

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: November 8, 2016

SUBJECT: Fiscal Impact Statement – Omnibus Public Safety and Justice
Amendment Act of 2016

REFERENCE: Bill 21-724, Committee Print as shared with the Office of Revenue
Analysis on November 4, 2016

Conclusion

Funds are sufficient in the fiscal year 2017 through fiscal year 2020 budget and financial plan to implement the bill.

Background

The bill increases¹ the Metropolitan Police Department (MPD) Cadet Program participant age limit from 21 years old to 25 years old. Cadets are recent District high school graduates who are employed by MPD in civilian positions. MPD pays for their tuition at the University of the District of Columbia, and cadets are converted to sworn police officers after completing an associate's degree.

The bill allows² MPD to rehire retired police officers at any rank, up to and including the rank that a police officer held at the time of retirement. Rehired retirees cannot receive longevity pay and their pay cannot exceed the pay rate for their pre-retirement rank.³ MPD can rehire retired senior ranking officers for up to three years after the effective date of the bill.

¹ By amending Chapter 1, Metropolitan Police, of Title 5, Police, Firefighters, Medical Examiner, and Forensic Sciences, of the District of Columbia Official Code.

² By amending Section 2 of the Retired Police Officer Redeployment Amendment Act of 1992, effective September 29, 1992 (D.C. Law 9-163; D.C. Official Code § 5-761).

³ Service step limitations by class include: Class 1 (Officer) – step 5; Class 3 (Detective Grade 1) – step 4; and Class 4 (Sergeant) – step 3;

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FIS: "Omnibus Public Safety and Justice Amendment Act of 2016," Bill -21-724, Committee Print as shared with the Office of Revenue Analysis on November 4, 2016

The bill imposes⁴ criminal sanctions for tampering with or removing electronic monitoring devices that a person is required to wear while incarcerated, committed, or released to the community.

The bill increases⁵ the number of members serving on the District of Columbia Corrections Information Council from three to five. Of the five, three will be appointed by the Mayor and two appointed by Council.

The bill prohibits⁶ immigrant service providers⁷ from making misrepresentations, producing legal advice, collecting fees for services not performed, or refusing to return documents. Immigrant service providers are required to execute a written contract with clients that includes:

- A detailed explanation of services and fees;
- A statement that the client has a right to consult an attorney;
- A statement that clients have the right to rescind the contract within 72 hours;
- A statement that clients can report complaints to the Office of Attorney General's (OAG) Consumer Protection Hotline; and,
- A statement noting that the provider is not a licensed attorney and cannot accept a fee for referring clients to other services.

The bill establishes a \$3,000 fine and a maximum sentence of 6 months in prison for persons that violate the requirements in the bill. The OAG may issue rules to implement the provisions in the bill.

Financial Plan Impact

Funds are sufficient in the fiscal year 2017 through fiscal year 2020 budget and financial plan to implement the bill.

MPD's annual budget includes funding to support 35 cadets – 16 of which are currently vacant. The bill expands the prospective applicant pool to sustain the program and to fill vacant positions with qualified applicants.

The MPD fiscal year 2017 budget already includes funding to fill vacant senior ranking positions.

No additional resources are necessary to implement criminal sanctions for tampering with or removing electronic monitoring devices.

No additional resources are required to increase the number of members serving on the District of Columbia Corrections Information Council. Members serve without compensation.

⁴ By amending Section 103(a)(1) of the Omnibus Public Safety and Justice Amendment Act of 2009, effective December 10, 2009 (D.C. Law 18-88; D. C. Official Code § 22-1211(a)(1)).

⁵ By amending Section 11201(b)(2)(A) of the National Capital Revitalization and Self-Government Improvement Act of 1997, effective October 2, 2010 (D.C. Law 18-233; D.C. Official Code § 24-101.01(b)(2)(A)).

⁶ By adding a new chapter, Chapter 53, Immigrant Services Protection, to Title 28, Commercial Instruments and Transactions, of the D.C. Official Code.

⁷ Service providers help immigrants with immigration matters such as a legal proceedings, filings, or actions that affects the immigration or citizenship status of a person and arises under any federal immigration law, presidential order, federal executive agency action, or proclamation by a foreign country.

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The OAG can absorb any costs associated with implementing immigration services consumer protections. The bill may generate a small amount of revenue from imposed fines, but we are unable to estimate the amount of revenue at this time.