Fund Emergency Declaration Resolution of  
21 2024”.

22 Sec. 2. (a) Section 106b(d)(3)(a) of the Attorney General for the District of Columbia  
23 Clarification and Elected Term Amendment Act of 2010 (“Act”), effective October 22, 2015  
24 (D.C. Law 21-36; D.C. Official Code § 1-301.86b(d)(3)(a)), provides that the amount of money  
25 in the Attorney General’s Litigation Support Fund shall not exceed \$23.5 million. Any funds in  
26 excess of that amount at the end of a fiscal year shall revert to the unrestricted balance of the  
27 General Fund.

28 (b) Section 106b(c) of the Act states the purposes for which amounts in the Litigation  
29 Support Fund may be used, including: (1) Supporting general litigation expenses associated with  
30 prosecuting or defending litigation matters on behalf of the District of Columbia; (2) Funding  
31 staff positions, personnel costs, and employee retirement and separation incentives, up to a  
32 maximum amount of \$7 million per year, and non-personnel costs related to administering any

33 grant issued pursuant to D.C. Official Code §§ 1-301.88f(a) and § 1-301.88g(a); and (3) Crime  
34 reduction and violence interruption programming. It also permits the Office of the Attorney  
35 General (“OAG”) to use up to \$9 million each fiscal year for crime reduction, violence  
36 interruption, and other public safety initiatives.

37 (c) Since Fiscal Year 2020, OAG has budgeted less than the full \$9 million for crime  
38 reduction, violence interruption, and public safety initiatives and used the remaining funds for  
39 other operational costs, including staff positions. In Fiscal Year 2024, OAG allocated \$9 million  
40 for these public safety initiatives, to be spent on Cure the Streets, Leaders of Tomorrow Grants,  
41 and the Community Approaches to Rapid Engagement Services (“CARES”) Program. Faced  
42 with the recent surge in violent crime in the District, including juvenile crime, OAG requires an  
43 increase in the maximum expenditures to fund these initiatives to \$9.7 million. Additionally, in  
44 Fiscal Year 2024, OAG allocated \$7.1 million for litigation support including e-discovery, a  
45 matter management system, expert witnesses, transcripts, and other required services. Increased  
46 litigation support costs resulting from larger caseloads and active litigation in cases previously  
47 dormant due to Covid-19 have depleted the allocated funding. This will result in an operational  
48 shortfall in funding of \$3.5 million for Fiscal Year 2024.

49 (d) OAG is requesting enactment of the Litigation Support Fund Emergency Amendment  
50 Act of 2024 to increase the limit on the funds in the Litigation Support Fund to \$27 million and  
51 to increase the amount OAG is authorized to spend on public safety initiatives to \$9.7 million.  
52 These amounts will cover the projected shortfall and enable OAG to significantly increase its  
53 efforts to combat violent crime and enforce consumer protection, antifraud, antitrust, workers’  
54 rights, housing, and elder protection laws. The additional funds will be available from amounts  
55 OAG recovers for the District through successful litigation.

56           (e) The Litigation Support Fund Emergency Amendment Act of 2024 is necessary to  
57 provide the statutory authority for OAG to increase its ability to combat violent crime while  
58 otherwise maintaining its current level of operations.

59           Sec. 3. The Council of the District of Columbia determines that the circumstances  
60 enumerated in section 2 constitute emergency circumstances making it necessary that the  
61 Litigation Support Fund Emergency Amendment Act of 2024 be adopted after a single reading.

62           Sec. 4. This resolution shall take effect immediately.