



Councilmember Phil Mendelson's

At-Large Update

Councilmember
Phil Mendelson
(At-Large)

February 24, 2009

Public Safety Committees Go Unfilled

This time last year the Council was considering the "Motor Vehicle Theft Prevention Act of 2008." It established a 9-member **Motor Vehicle Theft Prevention Commission** with an annual budget of about \$1 million to focus exclusively on reducing motor vehicle theft. Even though the bill became effective almost nine months ago, Mayor Fenty has yet to make a single appointment to carry out this law.

In late December 2006, then-Councilmember Adrian Fenty voted with a unanimous Council to adopt the "Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006" establishing a **Homeland Security Commission**. To be comprised of seven individuals with knowledge and experience in areas such as security, risk assessment, and terrorism, the Commission is to ensure that both the government and private sector have the best plans in place in the event of terrorism or other major emergency. Two years have passed, and Mayor Fenty has yet to make a single appointment to carry out this law either.

Currently, the terms of four of the five members of the **Police Complaints Board** have expired. This Board oversees the Office of Police Complaints, which investigates and seeks to resolve complaints of police misconduct. The availability of independent, fair, and timely investigations is critical to maintaining public confidence in law enforcement.

When Congress closed the District government's prison at Lorton, VA, it simultaneously created the **Corrections Information Council**. The CIC's mission is to represent the Dis-

trict's interest in the well being of its prisoners who are now housed in the Federal Bureau of Prisons system. The treatment of, and availability of programs for, prisoners has a direct correlation on their recidivism rate. Yet we have no watchdog, because every seat on the three-member CIC has remained vacant since 2006.

There's more. The term of a Mayoral appointee to the **Sentencing and Criminal Code Revision Commission** expired in 2007, and no reappointment or replacement has been submitted. A Mayoral appointee to the **Commission on Judicial Disabilities and Tenure** (which handles complaints against judges) moved to Seattle in 2005 but continues to serve awaiting appointment of a successor. And there continues to be one vacancy on the **Armory Board**.

The several **Fatality Review Committees** – tasked with making recommendations for what the government can do to reduce fatalities – contain numerous vacancies. The work of the **Child Fatality Review Committee**, for instance, came into prominence one year ago in light of the Benita Jacks case because it had made numerous recommendations that might have prevented the deaths of Ms. Jacks' four children.

The facts speak for themselves. Over the years the Council, Mayor, or Congress have established these various boards and commissions to focus on specific problems and ensure better public safety. On board after board there are vacancies, some to the point of dysfunction. Public safety demands that these seats be filled and with qualified appointments.

Constituent Services Corner

A Southeast man contacted Councilmember Mendelson's office frustrated because his application for a business license was stalled at the Department of Consumer and Regulatory Affairs (DCRA). Front line personnel were not sure the application could be processed due to a 6-year-old misdemeanor on the applicant's criminal record.

Our office quickly contacted DCRA and insisted that the agency's General Council intervene and review the application and determine whether the misdemeanor conviction disqualified the applicant from listing himself as owner and salesperson on his business license. DCRA's investigation concluded that the applicant could indeed be listed as owner and his application was processed immediately.

When dealing with the District's bureaucracy leaves you feeling like the government is closed for business, call Councilmember Mendelson's office. We'll hold the open the door for you.

Utilities: Another Disturbing Appointment

There are two disturbing aspects to Mayor Fenty's nomination of Lori Lee to join the Public Service Commission (PSC). First, the opposition to the nomination is unusually widespread and speaks to Ms. Lee's inadequacies. Second, Ms. Lee's lack of experience and qualification suggest that Mayor Fenty undervalues the importance of the PSC.

To the average person, the work of the PSC may appear mundane, but its work affects every citizen. The PSC is responsible for utility regulation. In order for the PSC to operate effectively, its members must understand the economics of energy supply and demand, rate structures, environmental requirements, etc. The work of the PSC is complex and is not conducive to learning on the fly.

Mayor Fenty first nominated Lori Lee to the PSC last June. Quietly, then-Committee Chair Mary Cheh urged the Mayor to reconsider. He did not. As an accommodation to the Mayor, Ms. Cheh held a hearing on the nomination last fall. By most accounts, the nominee failed. In an unusually critical editorial, the *Washington Post* wrote: "...as became embarrassingly apparent at her confirmation hearing, Ms. Lee has no professional experience or academic background in utility regulation or related fields. She has never managed a staff. She said she's never been to a meeting of the PSC."

Instead of withdrawing the nomination, the Mayor reintroduced it, and indicated a preference that she become chair of the PSC.

The *DC Examiner* editorialized: "Fenty apparently views the PSC chairmanship as a political plum to give to a family friend." Regardless of whether this is accurate, the fact remains that the Mayor undervalues the PSC's importance.

Some people defend the Mayor's right to put "his own people" in place. I don't dispute that. But when the Mayor overlooks the many talented residents who could make a substantive contribution to the work of a Board or Commission in favor of inexperienced loyalists, one has to ask whose interests are really being served.

Upcoming Hearings of the Judiciary Committee

February 25th, March 4th, and March 9th:
Performance Oversight Hearings on All Agencies Under the Committee's Purview (*Details on the order of proceedings to can be found by visiting www.dccouncil.us/mendelson/news.htm*)

Wednesday, March 18th at 10:00 am, Room 412

Public Hearing on: Bills 18-138, the "Omnibus Anti-Crime Amendment Act of 2009", 18-151, the "Public Safety and Justice Amendments Act of 2009", and 18-152, the "Hot Spot No Loitering Act of 2009"

Call (202)724-7808 for more information.



The Office of Councilmember
Phil Mendelson (At-Large)

1350 Pennsylvania Avenue, NW
Suite 402

Washington, DC 20004

(202)724-8064 (p)

(202) 724-8099 (f)

www.dccouncil.us/mendelson

PEPCO Bill Higher Than Normal?

Are your PEPCO bills abnormally high? The District's Office of the People's Council (OPC) recently has heard from a number of consumers through its consumer complaint operations and from communication with PEPCO customers, but now we need to hear from other residents in the District to find out if extraordinarily high PEPCO energy bills is a city-wide problem.

It is true that the Washington Metropolitan area has experienced unusually cold weather this year, and for at least the past five (5) years, the electric generation rate has increased approximately 85%. In addition, the PEPCO distribution rate increased in 2007.

However, OPC states that they are somewhat surprised to hear District residents reports of high PEPCO energy bills during the heating season, given that 75% of District residents heat their homes with natural gas provided by Washington Natural Gas Company.

OPC needs to hear whether you have experienced unexplainable high PEPCO bills over the past few months. If yes, please let the Office of the People's Counsel know via email at ccceo@opc-dc.gov or by telephone at (202) 727-3071, and provide your name, address, and telephone number. OPC may then contact you to obtain your consent to review your PEPCO bills as part of their investigation of these complaints of high PEPCO bills.