

Government of the District of Columbia
Office of the Chief Financial Officer



Jeffrey S. DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeffrey S. DeWitt
Chief Financial Officer 

DATE: October 31, 2018

SUBJECT: Fiscal Impact Statement – Sexual Blackmail Elimination and Immigrant Protection Amendment Act of 2018

REFERENCE: Bill 22-472, Draft Committee Print as shared with the Office of Revenue Analysis on October 31, 2018

Conclusion

Funds are sufficient in the fiscal year 2019 through fiscal year 2022 budget and financial plan to implement the bill.

Background

It is considered blackmail in the District to threaten an individual, with intent to obtain property or control another person's actions, through an accusation of a crime; exposing a secret or publicizing a fact with the intention of causing hatred, contempt, or ridicule; or impairing the reputation of an individual. Blackmail convictions are punishable by up to five years in prison, a fine of \$12,500, or both.

The bill expands the definition of blackmail to include two new offenses. The bill considers the distribution of a photograph, video, or audio recording intended to cause hatred, contempt, ridicule embarrassment, or other injury to an individual's reputation to be blackmail. The bill also considers it blackmail to notify a federal, state, or local government agency or official regarding an individual's immigration or citizenship status.

Financial Plan Impact

Funds are sufficient in the fiscal year 2019 through fiscal year 2022 budget and financial plan to implement the bill. The Metropolitan Police Department (MPD) is responsible for investigating blackmail accusations and providing support for cases prosecuted by the United States Attorney's Office (USAO). MPD investigates many of these crimes or offenses related to these crimes, but the

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bill will make these actions a more explicit blackmail offense. MPD can implement the bill within its existing budgeted resources.

USAO, which is federally funded, prosecutes cases related to blackmail. This gives USAO a more explicit statute with which to prosecute crimes where an individual is threatened with recorded materials or his or her immigration or citizenship status.