

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Chief Financial Officer

Natwar M. Gandhi
Chief Financial Officer



MEMORANDUM

TO: The Honorable Linda W. Cropp
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi
Chief Financial Officer

DATE: March 1, 2002

SUBJECT: Fiscal Impact Statement: "District of Columbia False Report
Felony Act of 2001"

REFERENCE: Draft Legislation – Bill Number Not Available

Conclusion

Funds are sufficient in the FY 2002 through FY 2005 budget and financial plan to implement the proposed legislation because no additional staff or resources will be required. The proposed legislation will have no affect on General Fund revenue.

Background

The proposed legislation would make a false or fictitious report of potential or actual danger to District property a felony when such reports involve: 1) national or international terrorist activity, 2) the use of destructive devices, or 3) the use of explosive, incendiary or toxic materials. Offending juveniles could be prosecuted as adults. Convicted offenders would be subject to ten years imprisonment.

The proposed legislation would retain the current misdemeanor offense for making false reports to the Metropolitan Police Department (MPD) to be applied when such reports do not involve terrorist activity or destructive devices. According to the MPD, from September 11, 2001 to January 18, 2002, the department received 242 bomb-threat calls-for-service, 156 of which were assigned. The number of calls-for-service for all threats covered by the proposed legislation would be greater; however, based on current experience, only a few of the false reports filed each year are expected to be knowingly false or intentional. Therefore, the number of false reports subject to prosecution as a result of the proposed legislation is expected to be minimal.

Financial Plan Impact

Funds are sufficient in the FY 2002 through FY 2005 budget and financial plan to implement the proposed legislation because no additional staff or resources will be required. The Office of Corporation Counsel (OCC) would be able to absorb any costs associated with prosecutions resulting from the proposed legislation. To the extent that false reports are reduced as a result of proposed legislation, MPD may experience a decrease in costs associated with reported threats covered by the bill. To the extent that the proposed legislation would increase the number of defendants detained pretrial, during trial, and convicts detained post-trial prior to placement in a federal facility, the Department of Corrections (DOC) would bear additional imprisonment costs. There are expected to be few intentional false reports made and prosecuted. As a result, the costs to DOC associated with the proposed legislation could be absorbed within the existing budgeted resources.