

A RESOLUTION

20-49

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 5, 2013

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to establish mandatory controlled substance and alcohol testing and criminal background checks and a background investigation program for applicants, appointees, employees, volunteers, and contractual workers of the Consolidated Forensic Sciences Laboratory.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Controlled Substance, Alcohol Testing, Criminal Background Check and Background Investigation Congressional Review Emergency Declaration Resolution of 2013”.

Sec. 2. (a) The Consolidated Forensic Sciences Laboratory (CFL) officially opened on October 1, 2012 and serves as the central location for several of the District’s public health and safety lab operations, such as the Office of the Chief Medical Examiner, the Department of Forensic Sciences ("DFS"), and divisions under the Metropolitan Police Department that include the Firearms and Fingerprint Examination Division, DNA Laboratory, and the Forensic Sciences Services Division. The Department of Forensic Sciences Establishment Act of 2011, effective August 17, 2011 (D.C. Law 19-18; D.C. Official Code § 5-1501.01 *et. seq.*)("Act"), requires that DFS provide security and protection for evidence and samples in its custody. To ensure compliance with the Act, a mandatory controlled substance and alcohol testing program, criminal background check, and background investigation program for applicants, appointees, employees, volunteers, and contractual workers who have a duty station at the CFL is necessary.

(b) The Council passed Bill 19-1041, the Controlled Substance, Alcohol Testing, Criminal Background Check and Background Investigation Emergency Amendment Act of 2012 (D.C. Act 19-582), on December 4, 2012, and it is set to expire on March 22, 2013. Bill 19-1042, the Controlled Substance, Alcohol Testing, Criminal Background Check and Background Investigation Temporary Amendment Act of 2012 (D.C. Act 19-616), was passed by the Council on December 18, 2012, and is currently undergoing Congressional review. This Congressional review emergency is necessary to prevent a gap in the legal authority.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Controlled Substance, Alcohol Testing, Criminal Background Check and Background

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Investigation Congressional Review Emergency Amendment Act of 2013 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.