

Public Law 101-223
101st Congress

An Act

To authorize the appropriation of funds to the District of Columbia for additional officers and members of the Metropolitan Police Department of the District of Columbia, to provide for the implementation in the District of Columbia of a community-oriented policing system, and for other purposes.

Dec. 12, 1989
[H.R. 1502]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

District of
Columbia Police
Authorization
and Expansion
Act of 1989.

SECTION 1. SHORT TITLE.

This Act may be cited as the "District of Columbia Police Authorization and Expansion Act of 1989".

SEC. 2. AUTHORIZATION OF APPROPRIATIONS FOR ADDITIONAL OFFICERS AND MEMBERS FOR THE METROPOLITAN POLICE DEPARTMENT OF THE DISTRICT OF COLUMBIA.

(a) IN GENERAL.—Section 502 of the District of Columbia Self-Government and Governmental Reorganization Act is amended by adding at the end thereof the following new subsection:

"(c)(1) In addition to the amounts authorized to be appropriated under subsection (a) and subject to paragraphs (2) and (3), there are authorized to be appropriated to the District of Columbia, for salaries and expenses (including benefits) of 700 additional officers and members of the Metropolitan Police Department of the District of Columbia, \$23,149,000 for fiscal year 1990, \$23,338,000 for fiscal year 1991, \$25,199,000 for fiscal year 1992, \$27,252,000 for fiscal year 1993, and \$28,367,000 for fiscal year 1994.

"(2) Amounts appropriated under paragraph (1) shall be available only for salaries and expenses (including benefits) of officers and members of the Metropolitan Police Department of the District of Columbia in excess of 4,355 officers and members (and supplies, equipment, and protective vests for reserve officers of the Metropolitan Police Department).

"(3)(A) For fiscal year 1990, no funds authorized to be appropriated under paragraph (1) may be obligated or expended until 120 days after the Mayor develops and submits a plan for the implementation in the District of Columbia of a community-oriented policing system (modeled after, though not limited to, such a system in Houston, Texas) to the Committee on the District of Columbia of the House of Representatives and the Subcommittee on General Services, Federalism, and the District of Columbia of the Committee on Governmental Affairs of the United States Senate.

"(B) For fiscal years after 1990, no funds authorized to be appropriated under paragraph (1) may be obligated or expended until the Mayor submits a notification to the Committee on the District of Columbia of the House of Representatives and the Subcommittee on General Services, Federalism, and the District of Columbia of the Committee on Governmental Affairs of the United States Senate that the District of Columbia has implemented for such fiscal year a community-oriented policing system in the District of Columbia."

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect October 1, 1989.

Reports.

SEC. 3. STUDY OF DISTRICT OF COLUMBIA COURT RESOURCES.

Not later than 60 days after the date of the enactment of this Act, the Joint Committee on Judicial Administration in the District of Columbia shall prepare and submit to Congress a report—

- (1) analyzing resources available to District of Columbia courts;
- (2) analyzing the feasibility of, and the costs associated with, an increase in the number of support personnel and judges assigned to District of Columbia courts; and
- (3) evaluating the need for changes in the District of Columbia Pre-Trial Detention Act, the proposed felony sentencing guidelines for the District of Columbia Superior Court, and the social services program managed by and under the direction of the District of Columbia courts.

Drugs and drug abuse.

SEC. 4. REPORT ON EFFECTS OF INCREASED DISTRICT OF COLUMBIA LAW ENFORCEMENT EFFORTS ON CRIME IN METROPOLITAN AREA.

Not later than 60 days after the date of the enactment of this Act, the Attorney General shall prepare and submit to Congress a report analyzing the potential effects of increased efforts to eliminate drug-related criminal activity in the District of Columbia on crime and law enforcement in the metropolitan area surrounding the District, including the effects of such efforts on the caseload of prosecuting attorneys (including United States Attorneys) in such area.

Records.

SEC. 5. DEVELOPMENT OF CLASSIFICATION SYSTEM FOR INDIVIDUALS CONVICTED OF CRIMES IN DISTRICT.

(a) **ASSISTANCE FROM BUREAU OF PRISONS AND NATIONAL INSTITUTE OF CORRECTIONS.**—Not later than 180 days after the date of the enactment of this Act, the District of Columbia shall request the Director of the Bureau of Prisons and the Director of the National Institute of Corrections to provide the District of Columbia with technical assistance and training in the development of a criminal recordkeeping and classification system, which will provide a basis for a uniform strategy for managing and evaluating the processing in the District of Columbia's criminal justice system of individuals convicted of crimes in the District of Columbia.

Prisoners.

(b) **INFORMATION INCLUDED IN SYSTEM DATA BASE.**—The recordkeeping and classification system described in subsection (a) shall include a data base continuously updated to provide current information on the prison population of the District of Columbia, including, but not limited to, the following:

- (1) Aggregate inmate profiles and classifications based on individual records and files.
- (2) Escape and other risk assessments for individual inmates.
- (3) Ongoing counts of the number of persons at various stages of processing in the criminal justice system.
- (4) Projections for future prison populations.

SEC. 6. USE OF PROCEEDS OF FORFEITED PROPERTY FOR LAW ENFORCEMENT ACTIVITIES.

(a) **IN GENERAL.**—Section 502(d)(3)(B) of the District of Columbia Uniform Controlled Substances Act of 1981 (section 33-552(d)(3)(B),

D.C. Code) is amended by striking "shall be used to finance programs" and inserting "shall be used, and shall remain available until expended regardless of the expiration of the fiscal year in which they were collected, to finance law enforcement activities of the Metropolitan Police Department of the District of Columbia, with any remaining balance used to finance programs".

(b) CLERICAL AMENDMENT.—Paragraphs (3) and (3a) of section 502(d) of the District of Columbia Uniform Controlled Substances Act of 1981 (sections 33-552(d) (3) and (3a), D.C. Code) are amended by—

- (1) redesignating paragraph (3) as paragraph (4);
- (2) redesignating paragraph (3a) as paragraph (3); and
- (3) reordering the paragraphs so that paragraph (3), as redesignated, precedes paragraph (4), as redesignated.

SEC. 7. PARTICIPATION OF DISTRICT OF COLUMBIA METROPOLITAN POLICE DEPARTMENT IN THE NATIONAL CRIME INFORMATION SYSTEM.

(a) DISSEMINATION OF ADULT ARREST RECORDS TO LAW ENFORCEMENT AGENTS.—(1) Notwithstanding any other provision of law, the Metropolitan Police Department of the District of Columbia shall disseminate its unexpurgated adult arrest records to members of the court and law enforcement agents, including the Identification Division of the Federal Bureau of Investigation. Such dissemination shall be done without cost and without the authorization of the persons to whom such records relate.

(2) Any records disseminated under this section shall be used in a manner that complies with applicable Federal law and regulations.

(b) DEFINITIONS.—For purposes of this section—

- (1) the term "member of the court" shall include judges, prosecutors, defense attorneys (with respect to the records of their client defendants), clerks of the court, and penal and probation officers;
- (2) the term "law enforcement agent" shall include police officers and Federal agents having the power to arrest; and
- (3) the term "unexpurgated adult arrest records" shall include arrest fingerprint cards.

SEC. 8. ESTABLISHMENT OF DISTRICT OF COLUMBIA POLICE CORPS PROGRAM.

Education.
Loans.

(a) ESTABLISHMENT.—Not later than 1 year after the date of the enactment of this Act, the Mayor of the District of Columbia, in consultation with the Chief of the Metropolitan Police Department of the District of Columbia, shall establish a pilot program under which the District shall agree to assist not more than 25 eligible college students or graduates in paying loans or other financial obligations incurred in obtaining a baccalaureate or graduate degree if such a student or graduate agrees to serve not less than 4 years as a member of the Metropolitan Police Department.

(b) APPROVAL OF PROGRAM.—Not later than 60 days after the date of the enactment of this Act, the Mayor of the District of Columbia shall submit a description of the program described in subsection (a), including any regulations proposed to implement such program, to the Committee on the District of Columbia of the United States House of Representatives and the Subcommittee on General Services, Federalism, and the District of Columbia of the Committee on

Governmental Affairs of the United States Senate for the committees' approval.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary to carry out this section.

Education.
Loans.

SEC. 9. ESTABLISHMENT OF WEST VIRGINIA POLICE CORPS PROGRAM.

(a) **ESTABLISHMENT.**—Not later than 1 year after the date of the enactment of this Act, the Governor of West Virginia, in consultation with the West Virginia Superintendent of Police, shall establish a pilot program under which West Virginia shall agree to assist not more than 25 eligible college students or graduates in paying loans or other financial obligations incurred in obtaining a baccalaureate or graduate degree if such a student or graduate agrees to serve not less than 4 years as a law enforcement officer in West Virginia.

(b) **APPROVAL OF PROGRAM.**—Not later than 60 days after the date of the enactment of this Act, the Governor of West Virginia shall submit a description of the program described in subsection (a), including any regulations proposed to implement such program, to the Subcommittee on General Services, Federalism, and the District of Columbia of the Committee on Governmental Affairs of the United States Senate for the subcommittee's approval.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary to carry out this section.

Approved December 12, 1989.

LEGISLATIVE HISTORY—H.R. 1502:

SENATE REPORTS: No. 101-123 (Comm. on Governmental Affairs).
CONGRESSIONAL RECORD, Vol. 135 (1989):

June 13, considered and passed House.
Sept. 14, considered and passed Senate, amended.
Nov. 2, House concurred in Senate amendment with amendments.
Nov. 20, Senate concurred in House amendments.