

December 1, 2022

Via Email [[abonds@dccouncil.gov](mailto:abonds@dccouncil.gov); [bpinto@dccouncil.gov](mailto:bpinto@dccouncil.gov); [mcheh@dccouncil.gov](mailto:mcheh@dccouncil.gov); [callen@dccouncil.gov](mailto:callen@dccouncil.gov); [vgray@dccouncil.gov](mailto:vgray@dccouncil.gov)]

Chair and Members of the  
Committee on the Judiciary and Public Safety  
John E. Wilson Building  
1350 Pennsylvania Ave NW  
Washington, DC 20017

Re: Recommend Amendments to the Comprehensive Policing and Justice Reform Bill  
No. 24-0320

Dear Members of the Committee on the Judiciary and Public Safety:

The Comprehensive Policing and Justice Reform Bill includes critical and necessary measures to create greater equity and justice in interactions between persons in the District and police. While we strongly support the Bill, there are critical areas that should be strengthened before final passage by the Council:

1. The District has thousands of armed special police officers who work in the City with little training and no meaningful oversight. As the Police Reform Commission recommended, authorizing them to use deadly force in contrary to public safety and has led to tragic results. **We urge that the legislation be amended to prohibit special police officers from carrying firearms in the course of their duties.**
2. Encounters between police and members of the community are inherently coercive. True consent to a search is rare, regardless of the procedural mechanisms put in place to limit their use. **We support an outright ban on consent searches.** The experience in other communities, including New Jersey, Rhode Island, and the California State Police demonstrate that the elimination of consent searches reduces discriminatory practices and violations of the Fourth Amendment without any negative impact on public safety.
3. Youth are especially vulnerable to abusive practices during an encounter with police. **We support measures to increase protections of children and youth in police interrogations set forth in the Youth Rights Amendment Act of 2021.**
4. Transparency is essential to accountability, to create public trust, and to promote legitimacy. Body-worn camera video provides that necessary transparency. **The Bill should require all body-worn camera footage recorded during officer-involved death or serious use of force be released to the public, notwithstanding exceptions, capturing all or any events leading up to and after an officer use of force, . MPD should endeavor to release such footage unredacted, both audio and visual, consistent with the Commission's recommendations.**

5. To provide further transparency and legitimacy, **we encourage the Council to expand access to records related in alleged police misconduct through Freedom of Information requests and require MPD maintain a public database of any recordings generated from police misconduct proceedings within the last three years. Additionally, Council should prohibit MPD from purging disciplinary records from officer personnel records after three years.**

These changes are necessary to achieve the goals set by the Commission's recommendation, recommendations that have been before the Council for nearly two years with little to no action. It is essential the Council not miss this opportunity to address the Commission's recommendations. Therefore, the Committee urges the Council to consider the above amendments.

Sincerely,



Jonathan M. Smith  
Executive Director



Carlos Andino  
Associate Counsel