
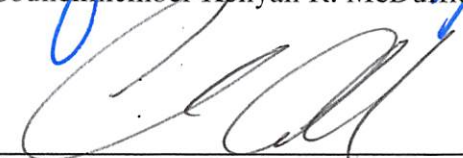


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Chairman Phil Mendelson

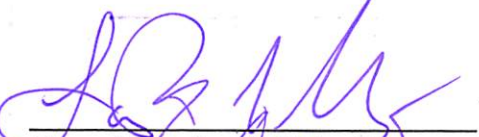

Councilmember Kenyan R. McDuffie

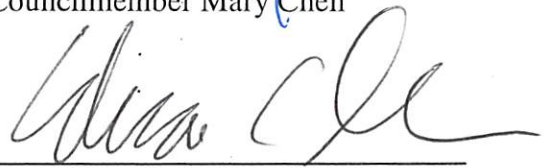

Councilmember David Grosso

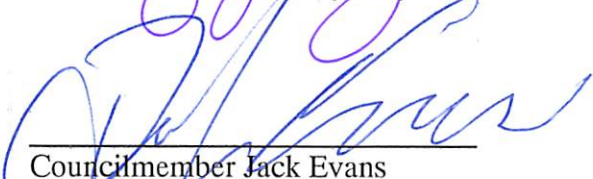

Councilmember Charles Allen

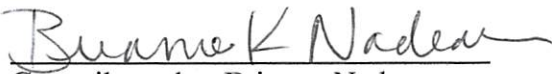

Councilmember Anita Bonds

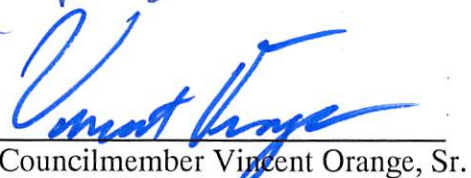

Councilmember Mary Cheh


Councilmember LaRuby May


Councilmember Elissa Silverman


Councilmember Jack Evans


Councilmember Brianne Nadeau


Councilmember Vincent Orange, Sr.

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmember Kenyan R. McDuffie introduced the following bill, which was referred to the Committee on _____.

To establish a new Office of Neighborhood Engagement and Safety to engage individuals determined to be at high risk of participating in, or being a victim of, violent criminal activity and to encourage participation in a program, incorporating evidence-based cognitive behavioral therapy, designed to discourage violent criminal activity; to

43 establish a new Office of Violence Prevention within the Department of Health to prepare
 44 and implement a strategy for a public health approach to violence, to conduct a public
 45 information campaign, and to embed social workers in hospital emergency rooms to offer
 46 counseling and mediation; to create grant-making authority for the Office of the Deputy
 47 Mayor for Public Safety and Justice to issue grants from funds appropriated or made
 48 available to the Office of the Deputy Mayor for Public Safety and Justice for
 49 neighborhood violence intervention and prevention program initiatives; to require data
 50 collection and analysis by the Deputy Mayor for Public Safety and Justice on felony
 51 crimes; to create a Community Crime Prevention Team Program to embed Department of
 52 Behavioral Health and Department of Human Services social workers in the Metropolitan
 53 Police Department, to advise the police department on recurring issues and changes
 54 needed to improve interactions with individuals suffering from homelessness, mental
 55 health disorders, and substance abuse disorders; to require the Metropolitan Police
 56 Department to include training on preventing biased-based policing, limitations on the
 57 use of chokeholds and neck restraints, community policing, and the use of force in their
 58 mandatory continuing education / training; to require the Metropolitan Police Department
 59 to collect stop and frisk and use of force data; to amend the Office of Citizen Complaint
 60 Review Establishment Act to increase the period of time in which citizens have to file
 61 complaints, to require the Office of Police Complaints to monitor and report on the
 62 number, type, and disposition of citizen complaints, use of force incidents, and in-custody
 63 deaths.
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 65
 66

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88 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
89 act may be cited as the “Neighborhood Engagement Achieves Results Act of 2015”.

90 **TITLE I. ESTABLISHMENT OF OFFICE ON NEIGHBORHOOD**
91 **ENGAGEMENT AND SAFETY**

92 Sec. 101. Office of Neighborhood Engagement and Safety.

93 (a) There is established a District of Columbia Office of Neighborhood Engagement and
94 Safety (“ONES”). The ONES shall be responsible for the identification, recruitment, and
95 engagement of individuals determined to be at high risk of participating in, or being a victim of,
96 violent criminal activity.

97 (b) The ONES shall be headed by an Executive Director who shall report to the Deputy
98 Mayor for Public Safety and Justice. The Executive Director shall have at least 3 years of
99 relevant experience in criminal justice, including matters affecting the deterrence of violent
100 criminal behavior. The Mayor shall appoint the Executive Director to serve for a term of three
101 years. An Executive Director may be reappointed. The Deputy Mayor for Public Safety and
102 Justice may remove the Executive Director from office for cause.

103 (c) The duties of the ONES shall include:

104 (1) Identifying, on a quarterly basis, a target of 50 individuals who pose a high
105 risk of participating in, or being a victim of, violent criminal activity;

106 (2) Recruiting such individuals, as manageable, to participate in a program,
107 incorporating evidence-based cognitive behavioral therapy, designed to discourage violent
108 criminal activity and outline alternative opportunities;

109 (3) Authorizing the payment of a stipend to individuals actively participating in
110 the program; and

111 (4) Producing reports as required under subsection (e) of this section.

112 (d)(1) The Executive Director shall employ qualified persons or utilize the services of
113 qualified volunteers, as necessary, to perform the work of the ONES. Subject to appropriations,
114 the Executive Director may employ persons on a full-time or part-time basis.

115 (2) The Executive Director shall supervise all employees and volunteers of the
116 ONES, and shall ensure that all rules, regulations, and orders are carried out properly, and that all
117 records of the ONES are maintained properly.

118 (3) The Executive Director shall ensure the confidentiality of all participant
119 information.

120 (e) By February 1 of each year, the ONES shall provide a report to the Council that
121 includes the number of individuals successfully recruited and engaged; duration of individuals'
122 participation; status of participants' progress; and participants' age, race, gender and ward of
123 residence.

124 (f) The ONES is authorized to apply for and receive grants to fund its program activities
125 in accordance with the laws and regulations relating to grant management.

126 (g)(1) The Chief Financial Officer shall provide financial support services and oversight
127 for the ONES using personnel assigned to provide financial support services and oversight for
128 the Office of the Deputy Mayor for Public Safety and Justice.

129 (2)(A) The Chief Procurement Officer shall provide contracting and procurement
130 support services and oversight for the ONES using personnel assigned to provide contracting and
131 procurement support services for the Office of the Deputy Mayor for Public Safety and Justice.

132 (B) The ONES is authorized to contract with qualified private
133 organizations or individuals for services in accordance with the District of Columbia
134 Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official
135 Code § 2-301.01 *et seq.*).

136 (h) The Mayor shall provide the ONES with adequate office space.

137 **TITLE II. ESTABLISHMENT OF OFFICE OF VIOLENCE PREVENTION**

138 Sec. 201. Establishment of the Office of Violence Prevention.

139 (a) There is established within the Department of Health (“Department”) an Office of
140 Violence Prevention (“Office”) tasked with utilizing public health institutions and methods to
141 halt the spread of violence in the District of Columbia.

142 (b) The Office shall, by July 1, 2016, or 6 months after receiving funding, whichever
143 occurs later:

144 (1) In coordination with the District’s other health, human services, public safety,
145 and justice agencies, develop and implement a public health strategy, which includes risk
146 assessment tools, and cognitive and family based therapeutic elements, to combat the spread of
147 violence;

148 (2) Conduct an intensive public information campaign aimed at violence cessation
149 through educating the public on the impact of violence, the need to reduce violence, and the
150 available, alternative means of dispute resolution; and

151 (3) Develop a plan to ensure that each hospital emergency room in the District
152 maintains a staff of social workers who are tasked with providing counseling, mental health
153 treatment, mediation, and trauma-based care to apparent victims of violence and their families
154 that arrive for treatment.

155 (c) The Office shall have staff as funded by appropriations and federal or private grants.

156 **TITLE III. DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE**

157 **SUBTITLE A. GRANT MAKING AUTHORITY**

158 Sec. 301. Deputy Mayor for Public Safety and Justice grant-making authority.

159 (a) The Deputy Mayor for Public Safety and Justice shall have grant-making authority
160 for the purpose of providing funds to organizations and individuals for neighborhood violence
161 intervention and prevention purposes, including gang intervention, alternative dispute resolution,
162 mentorship, and youth and young adult enrichment programs.

163 (b) Notwithstanding the provisions of D.C. Official Code §47-368.06, grants issued
164 pursuant to subsection (a) of this section shall be made from funds made available to the Office
165 of the Deputy Mayor for Public Safety and Justice pursuant to a local appropriation, an intra-
166 District transfer, a memorandum of understanding, or a reprogramming from an agency lacking
167 grant-making authority.

168 (c) By February 1 of each year, the Deputy Mayor for Public Safety and Justice shall
169 provide a report to the Council that includes the name of the grant recipients, the amount of the
170 grants issued, and an evaluation of the effectiveness of each grant recipient's programs.

171 Sec. 302. Rules.

172 The Deputy Mayor for Public Safety and Justice, pursuant to Title 1 of the District of
173 Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C.
174 Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this subtitle.

175 Sec. 303. Sunset.

176 This subtitle shall expire on September 30, 2017.

177 **SUBTITLE B. DATA COLLECTION AND ANALYSIS**

178 Sec. 304. The Deputy Mayor for Public Safety and Justice Establishment Act of 2011,
179 effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 1-301.191), is amended as
180 follows:

181 (a) A new paragraph (c)(6) is added to read as follows:

182 “(6) Not later than December 31 of each year, the Deputy Mayor for Public Safety
183 and Justice, through the Chief of Police, shall deliver a report to the Mayor and the Council that
184 analyzes the trends associated with the Metropolitan Police Department’s felony crime statistics.

185 The report shall include:

186 “(A) The number and type of calls for service for allegations of felony
187 crimes;

188 “(B) The number and type of felony arrests made by the Metropolitan
189 Police Department;

190 “(C) The number of felony arrests that resulted in conviction and the
191 sentence imposed;

192 “(D) The location of felony arrests by ward and police service area;

193 “(E) The number of defendants involved in each felony arrest;

194 “(F) The number of victims involved in each felony arrest;

195 “(G) The characteristics of each defendant arrested for a felony crime,

196 including:

197 “(i) The age of the defendant;

198 “(ii) The race of the defendant;

199 “(iii) The gender of the defendant;

200 “(iv) The level of education of the defendant;

201 “(v) The police service area where the defendant resides;
202 “(vi) The number of prior contacts the defendant has with the
203 Metropolitan Police Department;
204 “(vii) The number and type of convictions on the defendant’s
205 criminal record; and
206 “(viii) The defendant’s relationship, if any, to the victim(s) of a
207 crime in which they are charged;
208 “(ix) If known, whether the defendant has had prior contact with
209 the Department of Behavioral Health.

210 “(H) The characteristics of each victim involved in a felony crime,
211 including:

212 “(i) The age of the victim;
213 “(ii) The race of the victim;
214 “(iii) The gender of the victim;
215 “(iv) The level of education of the victim;
216 “(v) The police service area where the victim resides;
217 “(vi) The number of prior contacts the victim has had with the
218 Metropolitan Police Department;
219 “(vii) The number and type of convictions on the victim’s criminal
220 record; and
221 “(viii) The victim’s relationship, if any, to the defendant(s).”.

222 **TITLE IV. METROPOLITAN POLICE DEPARTMENT**

223 **SUBTITLE A. EMBEDDED HUMAN SERVICES**

224 Sec. 401. Community Crime Prevention Team Pilot Program.

225 (a) There is established within the Metropolitan Police Department (“Department”) a
226 Community Crime Prevention Team Pilot Program (“Program”) to reduce crime and increase
227 access to social services by enhancing the coordination between law enforcement and health and
228 human services agencies.

229 (b) The Department shall, in coordination with the Department of Behavioral Health
230 (“DBH”) and the Department of Human Services (“DHS”), embed DBH and DHS social
231 workers within the patrol units of the Department in order to immediately connect individuals
232 who interact with police, and who may be impacted by homelessness, mental health disorders, or
233 substance abuse disorders, with available services.

234 (c) DBH and DHS social workers who participate in the Program shall advise the
235 Department on recurring issues they identify in each police district and on potential changes to
236 police training or procedures that may be necessary to improve interactions with individuals
237 suffering from homelessness, mental health disorders, or substance abuse disorders.

238 (d) The Department shall collect data on the number and type of referrals for service that
239 occur pursuant to this section and issue an annual report to the Mayor and the Council that
240 includes the number and type of referrals for service in each police district.

241 (e) The Program shall assign no fewer than 2 DBH social workers and 2 DHS social
242 workers to each of the 3 police districts with the highest total number of reported homicides in
243 the previous 4 years.

244 **SUBTITLE B. TRAINING**

245 Sec. 402. Section 205 of the Omnibus Police Reform Amendment Act of 2000, effective
246 October 4, 2000 (D.C. Law 13-160; D.C. Code § 5-107.02), is amended to read as follows:

247 “The Department shall implement a program of continuing education for its sworn
248 members, which shall consist of a minimum of 32 hours of training each year. The continuing
249 education shall include, at a minimum, courses on:

250 “(1) Preventing biased-based policing;

251 “(2) Limitations on the use of chokeholds and neck restraints;

252 “(3) Community policing; and

253 “(4) The use of force.”.

254 **SUBTITLE C. STOP AND FRISK DATA**

255 Sec. 403. Section 386 of the Revised Statutes of the District of Columbia (D.C. Official
256 Code § 5-113.01), is amended as follows:

257 (a) Paragraph (4A) is amended by striking the phrase “; and” and inserting a semicolon in
258 its place.

259 (b) New paragraphs (4B) and (4C) are added to read as follows:

260 “(4B) Records of stops, including:

261 “(A) The date, location, and time of the stop;

262 “(B) The approximate duration of the stop;

263 “(C) The traffic violation or violations alleged to have been
264 committed that led to the stop;

265 “(D) Whether a search was conducted as a result of the stop;

266 “(E) If a search was conducted, the reason for the search, whether
267 the search was consensual or nonconsensual, whether a person was searched and whether a
268 person’s property was searched;

269 “(F) Whether any contraband or other property was seized in the
270 course of the search;
271 “(G) Whether a warning, safety equipment repair order, or citation
272 was issued as a result of the stop and the basis for issuing such warning;
273 “(H) Whether an arrest was made as a result of either the stop or
274 the search;
275 “(I) If an arrest was made, the crime charged;
276 “(J) The gender of the individual stopped;
277 “(K) The date of birth of the individual stopped;
278 “(L) The state of residence of the individual stopped; and
279 “(M) The race or ethnicity of the individual stopped;
280 “(4C) Use of force incidents, including:
281 “(A) The total number of use of force incidents and the type of force used;
282 “(B) The total number of officers involved in each use of force incident;
283 “(C) The total number of suspects involved in each use of force incident;
284 “(D) The number of civilian complaints filed with the Metropolitan Police
285 Department for excessive use of force, by district, and the outcome of each complaint, including
286 disciplinary actions;
287 “(E) If an arrest was made, the crime charged;
288 “(F) The gender, race, age, and ethnicity of each suspect involved in a use
289 of force incident; and
290 “(G) The gender, race, age, and ethnicity of any officer involved in a use
291 force incident; and”.

292 **TITLE V. OFFICE OF POLICE COMPLAINTS REPORTING AMENDMENT**

293 Sec. 501. Section 5 of the Office of Citizen Complaint Review Establishment Act of 1998,
294 effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104), is amended as follows:

295 (a) Subsection (d) is amended by striking the phrase “and the Chief of the Metropolitan
296 Police Department (“Police Chief”)” and inserting the phrase “the Chief of the Metropolitan Police
297 Department (“Police Chief”), and the Director of the District of Columbia Housing Authority
298 (“DCHA Director”)” in its place.

299 (b) New subsections (d-2), (d-3), (d-4), (d-5), and (d-6) are added to read as follows:

300 “(d-2)(1)The Board shall monitor the following matters with respect to the MPD and the
301 agencies described in section 8(j):

302 “(A) The number, type, and disposition of citizen complaints received,
303 investigated, sustained, or otherwise resolved;

304 “(B) The proposed discipline and the actual discipline imposed in any
305 sustained citizen complaints;

306 “(C) Any discharge of a firearm by a department member which results in
307 bodily injury or death of a person; and

308 “(D) Any in-custody death.

309 “(2) To carry out the authority required by paragraph (1) of this subsection, the
310 Executive Director, acting on behalf of the Board, shall have timely and complete access to the
311 following:

312 “(A) Information and supporting documentation specifically related to the
313 Board’s monitoring activities; and

314 “(B) Information and supporting documentation specifically related to any
315 failure to cooperate notification sent by the Office.

316 “(d-3)(1) The Board shall conduct periodic reviews of the MPD’s compliance with section
317 434 of the Revised Statutes of the District of Columbia (D.C. Official Code § 5-123.02), and
318 section 4 of the Limitation on the Use of the Chokehold Act of 1985, effective January 25, 1986
319 (D.C. Law 6-77; D.C. Official Code § 5-125.03).

320 “(2) To carry out the duties required by paragraph (1) of this subsection, the
321 Executive Director, acting on behalf of the Board, shall have timely and complete access to
322 information and supporting documentation specifically related to an officer’s compliance with
323 section 434 of the Revised Statutes of the District of Columbia (D.C. Official Code § 5-123.02),
324 and section 4 of the Limitation on the Use of the Chokehold Act of 1985, effective January 25,
325 1986 (D.C. Law 6-77; D.C. Official Code § 5-125.03).

326 “(d-4) The Executive Director shall keep confidential the identity of all persons named in
327 any documents transferred from MPD pursuant to this section.

328 “(d-5) The disclosure or transfer of any public record, document, or information from the
329 MPD to OPC under this section shall not constitute a waiver of any privilege or exemption that
330 otherwise could be asserted by the MPD to prevent disclosure to the general public or in a judicial
331 or administrative proceeding.

332 “(d-6) No later than December 31 of each year, the Board shall deliver
333 a report to the Mayor and the Council that analyzes the trends associated with subsections (d-2)
334 and (d-4) of this section.”

335 Sec. 502. Section 8(d) of the Office of Citizen Complaint Review Establishment Act of
336 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1107(d)), is amended
337 by striking the phrase “45 days” and inserting the phrase “90
338 days” in its place.

339 **TITLE VI. FISCAL IMPACT; EFFECTIVE DATE**

340 Sec. 601. Fiscal impact statement.

341 The Council adopts the fiscal impact statement in the committee report as the fiscal
342 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
343 approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

344 Sec. 602. Effective date.

345 This act shall take effect following approval by the Mayor (or in the event of veto by the
346 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
347 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
348 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(1)), and publication in the District of
349 Columbia Register.