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A BILL  
24-129

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend the District of Columbia Procurement Practices Act of 1985 to provide the Office of the Inspector General’s criminal investigators with authority to carry less lethal weapons; to arrest without a warrant for any felony violation of a federal or District of Columbia statute if the criminal investigator has probable cause to believe that the person to be arrested has committed or is committing such felony; to provide the Office of the Inspector General’s criminal investigators with authority to apply for and execute arrest warrants; to require reporting on uses of force by criminal investigators at the Office of the Inspector General; to provide the Inspector General with the authority to directly enter into agreements with federal partners; and to require the establishment of a body-worn camera program for criminal investigators at the Office of the Inspector General.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this act may be cited as the “Inspector General Enhancement Amendment Act of 2022”.

Sec. 2. Section 208 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986, (D.C. Law 6-85; D.C. Official Code §1-301.115a), is amended as follows:

(a) Subsection (f-1) is amended as follows:

(1) The lead in language is amended by striking the phrase “duties:” and inserting the phrase “duties within the District of Columbia, at a District government facility located outside of the District, or, subject to federal, state and local laws, outside of the District:”.

(2) Paragraphs (1) and (2) are amended to read as follows:

31 “(1) To carry a firearms and less lethal weapons; provided:

32 “(A) That the employee has completed a course of training in the in the  
33 safe handling of firearms and less lethal weapons and the appropriate use of force;

34 “(B) That the employee is qualified in the safe handling of firearms and  
35 less lethal weapons and the appropriate use of force according to the standards applicable to  
36 officers of the Metropolitan Police Department and the standards found in the U.S. Attorney  
37 General Guidelines for Offices of Inspector General with Statutory Law Enforcement Authority,  
38 or similar subsequent guidelines;

39 “(C) That the employee shall not carry a firearm or less lethal weapon in  
40 the course of official duties unless it is authorized in writing by the Inspector General;

41 “(D) That the employee shall be subject to the limitations on the use of  
42 force generally applicable to law enforcement officers in the District; and

43 “(E) The Inspector General, in consultation with the Metropolitan Police  
44 Department, has issued written guidelines pertaining to the authority to carry weapons, the  
45 appropriate use and deployment of those weapons, weapons issuance and security, weapons  
46 training, and the appropriate use of force.

47 “(2) Notwithstanding any other law, to make an arrest without a warrant while the  
48 employee is engaged in the performance of his or her official duties within the District of  
49 Columbia, at a District government facility located outside of the District, or, subject to federal,  
50 state, and local laws, outside of the District of Columbia, provided that:

51                   “(A) The employee has probable cause to believe that a felony violation of  
52 a federal or District statute is being committed in his or her presence; or

53                   “(B) The employee has probable cause to believe that the person to be  
54 arrested has committed such felony; and”.

55                   (3) Paragraph (3) is amended by striking the phrase “execute a warrant for the  
56 search of premises or the seizure if the warrant” and inserting “to execute arrest warrants or  
57 warrants for search and seizure if the warrant” in its place.

58                   (b) Subsection (f-2) is amended as follows:

59                   (1) Strike the phrase “fiscal year.” and insert in the phrase “fiscal year, including a  
60 report detailing all uses of force by employees covered by subsection (f-1) of this section,  
61 including:” in its place.

62                   (2) New paragraphs (1), (2), and (3) are added to read as follows:

63                   “(1) The date, time, and location of each incident;

64                   “(2) A description of each use of force; and,

65                   “(3) The result of any investigation of each use of force, including any  
66 determination of whether the use of force was justified and any discipline imposed.”.

67                   (c) New subsections (f-6) and (f-7) are added to read as follows:

68                   “(f-6) Except as prohibited by Section 7 of An Act to create a Department of Corrections  
69 in the District of Columbia, effective December 11, 2021 (D.C. Law 19-194; D.C. Official Code  
70 § 24-211.07), the Inspector General may enter into an agreement with a federal, state, or local

71 law enforcement agency to assist the Office of the Inspector General in carrying out its duties,  
72 including through:

73 “(1) Sponsoring and obtaining special deputation of an employee of the Office of  
74 the Inspector General, who as part of his or her official duties, conducts investigations of alleged  
75 felony violations;

76 “(2) Receiving and, to the extent necessary for the completion of joint operations,  
77 sharing equipment, supplies, and services; and

78 “(3) Entering into agreements which delineate investigative responsibilities and  
79 functions between the respective agencies in areas of joint jurisdiction.”

80 “(f-7) By October 1, 2024, the Inspector General shall establish an Office of the Inspector  
81 General Body-Worn Camera Program that shall, at a minimum:

82 “(1) Equip all employees covered by subsection (f-1) of this act with a body-worn  
83 camera while carrying a firearm or less lethal weapon during the tactical portion of law  
84 enforcement activities in the performance of official duties;

85 “(2) Operate pursuant to published standards made available online and provided  
86 to the Council, which shall include:

87 “(A) Standards for public access to body-worn camera recordings;

88 “(B) Policies for retaining body-worn camera recordings;

89 “(C) Procedures for auditing the Body-Worn Camera Program;

90 “(D) Policies for protecting the security and integrity of body-worn

91 camera data; and

92 “(E) Mechanisms for cost recovery of Freedom of Information Act  
93 requests.”.

94 Sec. 3. Applicability.

95 (a) Amendatory subsection (f-7) of section 2(c) of this act shall apply upon the date of  
96 inclusion of its fiscal effect in an approved budget and financial plan.

97 (b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in  
98 an approved budget and financial plan, and provide notice to the Budget Director of the Council  
99 of the certification.

100 (c)(1) The Budget Director shall cause the notice of the certification to be published in  
101 the District of Columbia Register.

102 (2) The date of publication of the notice of the certification shall not affect the  
103 applicability of this act.

104 Sec. 4. Fiscal impact statement.

105 The Council adopts the fiscal impact statement in the committee report as the fiscal  
106 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
107 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

108 Sec. 5. Effective date.

109 This act shall take effect following approval by the Mayor (or in the event of veto by the  
110 Mayor, action by the Council to override the veto), a 30-day period of congressional review as

**ENGROSSED ORIGINAL**

111 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
112 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
113 Columbia Register.