

Councilmember Brooke Pinto

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A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare an emergency with respect to the need to amend the Residential Tranquility Act of 2010 to prohibit persons targeting a residence for purposes of a demonstration from using amplified sound devices in a residential zone and to amend the hours during which demonstrations can occur; and to amend An Act To establish a code of law for the District of Columbia to prohibit a person from launching or throwing a projectile onto the residential property of another with the intent to cause fear, to intimidate, to retaliate, or to protest or disparage the conduct, belief, opinions, action, membership affiliation, religion, race, ethnicity, political party membership, speech, or writings of a person living or working at that residence.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Residential Tranquility Emergency Declaration Resolution of 2024”.

Sec. 2. (a) The District of Columbia have observed an alarming increase in targeted demonstrations using amplified sound devices, creating significant disruptions that extend far beyond any single residence to impact entire communities. These demonstrations, particularly when employing amplified sound devices, fundamentally disturb the peace and tranquility that residents should rightfully expect in their homes. As the Supreme Court emphasized in *Carey v.*

38 *Brown*, “The State's interest in protecting the well-being, tranquility, and privacy of the home is
39 certainly of the highest order in a free and civilized society.” *Carey v. Brown*, 447 U.S. 455, 471.
40 The Court has consistently recognized the home as “the last citadel of the tired, the weary, and
41 the sick,” *Gregory v. Chicago*, 394 U.S. 111, 125 (1969) (Black, J., concurring). and maintained
42 that “preserving the sanctity of the home, the one retreat to which men and women can repair to
43 escape from the tribulations of their daily pursuits, is surely an important value.” *Carey*, *supra*, at
44 471.

45 (b) The persistent use of amplified sound devices in residential areas poses significant
46 health risks to residents. Medical research has established that constant exposure to elevated
47 sound levels can trigger anxiety, elevated stress hormones, and adverse psychological effects.
48 These impacts are particularly severe for children whose cognitive development can be impaired
49 by chronic excessive sound exposure, and for elderly residents or residents with disabilities who
50 may be more sensitive to auditory disruptions. Current regulations have proven inadequate in
51 addressing the unique harm caused by targeted amplified sound at residences, leaving
52 communities without sufficient protections.

53 (c) The District's current law, which restricts certain activities between 10:00 p.m. and
54 7:00 a.m., does not align with the realities of modern life and work patterns. Many District
55 residents, including early morning commuters and night shift workers, require rest during hours
56 outside this window. Furthermore, families with school-age children, who typically require
57 between 9 and 11 hours of sleep, often begin their bedtime routines well before 10:00 p.m.
58 Further, the morning hours between 6:00 a.m. and 9:00 a.m. are particularly crucial for families
59 preparing for school and work, a time when quiet and focus are essential. Medical research has
60 shown that inadequate sleep resulting from noise disruption increases risks of cardiovascular
61 disease, compromises immune system function, and impairs cognitive performance.

62 Demonstrations targeted at a residence can cause these disruptions; the limitations imposed
63 through this emergency legislation will help address these unique harms.

64 (d) The District has also observed a disturbing trend of individuals throwing projectiles at
65 residential properties as a means of harassment and intimidation. This behavior not only poses
66 immediate safety risks and potential property damage but also creates significant psychological
67 distress for residents who feel targeted and unsafe in their own homes. Particularly concerning
68 are incidents where projectiles are thrown with the intent to cause fear, to intimidate, or to
69 retaliate against residents based on their beliefs, opinions, actions, affiliations, religion, race,
70 ethnicity, political party membership, speech, or writings. The current legal framework does not
71 adequately address this specific form of harassment, leaving a critical gap in protections for
72 District residents facing such intimidation tactics.

73 (e) Emergency legislation is necessary to provide protection for residential tranquility and
74 the safety of those who reside in the District. Current enforcement mechanisms have proven
75 insufficient to address these forms of harassment, leaving residents vulnerable to immediate and
76 ongoing harm. These changes represent an urgent and necessary approach to safeguarding the
77 well-being of District residents and addressing challenges to residential peace and security while
78 respecting established legal principles. The emergency nature of this legislation is justified by the
79 immediate need to protect residents from escalating forms of harassment and to ensure their
80 fundamental right to peace and security in their homes.

81 Sec. 3. The Council of the District of Columbia determines that the circumstances in
82 section 2 constitute emergency circumstances, making it necessary that the “Residential
83 Tranquility Emergency Amendment Act of 2024” be adopted after a single reading.

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