


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



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Vincent C. Gray
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi 
Chief Financial Officer

DATE: November 18, 2010

SUBJECT: Fiscal Impact Statement – “Disorderly Conduct Amendment Act of 2010”

REFERENCE: Bill Number 18-425, Draft Committee Print Shared with OCFO on November 16, 2010

Conclusion

Funds are sufficient in the FY 2011 through FY 2014 budget and financial plan to implement the provisions of the proposed legislation.

Background

The proposed legislation would amend provisions in current law¹ regarding disturbances of the public peace as follows:

- §22-1307. Unlawful assembly; profane and indecent language: It would change the name of this provision to “Blocking passage,” shorten and simplify the current description of this unlawful activity, and increase the current maximum fine from \$250 to \$500.
- §22-1312. Lewd, indecent, or obscene act: It would update, clarify and simplify current language describing this unlawful activity, and increase the current maximum penalty from \$300 to \$500.
- §22-1314. Disturbing religious congregation: It would broaden current language to include any religious service or proceeding, or any similar gathering engaged in worship, including a funeral, delete language that made it lawful for any of the church authorities to arrest or cause to be arrested any person or persons disturbing the congregation, and increase the maximum penalty from \$100 to \$500.

¹ An act for the preservation of the public peace and the protection of property within the District of Columbia, approved July 29, 1892 (D.C. Official Code § 22-1301 *et seq.*).

- §22-1321. Disorderly conduct: It would rewrite current language to describe in greater detail activities that would be considered disorderly conduct. For example, under the proposed bill, these activities would include, amongst others, engaging in loud, threatening, or abusive language, or disruptive conduct, with the intent and effect of impeding or disrupting the orderly conduct of a lawful gathering of people on public property that is open to the public, making unreasonably loud noise between 10:00 p.m. and 7:00 a.m. that is likely to annoy or disturb other persons in their residences, urinating or defecating in public, other than in a urinal or toilet, and stealthily looking into a window or other opening of a dwelling, without just cause to do so. It also would increase the maximum fine for these activities from \$250 to \$500.

Financial Plan Impact

Funds are sufficient in the FY 2011 through FY 2014 budget and financial plan to implement the provisions of the proposed legislation. Amending provisions regarding disturbances of the public peace would not have any fiscal impact.