



Councilmember Phil Mendelson's

# At-Large Update

Councilmember  
Phil Mendelson  
(At-Large)

September 30, 2009

## Mendelson Shepherds Sweeping Crime Bill Through Council

Bill 18-151, the "Omnibus Public Safety and Justice Amendments Act of 2009," was adopted July 31<sup>st</sup> by unanimous vote of the Council after three readings. It is comprehensive legislation that establishes three new crimes, amends 39 different laws, and establishes a Gang Intervention Joint Working Group to reduce gang and crew violence. The new crimes are: (1) presence in a motor vehicle containing an illegal firearm; (2) unlawful entry into a motor vehicle; and (3) tampering with a GPS detection device that is required as a condition of release.

Other changes to the criminal law include: creating a gun offender registry; making stiffer penalties for chronic offenders, including establishing a felony penalty for repeat convictions of misdemeanor prostitution and theft; increasing the penalty for using a stolen car to commit a violent crime; expanding the duration of temporary loitering-free zones to protect crime-plagued neighborhoods; and making it easier for prosecutors to jail suspects prior to trial.

In addition, the bill re-writes the District's anti-stalking law, bans cell phones at the DC Jail, clarifies that texting while driving is illegal, and strengthens the District's DUI law. It also addresses several issues regarding domestic partnership that have arisen since the Council's recent work on this issue as well as clarifies the District's child support guidelines.

Bill 18-151 is the product of five introduced bills, three public hearings, and numerous working group meetings.

Legislation by itself does not reduce crime. Rather, it gives law enforcement agencies tools and a code by which they can be better equipped to perform their roles in fighting and reducing crime. The most important steps within law enforcement that will reduce crime are: *first*, close cases with arrests; *second*, vigorously prosecute offenders; and *third*, focus on reducing recidivism once offenders are convicted.

Bill 18-151 is part of a comprehensive strategy to reduce crime. The United States Attorney's office described the legislation as "a bill that, we believe, will have a significant impact on making the system more efficient and strengthening crime reduction efforts in the District of Columbia. ...this is a major piece of legislation that deserves the support of every [council]member." Upon signing an emergency version of the bill, Mayor Adrian Fenty issued a statement including the following: "Today marks an important step forward in fighting crime in the District of Columbia. The [bill] provides the District with tougher laws that increase penalties for violent crimes, allowing us to effectively send a message to criminals in an effort to deter potential crimes from even taking place."

## Private Fire Hydrants

The Committee on Public Safety and the Judiciary has held three oversight hearings over the past year regarding adequacy of water supply in fighting fires. The July 29<sup>th</sup> fire that destroyed the home of Peggy Cooper Cafritz added urgency to the issue.

We have learned that throughout the city there are 1,349 so-called "private" fire hydrants. These hydrants do not belong to WASA (the government water authority). Most belong to major institutions such as hospitals, universities, and military installations. But about 289 belong to "private owner."

See Hydrants, p2

## Constituent Services Corner

Councilmember Mendelson's office received an urgent call from a Home Health Aide in Southeast Washington reporting the deplorable living conditions of her ailing client. The aide explained that the landlord refused to fix the large, gaping holes in both the ceiling and the floors of the apartment. The disrepair provided easy access for rodents to infest the apartment.

Our office quickly contacted the District's Department of Consumer and Regulatory Affairs (DCRA) and insisted on an immediate investigation of the apartment for safety and health hazards.

As a result of our inquiry, an investigation was conducted and the landlord was found to be in violation of basic standard of living codes. DCRA issued a Notice of Violation to the landlord, who was given 14 days to bring the apartment to code.

No one should be forced to live in sub-standard conditions. Call Councilmember Mendelson's office - we'll hold the violator accountable and patch the cracks in the District's bureaucracy.

## Hydrants (cont.)

The fact that many are listed under the ownership of “private owner” means, effectively, that these hydrants are orphans. No one is taking responsibility for them. There is a private hydrant on Chain Bridge Road, for instance. It is out of order. It was installed by a private developer as a requirement for the private development of several houses set back from the street. Given the nature of the development, it made sense that the off-road water system and single fire hydrant would be privately built.

But now, many years later, the hydrant has been tagged “out of service,” and neither WASA nor the Fire and EMS Department can tell the Council – despite our repeated questions – who is responsible for it.

Finding a solution for these broken private hydrants is going to take time working with the Mayor and WASA. City taxes ought not to foot the bill; these were private projects. But nobody is going to appreciate that distinction when a house burns down next to a non-working hydrant that was left unrepaired.

As a first step, to ensure that no more of these orphan hydrants are built, the Council has enacted emergency legislation. Effective October 1<sup>st</sup>, all new private hydrants are prohibited unless there, is in writing, filed at the Recorder of Deeds, a document stating clearly who will be responsible for their maintenance and replacement.

In our next newsletter we will have more to say about the larger issue of water supply in fighting fires.

## Phil Feted for Work on GLBT, Trafficking Issues

Earlier this month, Councilmember Mendelson received two awards for his legislative work. On September 13<sup>th</sup> he received from Restoration Ministries its “End Demand Award” for introducing and moving through the Council Bill 18-70, the *Prohibition Against Human Trafficking Act of 2009*. Human Trafficking involves the forced (typically economically forced) labor of humans. For instance, an illegal immigrant lured to the U.S. who then has no choice but to be a domestic worker for whoever paid to have him/her smuggled, but is paid so little that he or she is essentially enslaved. The sex industry thrives on trafficked children. The average age of entry into prostitution in the U.S. is 13 years old, and there are at least 100,000 child prostitutes in this country. Bill 18-70 makes numerous changes to the law to increase the penalties for those trafficking other people’s lives.

Mendelson also received a “2009 Distinguished Service Award” from The Metro DC Community Center. The Councilmember was honored for his authorship of several domestic partnership bills that are now law, changes to the District’s marriage law, and his oversight into the District’s inadequate enforcement of its hate crimes law. The DC Center runs a number of programs benefiting the GLBT community, including career counseling, an HIV/AIDS outreach program, a tobacco cessation working group, and a crystal meth working group.



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## Upcoming Hearings of the Judiciary Committee

**October 7th, 10:00am, Rm. 412**  
Public Hearing on Bill: 18-404, the  
“*Corrections Information Council Amendment Act of 2009*,” and Bill 18-424, the  
“*District of Columbia Safe Release of Inmates Amendment Act of 2009*.”

**October 15th, 11:00am, Rm. 412**  
Public Hearing on Bills: 18-207, the “*Service Animal Amendment Act of 2009*,” 18-241, the  
“*Victims of Property Damage Notification Act of 2009*,” and 18-282, the “*HSEMA Use of Video Surveillance Regulations Amendment Act of 2009*.”

**October 23rd, 10:00am, Rm. 500**  
Public Hearing on Bills: 18-5, the “*MPD Command Staff Appointment Amendment Act of 2009*,” 18-130, the “*Police Monitoring Enhancement Amendment Act of 2009*,” and 18-425, the  
“*Disorderly Conduct Amendment Act of 2009*.”

**November 4th, 10:00am, Rm. 500**  
Joint Public Hearing with the Committee on Libraries, Parks & Recreation on Bill 18-367, the “*Youth and Young Adult Promise Act of 2009*.”

**November 4th, 11:00am, Rm. 500**  
Public Hearing on Bill 18-344, the  
“*Information Sharing to Improve Services For Children & Families Act of 2009*.”

**November 19th, 10:00am, Rm. 412**  
Joint Public Hearing with the Committee on Health on Bill 18-71, the “*Uniform Emergency Volunteer health Practitioners Act of 2009*.”

\*Contact the Committee for More Information\*

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