



**MURIEL BOWSER**  
**MAYOR**

May 16, 2023

The Honorable Phil Mendelson  
Chairman  
Council of the District of Columbia  
John A. Wilson Building  
1350 Pennsylvania Avenue, NW, Suite 504  
Washington, DC 20004

Dear Chairman Mendelson:

Enclosed for consideration and enactment by the Council of the District of Columbia is the "Safer Stronger Amendment Act of 2023."

This legislation offers a series of amendments that address gaps in the District's public safety and justice ecosystem that are necessary to build a safer, stronger DC. We know there is no one solution to ending violence; public safety is a community-wide effort. The safety of our community is my top priority as Mayor, and even with our complex federal and local system, it is my responsibility to make this system work for DC.

This legislation enhances penalties for violent crimes that victimize or target vulnerable residents with physical or mental impairments as well as expanded protections for transit and for-hire vehicle employees, transit passengers, and people at rec centers; enhances protections for domestic violence survivors with the creation of a felony offense of strangulation; strengthens provisions that allow individuals to petition for early release to ensure the voices of victims and community receive proper consideration; increases the reimbursement for the District's popular Private Security Camera System Incentive Program which strengthens public safety by increasing the network of cameras available to assist the Metropolitan Police Department (MPD) in solving crimes and closing cases; proposes collecting DNA earlier in the process for First Degree sexual offenses after the probable cause hearing; and supervisory agencies shall, upon request of MPD, provide MPD with location and identification data collected from any detection device necessary in conducting a criminal law enforcement investigation.

Addressing violence in DC means we need to address illegal guns; people using illegal guns are causing havoc in our neighborhoods. This legislation increases penalties for illegal gun possession. It will also provide greater discretion for the Courts to determine who should be held

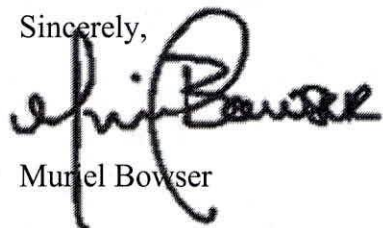
pre-trial, including defendants previously convicted of a violent crime while they await trial for a new violent crime. We proudly believe in second chances in our city, but we also believe in accountability.

Additionally, we also know that even with our complex criminal justice system, we need more transparency about what is happening. The legislation requires the Criminal Justice Coordinating Council to report more data on process and outcomes which will help us better understand which programs are working and which aren't. This legislation also gives more District residents a voice on the important DC Sentencing Commission.

These proposals, coupled with MPD's new focused patrol strategy and other whole-of-government approaches, are going to make sure we have the tools we need to protect people in our city who are doing the right thing and want to be able to enjoy our fantastic neighborhoods in all eight wards.

I urge the Council to take prompt and favorable action on the enclosed legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser". The signature is written in a cursive, flowing style with a large initial "M".

Muriel Bowser



Chairman Phil Mendelson  
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Advisory Commission on Sentencing Establishment Act to give District residents additional representation on the DC Sentencing Commission and include the Metropolitan Police Department as a voting member; to Amend the Anti-Sexual Abuse Act of 1994 to broaden the definition of significant relationship and to clarify persons covered by first degree sexual abuse of a secondary education student; to amend Chapter 23 of Title 16 of the District of Columbia Official Code to change the criteria for detaining children; to amend An Act To control the possession, sale, transfer and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to increase the penalty for illegal discharge of a firearm; to prohibit a person from knowingly possessing or receiving any firearm with a tampered serial number; to prohibit a person from possessing a stolen firearm or stolen ammunition; to prohibit the possession of ammunition by previously convicted felons; to amend the Firearms Control Regulations Act of 1975 to prohibit trafficking firearms or ammunition; to create penalty enhancement for crimes of violence against vulnerable adults, Metrorail employees, public transit passengers, recreation center users, and transportation providers; to amend the Transit Operator Protection and Enhanced Penalty Amendment Act of 2008 to require notice of enhanced penalties for certain offenses against Metrorail employees and transit vehicle passengers; to amend Chapter 23 of Title 23 of the District of Columbia Official Code to create a rebuttable presumption to not release a defendant with a previous conviction for a crime of violence, and to clarify that the United States Attorney's Office and the Office of the Attorney General can use GPS data to prosecute offenses other than those enumerated; to require all supervision agencies to provide the Metropolitan Police Department with access to GPS data for persons under the agencies' supervisions when it is need to conduct a criminal law enforcement investigation; to amend the definition of "significant bodily injury" to include strangulation; to amend the Neighborhood Engagement Achieves Results Amendment Act of 2016 to remove the cap on the private security camera program incentive program rebate; to amend the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2011 to require that all participating entities in the CJCC report aggregate programmatic data on process and outcomes of programs; to amend the DNA Sample Collection Act of 2001 to require law enforcement

47 to collect DNA samples from individuals upon arrest; to amend the An Act to Establish a  
48 Board of Indeterminate Sentence and Parole for the District of Columbia to strengthen  
49 the provisions of the Comprehensive Youth Services and Rehabilitation Amendment Act  
50 of 2016 and to help ensure victims and communities receive consideration and protection.  
51

52 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
53 act may be cited as the “Safer Stronger Amendment Act of 2023”.

54 TITLE I. SENTENCING COMMISSION REPRESENTATION

55 Sec. 101. Section 3(a) of the Advisory Commission on Sentencing Establishment Act of  
56 1998, approved October 16, 1998 (D.C. Law 12-167; D.C. Official Code § 3-102(a)), is amended  
57 as follows:

58 (a) The lead-in language is amended to read as follows:

59 “(a) The Commission shall consist of 15 voting members and 5 nonvoting members as  
60 follows:”.

61 (b) Paragraph (1) is amended as follows:

62 (1) Subparagraph (H) is amended by striking the phrase “; and” and inserting a  
63 semicolon in its place.

64 (2) Subparagraph (I) is amended to read as follows:

65 “(I) Four residents of the District of Columbia, 3 of whom shall be  
66 nominated by the Mayor subject to confirmation by the Council, and the other of whom shall be  
67 appointed by the Council; and”.

68 (3) A new subparagraph (I-i) is added to read as follows:

69 “(I-i) The Chief of the Metropolitan Police Department or his or her  
70 designee.”.

71 (c) Paragraph (2) is amended as follows:

72 (1) Subparagraph (B) is repealed.

73 (2) Subparagraph (D) is amended by striking the phrase “; and” and inserting a  
74 semicolon in its place.

75 (3) Subparagraph (E) is amended by striking the period and inserting the phrase “;  
76 and” in its place.

77 (4) A new subparagraph (F) is added to read as follows:

78 “(F) The Deputy Mayor for Public Safety and Justice or his or her  
79 designee.”.

## 80 TITLE II. SAFE SCHOOLS AND SAFE STUDENTS

### 81 SUBTITLE A. SCHOOL PERSONNEL

82 Sec. 201. The Anti-Sexual Abuse Act of 1994 effective May 23, 1995 (D.C. Law 10-257;  
83 D.C. Official Code § 22-3001 *et seq.*), is amended as follows:

84 (a) Section 101(10)(D) (D.C. Official Code § 22-3001(10)(D)) is amended by striking the  
85 phrase “Any employee or contractor” and inserting the phrase “Any employee, contractor,  
86 consultant, or volunteer” in its place.

87 (b) Section 208c (D.C. Official Code § 22-3009.03) is amended by striking the phrase  
88 “Any teacher, counselor, principal, coach, or other person of authority” and inserting the phrase  
89 “Any teacher, counselor, principal, coach, contractor, consultant, volunteer, or other person of  
90 authority” in its place.

### 91 SUBTITLE B. CRITERIA FOR DETAINING CHILDREN

92 Sec. 211. Section 16-2310 of the District of Columbia Official Code is amended as  
93 follows:

94 (a) Subsection (a)(1) is amended to read as follows:

95                   “(1) to protect the person or property of others or of the child from significant  
96 harm, or”.

97           (b) Subsection (a-1) is amended to read as follows:

98           “(a-1)(1) There shall be a rebuttable presumption that detention is required to protect the  
99 person or property of others or of the child if the judicial officer finds by a substantial probability  
100 that the child:

101                               “(A) Committed a dangerous crime or a crime of violence; or

102                               “(B) Committed CPWL, carrying a pistol without a license.

103                   “(2) For the purposes of this subsection, the terms “dangerous crime” and “crime  
104 of violence” shall have the same meanings as provided in section 23-1331.”.

105           TITLE III. ILLEGAL DISCHARGE OF A FIREARM; POSSESSION OF FIREARM  
106 AND AMMUNITION PENALTIES

107           Sec. 301. An Act To control the possession, sale, transfer and use of pistols and other  
108 dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of  
109 evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-  
110 4501.01 *et seq.*), is amended as follows:

111           (a) Section 3 (D.C. Official Code § 22-4503) is amended as follows:

112                               (1) A new subsection (a-1) is added read as follows:

113                               “(a-1)(1) It shall be unlawful for any person knowingly to possess or receive any firearm  
114 which has had the importer’s or manufacturer’s serial number removed, obliterated, or altered.

115                               “(2) It shall be unlawful for any person to receive, possess, conceal, store, barter,  
116 sell, or dispose of any stolen firearm or stolen ammunition, or pledge or accept as security for a

117 loan any stolen firearm or stolen ammunition, knowing or having reasonable cause to believe  
118 that the firearm or ammunition was stolen.”.

119 (2) A new subsection (c-1) is added to read as follows:

120 “(c-1) A person who violates subsection (a-1) of this section shall upon conviction be  
121 fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality  
122 Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-  
123 3571.01), or imprisoned not less than 2 years nor more than 5 years, or both.”.

124 (b) Section 3a (D.C. Official Code § 22-4503.01) is amended as follows:

125 (1) The existing text is designated as subsection (a).

126 (2) A new subsection (b) is added to read as follows:

127 “(b) A person who violates this section shall upon conviction be fined no more than the  
128 amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012,  
129 effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or imprisoned for  
130 no more than 2 years, or both.”.

131 (c) Section 14(c) (D.C. Official Code § 22-4514(c)) is amended to read as follows:

132 “(c) Whoever violates this section shall be punished as provided in section 15 of  
133 this act unless:

134 “(1) The violation involves possession of a machine gun, sawed-off  
135 shotgun, or ghost gun, in which case such person shall be imprisoned for not more than 5 years,  
136 fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality  
137 Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-  
138 3571.01), or both; or

139                               “(2) The violation occurs after such person has been convicted in the  
140 District of Columbia of a violation of this section, or of a felony, either in the District of  
141 Columbia or in another jurisdiction, in which case such person shall be imprisoned for not more  
142 than 10 years, fined not more than the amount set forth in section 101 of the Criminal Fine  
143 Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C.  
144 Official Code § 22-3571.01), or both.”.

145               Sec. 302. Section 706 of the Firearms Control Regulations Act of 1975, effective  
146 September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2507.06), is amended as follows:

147               (a) Subsection (a) is amended as follows:

148                               (1) Paragraph (3) is amended as follows:

149   (A) Subparagraph (A) is amended by striking the phrase “A person” and  
150 inserting the phrase “Notwithstanding paragraph (4) of this subsection, a person” in its place.

151   (B) Subparagraph (B) is repealed.

152               (2) A new paragraph (5) is added to read as follows:

153                               “(5) A person convicted of possessing a firearm with an intent to sell, offer for  
154 sale, or make available for sale, in violation of section 501 of this act shall be fined not more  
155 than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of  
156 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or  
157 imprisoned for not less than 2 years nor more than 10 years, or both.”.

158               (3) A new paragraph (6) is added to read as follows:

159                               “(6) A person convicted of possessing ammunition in violation of section 601(a)  
160 of this act after having been convicted in any court of a crime punishable by imprisonment for a  
161 term exceeding one year shall be fined not more than the amount set forth in section 101 of the



162 Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-  
163 317; D.C. Official Code § 22-3571.01), imprisoned for not more than 1 year, or both.”

164 (b) Subsection (b) is amended by adding a new paragraph (1A) to read as follows:

165 “(1A) The administrative disposition provided for in this subsection shall not be  
166 available to any person who has previously been convicted of any felony in the District or  
167 elsewhere.”.

168 TITLE IV. PENALTY ENHANCEMENTS

169 SUBTITLE A. VULNERABLE ADULTS

170 Sec. 401. Enhanced penalties for crimes against vulnerable adults.

171 (a) Any person who commits an offense enumerated in D.C. Official Code § 23-1331(3)  
172 or 23-1331(4) against a vulnerable adult may be punished by a fine of up to one and 1/2 times  
173 the maximum fine otherwise authorized for the offense and may be imprisoned for a term of up  
174 to one and 1/2 times the maximum term of imprisonment otherwise authorized for the offense, or  
175 both.

176 (b) It is an affirmative defense that the accused knew or reasonably believed that the  
177 victim was not a vulnerable adult at the time of the offense, or could not have known or  
178 determined the age of the victim because of the manner in which the offense was committed.  
179 This defense shall be established by a preponderance of the evidence.

180 (c) For the purposes of this section, the term “vulnerable adult” means a person who is 18  
181 years of age or older and has one or more physical or mental limitations that substantially  
182 impairs the person’s ability to independently provide for their daily needs or safeguard their  
183 person, property, or legal interests.

184 SUBTITLE B. ENHANCED PENALTIES TO PROTECT PUBLIC TRANSIT  
185 PASSENGERS AND RECREATION CENTER USERS; TRANSPORTATION PROVIDERS

186 Sec. 411. The Taxicab Drivers Protection Act of 2000, effective June 9, 2001 (D.C. Law  
187 13-307; D.C. Official Code § 22-3751 *et seq.*), is amended as follows:

188 (a) Section 2 (D.C. Official Code § 22-3751) is amended to read as follows:

189 “Sec. 2. Enhanced penalties for offenses committed against transportation providers.

190 “(a) Any person who commits an offense listed in section 3 of this act against a  
191 transportation provider in the District of Columbia may be punished by a fine of up to one and  
192 1/2 times the maximum fine otherwise authorized for the offense and may be imprisoned for a  
193 term of up to one and 1/2 times the maximum term of imprisonment otherwise authorized for the  
194 offense, or both.

195 “(b) For the purposes of this section, the term “transportation provider” means a person  
196 who operates within the District of Columbia a public vehicle-for-hire or private vehicle-for-hire,  
197 as those terms are defined in section 4 of the District of Columbia Taxicab Commission  
198 Establishment Act of 1985 (D.C. Law 6-97; D.C. Official Code § 50-301.03).”.

199 (b) Section 2a (D.C. Official Code § 22-3751.01) is amended as follows:

200 (1) The heading is amended to read as follows:

201 “Sec. 2a. Enhanced penalties for offenses committed against transit operators, Metrorail  
202 station managers and Metrorail station employees.”.

203 (2) Subsection (a) is amended to read as follows:

204 “(a) Any person who commits an offense enumerated in section 3 of this act against a  
205 transit operator, who, at the time of the offense, is authorized to operate and is operating a mass  
206 transit vehicle in the District of Columbia, or against a Metrorail station manager or Metrorail

207 station employee while on duty in the District of Columbia, may be punished by a fine of up to  
208 one and 1/2 times the maximum fine otherwise authorized for the offense and may be imprisoned  
209 for a term of up to one and 1/2 times the maximum term of imprisonment otherwise authorized  
210 by the offense, or both.”.

211 (3) A new subsection (a-1) is added to read as follows:

212 “(a-1) Any person who commits an offense enumerated in D.C. Official Code § 23-  
213 1331(3) or 23-1331(4) against a passenger of a mass transit vehicle may be punished by a fine of  
214 up to one and 1/2 times the maximum fine otherwise authorized for the offense and may be  
215 imprisoned for a term of up to one and 1/2 times the maximum term of imprisonment otherwise  
216 authorized by the offense, or both.”.

217 (4) Subsection (b) is amended as follows:

218 (A) A new paragraph (1A) is added to read as follows:

219 “(1A) “Metrorail station employee” means any person who performs a services  
220 for the Washington Metropolitan Area Transit Authority or works in a Metrorail station.

221 (B) A new paragraph (2A) is added to read as follows:

222 “(2A) “Passenger” means a person who is traveling on a mass transit vehicle or  
223 waiting at a marked mass transit vehicle boarding location, such as a bus stop or Metrorail  
224 station.”.

225 Sec. 412. Section 4 of the Transit Operator Protection and Enhanced Penalty Amendment  
226 Act of 2008, effective July 23, 2008 (D.C. Law 17-206; D.C. Official Code § 35-261), is  
227 amended as follows:

228 (a) The section header is amended to read as follows:

229           “Sec. 4. Notice of enhanced penalties for commission of offenses against transit  
230 operators, Metrorail station managers, Metrorail station employees, and mass transit vehicle  
231 passengers.”.

232           (b) Subsection (a)(1) is amended to read as follows:

233           “(a)(1) The Washington Metropolitan Area Transit Authority shall post or otherwise  
234 provide conspicuous notice of the enhanced penalties for the commission of certain offenses  
235 against transit operators, Metrorail station managers, Metrorail station employees, and mass  
236 transit vehicle passengers in the District of Columbia pursuant to section 2a of the Taxicab  
237 Drivers Protection Act of 2000, effective July 23, 2008 (D.C. Law 17-206; D.C. Official Code §  
238 22-3751.01), on all Metrobus buses and Metrorail trains operating in the District of Columbia,  
239 and at or near all Metrorail station kiosks within the District of Columbia.”.

240           Sec. 413. Title II of the District of Columbia Theft and White Collar Crimes Act of 1982,  
241 effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code § 22-3601 *et seq.*), is amended  
242 by adding a new section 203 to read as follows:

243           “Sec. 203. Enhanced penalty for committing certain dangerous and violent crimes against  
244 a person at a Department of Parks and Recreation property.

245           “(a) Any person who commits an offense enumerated in D.C. Official Code § 23-  
246 1331(3) or 23-1331(4) against another person while located on a property administered by the  
247 Director of the Department of Parks and Recreation may be punished by a fine of up to one and  
248 1/2 times the maximum fine otherwise authorized for the offense and may be imprisoned for a  
249 term of up to one and 1/2 times the maximum term of imprisonment otherwise authorized by the  
250 offense, or both.”

251           “(b) For purposes of this section, the term “property” means any park, field, court, play  
252 area, facility, or building, and the associated grounds, parking lot, and adjacent areas in public  
253 space, including sidewalks and streets.”.

254           TITLE V. REBUTTABLE PRESUMPTION; GPS DATA FOR PROSECUTION

255           Sec. 501. Chapter 13 of Title 23 of the District of Columbia Official Code is amended as  
256 follows:

257           (a) Section 23-1303(d) is amended by adding a new sentence at the end to read as  
258 follows:

259           “Any information obtained from a device, as that term is defined in section 103(a)(2) of  
260 the Omnibus Public Safety and Justice Amendment Act of 2009, effective December 10, 2009  
261 (D.C. Law 18-88; D.C. Official Code § 22-1211(a)(2)), that a person is required to wear while  
262 incarcerated or committed, while subject to a protection order, or while on pretrial release,  
263 presentence release, predisposition release, supervised release, probation, or parole shall be  
264 admissible on the issue of guilt in any judicial proceeding.”.

265           (b) Section 23-1322(c) is amended as follows:

266                   (1) Paragraph (7) is amended by striking the phrase “; or” and inserting a  
267 semicolon in its place.

268                   (2) Paragraph (8) is amended by striking the period at the end and inserting the  
269 phrase “; and” in its place.

270                   (3) A new paragraph (9) is added to read as follows:

271                   “(9) Committed a crime of violence, as that term is defined in § 23-1331(4), and  
272 has previously been convicted of a crime of violence.”

273           TITLE VI. GPS DATA FOR PERSONS UNDER SUPERVISION

274 Sec. 601. Supervisory agency participation required.

275 (a) Supervisory agencies responsible for pretrial services, parole, probation, or offender  
276 supervision shall, upon request of the Metropolitan Police Department, provide the Metropolitan  
277 Police Department with location and identification data collected from any detection device that  
278 a person is required to wear while incarcerated or committed, while subject to a protection order,  
279 or while on pretrial release, presentence release, predisposition release, supervised release,  
280 probation, or parole that is deemed by the Chief of Police as necessary in conducting a criminal  
281 law enforcement investigation.

282 (b) For purposes of this section, the term:

283 (1) "Device" shall have the same meaning as in section 103(a)(2) of the Omnibus  
284 Public Safety and Justice Amendment Act of 2009, effective December 10, 2009 (D.C. Law 18-  
285 88; D.C. Official Code § 22-1211(a)(2)); and

286 (2) "Supervisory agencies" shall include the following agencies:

287 (A) Court Services and Offender Supervision Agency;

288 (B) Department of Youth Rehabilitation Services;

289 (C) Social Services Division of the District of Columbia Superior Court;

290 and

291 (D) Pretrial Services Agency.

292 TITLE VII. STRANGULATION

293 Sec. 701. Section 806(a)(2) of An Act To establish a code of law for the District of  
294 Columbia, approved March 3, 1901 (31 Stat. 1322; D.C. Official Code § 22-404(a)(2)), is  
295 amended to read as follows:

296                   “(2)(A) Whoever unlawfully assaults, or threatens another in a menacing manner,  
297 and intentionally, knowingly, or recklessly causes significant bodily injury to another shall be  
298 fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality  
299 Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-  
300 3571.01), or be imprisoned not more than 3 years, or both.

301                   “(B) For the purposes of this paragraph, the terms shall have the following  
302 meanings

303                                   “(i) “Significant bodily injury” shall mean:

304   “(I) An injury that requires hospitalization or immediate  
305 medical attention;

306   “(II) An injury that causes any loss of consciousness; or

307   “(III) A contusion, petechia, or other bodily injury,  
308 including physical pain, physical injury, illness, or impairment of physical condition, to the neck  
309 or head sustained during strangulation or suffocation.

310                                   “(ii) “Strangulation or suffocation” shall mean a restriction of  
311 normal breathing or circulation of the blood by applying pressure on the throat, neck, or chest, or  
312 by obstructing the nose or mouth.”.

313                   TITLE VIII. PRIVATE SECURITY CAMERA SYSTEM INCENTIVE PROGRAM

314                   Sec. 801. Section 214 of the Neighborhood Engagement Achieves Results Amendment  
315 Act of 2016, effective June 30, 2016 (D.C. Law 21-125; D.C. Official Code § 7-283), is  
316 amended follows:

317                   (a) Subsection (c)(1) is amended to read as follows:

318                   “(1) Upon approval of a rebate claim submitted pursuant to subsection (b) of this  
319 section, the Program shall provide a rebate, provided, that the amount of the rebate shall not be  
320 more than the purchase price of the system.

321                   (b) Subsection (f) is amended as follows:

322                   (1) Paragraph (3) is amended by striking the phrase “; and” and inserting a  
323 semicolon in its place.

324                   (2) Paragraph (4) is amended by striking the period at the end and inserting the  
325 phrase “; and” in its place.

326                   (3) A new paragraph (5) is added to read as follows:

327                   “(5) The maximum amount of rebate available to an individual, entity, and  
328 address.”.

#### 329 TITLE IX. CRIMINAL JUSTICE COORDINATING COUNCIL

330                   Sec. 901. Section 1501 of the Criminal Justice Coordinating Council for the District of  
331 Columbia Establishment Act of 2011, effective October 3, 2001 (D.C. Law 14-28; D.C. Official  
332 Code § 22-4234), is amended by adding a new subsection (b-5) to read as follows:

333                   “(b-5) By October 1, 2023 and on a quarterly basis thereafter, the CJCC shall submit to  
334 the Mayor and the Council and post on its website a report that includes, for all CJCC members,  
335 the following information, in accordance with existing law:

336                   “(1) Aggregate programmatic data on process and outcome of programs,  
337 including diversion; and

338                   “(2) Aggregate outcomes of alternative dispositions and sentencing agreements.”.

#### 339 TITLE X. DNA SAMPLE COLLECTION



340 Sec. 1001. The DNA Sample Collection Act of 2001, effective November 3, 2001 (D.C.  
341 Law 14-52; D.C. Official Code § 22-4151), is amended as follows:

342 (a) A new subsection (a-1) is added to read:

343 “(a-1) The Metropolitan Police Department (“MPD”) shall collect DNA samples from  
344 individuals who are arrested, facing charges, or convicted of the following offenses:

345 (1) First degree sexual abuse, enumerated in section 201 of the Anti-Sexual Abuse  
346 Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3002);

347 (2) First degree child sexual abuse, enumerated in section 207 of the Anti-Sexual  
348 Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3008);

349 (3) First degree sexual abuse of a minor, enumerated in section 208a of the Anti-  
350 Sexual Abuse Act of 1994, effective April 24, 2007 (D.C. Law 16-306; D.C. Official Code § 22-  
351 3009.01);

352 (4) First degree sexual abuse of a secondary education student, enumerated in  
353 section 208c of the Anti-Sexual Abuse Act of 1994, effective October 23, 2010 (D.C. Law 18-  
354 239; D.C. Official Code § 22-3009.03);

355 (5) First degree sexual abuse of a ward, patient, client, or prisoner, enumerated in  
356 section 212 of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257;  
357 D.C. Official Code § 22-3013); or

358 (6) First degree sexual abuse of a patient or client, enumerated in section 214 of  
359 the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official  
360 Code § 22-3015).

361 (b) A new subsection (a-2) is added to read:

362 “(a-2) If an individual from whom a DNA sample was collected has been charged with a  
363 crime enumerated in subsection (a-1) of this section, MPD shall furnish each DNA sample  
364 collected to the appropriate entity to perform a DNA analysis on each such DNA sample and  
365 include the results in the Combined DNA Index System (CODIS).”.

366 TITLE XI. INCARCERATION REDUCTION AMENDMENT ACT

367 Sec. 1101. Section 3c of An Act to Establish a Board of Indeterminate Sentence and  
368 Parole for the District of Columbia and to determine its functions, and for other purposes,  
369 effective April 4, 2016 (D.C. Law 21-238; D.C. Official Code § 24-403.03), is amended as  
370 follows:

371 (a) Subsection (a) is amended by striking the word “shall” and inserting the word “may”  
372 in its place.

373 (b) Subsection (c) is amended as follows:

374 (1) Paragraph (2) is amended to read as follows:

375 “(2) The nature of the offense and the history and characteristics of the  
376 defendant;”.

377 (2) Paragraph (4) is amended to read as follows:

378 “(4) The position of the United States Attorney;”.

379 (3) Paragraph (5) is amended to read as follows:

380 “(5) Whether the defendant has demonstrated maturity, rehabilitation, remorse,  
381 and a fitness to reenter society sufficient to justify a sentence reduction;”.

382 (4) Paragraph (6) is amended by striking the semicolon and inserting the phrase  
383 “or a community impact statement provided pursuant to § 23-1904(f)(1);” in its place.

384 (5) Paragraph (10) is amended to read as follows:

385                   “(10) The diminished culpability of juveniles and persons under age 25, as  
386 compared to that of older adults, and the hallmark features of youth, including immaturity,  
387 impetuosity, and failure to appreciate risks and consequences, which counsel against sentencing  
388 them to lengthy terms in prison, and the defendant’s personal circumstances that support an  
389 aging out of crime; and”.

390                   TITLE XII. FISCAL IMPACT AND EFFECTIVE DATE.

391                   Sec 1201. Fiscal impact statement.

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

395                   Sec. 1202. Effective date.

396                   This act shall take effect following approval by the Mayor (or in the event of veto by the  
397 Mayor, action by the Council to override the veto), a 60-day period of congressional review as  
398 provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December  
399 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of  
400 Columbia Register.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE ATTORNEY GENERAL



Legal Counsel Division

**MEMORANDUM**

**TO:** Tommy Wells  
Director  
Office of Policy and Legislative Affairs

**FROM:** Megan D. Browder  
Deputy Attorney General  
Legal Counsel Division

**DATE:** May 15, 2023

**RE:** Safer Stronger 2.0 Act of 2023  
(AE-23-082)

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**This is to Certify that** the Office of the Attorney General has reviewed the legislation entitled the “Safer Stronger 2.0 Act of 2023” and determined that it is legally sufficient. If you have any questions, please do not hesitate to call me at (202) 724-5524.

A handwritten signature in cursive script that reads "Megan D. Browder".

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Megan D. Browder