

**Council of the District of Columbia**

Committee on Public Services and Consumer Affairs

**Notice of Public Hearing**

1350 Pennsylvania Avenue, NW, Washington, D.C. 20004

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**ABBREVIATED NOTICE****COUNCILMEMBER MURIEL BOWSER, CHAIR  
COMMITTEE ON PUBLIC SERVICES AND CONSUMER AFFAIRS****Announces A Public Hearing****On****B18-133: The Mortgage Lender and Broker Amendment Act of 2009****On****Friday, February, 27, 2009****10:00 a.m.****Room 120****1350 Pennsylvania Avenue NW****Washington, D.C. 20004**

Councilmember Muriel Bowser, Chair of the Committee on Public Services and Consumer Affairs, announces a Public Hearing on B18-133: The Mortgage Lender and Broker Amendment Act of 2009. The hearing will be held on Friday, February 27, 2009 at 10:00 a.m., in Room 120, of the John Wilson Building, 1350 Pennsylvania Avenue, NW.

The Mortgage Lender and Broker Amendment Act is the permanent version of emergency legislation that is currently District law. The bill will bring the district into compliance with Title V of the federal Housing and Economic Recovery Act of 2008 (HERA), which was enacted by Congress on July 30<sup>th</sup>, 2008. Title V of HERA mandates that all states' and the District's mortgage regulators become members of the Nationwide Mortgage Licensing System (NMLS). The NMLS is an Internet-based system that state regulators – in the District, the Department of Insurance, Securities, and Banking (DISB) – must use in the licensing of the residential mortgage industry. Title V of HERA requires that all states become active participants in the NMLS by August 2009. Upon passage of the emergency legislation, DISB joined the system and will require all the remaining time available to become fully operational by August 1, 2009. The emergency legislation also required all states to license mortgage loan originators who take mortgage loan applications and negotiate terms with residential mortgage borrowers. DISB is currently working on a public rulemaking to implement the legislation, and needs the permanent legislation as soon as possible.

Members of the public are invited to testify. Testimony may be limited to 3 minutes per witness and 5 minutes for a panel. Those wishing to testify should contact Mr. Spencer Maguire of the Committee on Public Services and Consumer Affairs via email at [smaguire@dccouncil.us](mailto:smaguire@dccouncil.us), or by phone at (202) 741-0921 by Friday, February 27, 2009. Witnesses should bring 15 copies of their written testimony to the hearing.

Members of the public may submit written testimony which will be made part of the official record. Copies of written statements should be submitted to Ms. Cynthia Brock-Smith, Secretary to the Council, 1350 Pennsylvania Avenue, NW, Suite 5, Washington, DC 20004, no later than 5:30 p.m., Friday, March 6, 2009.

**This notice is abbreviated in order to provide notice to the public.**

**Council of the District of Columbia  
Committee on Public Safety and the Judiciary  
Notice of Public Hearing**

**1350 Pennsylvania Ave., N.W., Washington, D.C. 20004      REVISED & ABBREVIATED**

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**COUNCILMEMBER PHIL MENDELSON, CHAIRPERSON  
COMMITTEE ON PUBLIC SAFETY AND THE JUDICIARY ANNOUNCES A  
PUBLIC HEARING**

**on**

**Bill 18-138, the “Omnibus Anti-Crime Amendment Act of 2009”**

**Bill 18-151, the “Public Safety and Justice Amendments Act of 2009”**

**Bill 18-152, the “Hot Spot No Loitering Zone Act of 2009”**

**on**

**Wednesday, March 18, 2009**

**10:00 a.m., Hearing Room 412, John A. Wilson Building**

**1350 Pennsylvania Avenue, N.W.**

**Washington, D.C. 20004**

Councilmember Phil Mendelson, Chairperson of the Committee on Public Safety and the Judiciary, announces a 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 Zone Act of 2009”. The hearing will be held at 10:00 a.m. on Wednesday, March 18, 2009, in Hearing Room 412 of the John A. Wilson Building. **This notice has been revised to reflect two additional bills that will also be considered. This notice has been abbreviated to provide notice to the public.**

Bill 18-138 was introduced on February 6, 2009 and circulated to the Council on February 10<sup>th</sup>. Bills 18-151 and 18-152 were introduced on February 17, 2009. This hearing will be the first of two hearings on this legislation. Subject matter for the first hearing will be the entirety of these bills. The second hearing will be an opportunity for outstanding concerns from the first hearing and the more complex matters proposed in the legislation.

The stated purpose of Bill 18-138 is to repeal the Anti-Stalking Amendment Act of 1993; to enact a new anti-stalking law that more clearly defines stalking, more broadly encompasses all modern forms of stalking, assigns commensurate penalties and establishes jurisdiction to prosecute; to create a civil action to enjoin criminal street gangs and their members from engaging in activities which create a public nuisance and to amend the Omnibus Public Safety Amendment Act of 2006 to amend the definition of criminal street gang; to amend An Act to provide for the more effective prevention, detection and punishment of crime in the District of Columbia, approved June 29, 1953 to close to public inspection the names and addresses of the alleged victims of crimes of violence, obstruction of justice, stalking, assault, assault with significant injury, threats and an attempt or conspiracy to commit any of these offenses unless the Chief of Police determines that release

of such information is not likely to result in harm to the investigation of the alleged crime, the victim or witness, or a member of the victim's or witness' family; to amend the Act codifying the District of Columbia Code, 56th Congress, Session II, Chapter 854, Subchapter 25 to suspend the marital privilege under certain circumstances, including where a spouse or domestic partner is accused of intra-family offenses or committing a crime prior to the marriage, or is testifying in a civil proceeding involving child abuse and neglect; to amend An Act to enact Part II of the District of Columbia Code, entitled "Judiciary and Judicial Procedures," effective December 23, 1963, to suspend the physician-patient privilege in certain proceedings where a person is suspected or charged with causing the death of, or injuring a human being, or with attempting or threatening to kill or injure a human being, or where a person is suspected of defrauding a health care benefit program; to amend An Act To establish a code of law for the District of Columbia, approved March 3, 1901, to revise the elements of the crime for assault with intent, to make unlawful entry a non-jury demandable offense and to increase the penalty for criminal conspiracies to commit violent crimes from 5 years for all conspiracies to the maximum punishment prescribed for the offense, the commission of which was the object of the conspiracy; to amend the Anti-Sexual Abuse Act of 1994 so that the defendant is not required to prove by a preponderance of the evidence that the alleged victim of sexual abuse consented; to amend the District of Columbia Theft and White Collar Crimes Act of 1982 to expand the definition of the terms "property," "person" and "value" and to make related conforming amendments so that the terms more broadly encompass conduct associated with theft and identity theft, to permit a person to be convicted of any combination of theft, fraud and other property offenses arising out of the same course of conduct, to expand the jurisdiction of the District of Columbia to prosecute fraud and insurance fraud, and to include in the definition of the crime of identity theft the use of personal identifying information belonging to or pertaining to another person to identify him/herself at the time of an arrest or to facilitate or conceal the commission of a crime; to provide for increased penalties if a person uses a stolen motor vehicle to commit a crime of violence and to add threats to injure to the obstruction of justice statute; to amend the DNA Sample Collection Act of 2001 to expand the qualifying offenses for the purposes of DNA collection under the DNA Analysis Backlog Elimination Act of 2000 to include all felonies; to amend An Act To control the possession, sale, transfer and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes so that offenses committed in other jurisdictions that would constitute a crime of violence or dangerous crime if committed in the District of Columbia or conduct that is substantially similar to that prosecuted as a crime of violence or dangerous crime under the D.C. Official Code are considered prior offenses for the purpose of sentencing for committing a crime of violence or dangerous crime while armed, and to increase the penalty for the crime of felon in possession of a firearm to imprisonment for not more than 15 years and a mandatory-minimum term of 5 years, if the prior felony is a crime of violence; to amend D.C. Official Code section 23-110(b) to allow a motion for post-conviction relief to be dismissed if the government has been prejudiced in its ability to respond to the motion by the delay in its filing; to amend D.C. Official Code section 23-523(b) to define daylight as the hours between 6 a.m. and 11 p.m.; to amend D.C. Official Code section 23-581 by adding destruction of property and voyeurism to the list of misdemeanors for which an arrest can be made without a warrant; to amend D.C. Official

Code section 23-1322(c) so that probable cause for the arrest of certain dangerous and violent offenses will support a finding of dangerousness for pre-trial detention, and to add possession of a firearm during a crime of violence, and felon-in-possession of a firearm to the list of offenses where there is a rebuttable presumption of dangerousness; to amend the District of Columbia Implied Consent Act, approved October 21, 1972, to require medical personnel to collect blood or urine at the direction of a police officer for the purpose of determining alcohol or drug content and to protect such medical personnel from liability for doing so; to amend the Protection of Children from Exposure to Drug-Related Activity Amendment Act of 1989 to provide penalties for the crime of making a false report of child abuse or neglect; to amend D.C. Official Code section 16-2312 to allow postponement of detention hearings on New Year's Day, Thanksgiving Day and Christmas Day; to amend the HIV Testing of Certain Criminal Offenders Act of 1995 to require the court to order the defendant to furnish a blood sample to be tested for the presence of HIV, upon the request of the victim or an eyewitness to the offense who may be at risk of contracting the HIV/AIDS virus at any time after a preliminary hearing; to amend the District of Columbia Uniform Controlled Substances Act of 1981 to schedule fresh khat as a Schedule I drug; to amend the District of Columbia Traffic Act, 1925 to provide that enhanced sentencing penalties for operating a vehicle while intoxicated, under the influence or impaired shall be calculated from the date of the prior conviction to the date of the subsequent offense; to amend the Firearms Control Registration Act of 1975 to establish a registry requiring gun law offenders to register with the Metropolitan Police Department and verify their information, providing penalties for non-compliance; and to create the offense of illegally possessing a firearm in a motor vehicle.

The stated purpose of Bill 18-151, the Public Safety and Justice Amendments Act of 2009, is to create a process to allow for nuisance actions against criminal street gangs; to give arrest powers to certain correctional officers; to amend Chapter 572 effective December 15, 1941 to prohibit the introduction of cellular telephone or other portable communication device; to amend the Act codifying the District of Columbia Code, 56th Congress, Session II, Chapter 854, Subchapter 25 to suspend the marital privilege under certain circumstances, including where a spouse or domestic partner is accused of intra-family offenses or committing a crime prior to the marriage, or is testifying in a civil proceeding involving child abuse and neglect; to amend An Act to enact Part II of the District of Columbia Code, entitled "Judiciary and Judicial Procedures," effective December 23, 1963, to suspend the physician-patient privilege in certain proceedings where a person is suspected or charged with causing the death of, or injuring a human being, or with attempting or threatening to kill or injure a human being, or where a person is suspected of defrauding a health care benefit program; to amend The District of Columbia Elections Code of 1055ny prohibiting the destruction or defacing of campaign materials; To amend section 1002(c) of chapter 10 of title 16 of the District of Columbia code to allow the testimony of a respondent to be used in a criminal prosecutions derivative purposes, to impeach the respondent, and in prosecutions for perjury or committing false statements; to amend Section 211a of Chapter 159 approved June 29, 1953 to restate the crime of disorderly conduct; to repeal Section 6 of chapter 320 of, approved July 29, 1892; to amend section 1 of An Act for the suppression of prostitution in the District of Columbia, approved August 15, 1935 to create a new penalty structure for prostitution; to amend section 104(b)(1) of the Omnibus Public Safety Amendment of 2006to increase the time limit of a prostitution zone from 10 days to 20 days; to amend the District of

Columbia Theft and White Collar Crimes Act of 1982 to create the crime of theft from motor vehicle; to amend section 1 of an Act to define and punish vagrancy in the District of Columbia, and for other purposes, approved December 17, 1941; to amend the the Bias-Related Crime Act of 1989 to add homelessness to the protected class; to amend section 3(a) of the Anti-Loitering/Drug Free Zone Act of 1996 to increase the time of a drug free zone from 10 days to 20 days; to amend the Establishment of the Office of the Chief Medical Examiner Act of 2000 to authorize the Mayor to waive, until April 13, 2013, the requirement that the Chief Medical Examiner for the District of Columbia be certified in forensic pathology by the American Board of Pathology or be eligible for such certification; to prohibit persons required to wear a detection device as a condition of supervision to remove, intentionally alter, interfere or mask the operation of the device, or to allow any unauthorized person to do so and to allow a law enforcement officer to make an arrest without a warrant for said violation; to amended the Title III of the District of Columbia Mental Health Information Act of 1978 to require disclosures of mental health information for criminal justice purposes.

The stated purpose of Bill 18-152, the Hot Spot No Loitering Zone Act of 2009, is to authorize the Chief of the Metropolitan Police Department to declare a Hot Spot No Loitering Zone, and to prohibit the congregation of 2 or more persons on any public space on public property, within an area currently designated as a Hot Spot No Loitering Zone, for the purpose of participating in criminal activity within the perimeter of the Hot Spot No Loitering Zone.

Those who wish to testify should contact Ms. Heidi Tseu, Committee Clerk, at (202) 724-8038, by fax at (202) 724-6664, or via e-mail at htseu@dccouncil.us, and provide their name, address, telephone number, organizational affiliation and title (if any) by close of business Monday, March 16, 2009. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on Monday, March 16, 2009 the testimony will be distributed to Councilmembers before the hearing.

Witnesses must limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted either to Ms. Tseu, or to Ms. Cynthia Brock-Smith, Secretary to the Council, Room 5 of the Wilson Building, 1350 Pennsylvania Avenue, N.W. Washington, D.C. 20004. The record will close at 5:00 p.m. on Wednesday, April 1, 2009.

# **Council of the District of Columbia Committee of the Whole Notice of Public Hearing**

John A. Wilson Building 1350 Pennsylvania Avenue, NW, Washington, DC 20004

**CHAIRMAN VINCENT C. GRAY  
ANNOUNCES A PUBLIC HEARING  
BY THE COMMITTEE OF THE WHOLE ON**

**BILL 18-142, "CLOSING OF PUBLIC STREETS AND DEDICATION AND  
DESIGNATION OF LAND FOR STREET PURPOSES IN SQUARES 743, 744, 771,  
W-771, 802, 803, 826, 827, 853, 883, AND 884 (S.O. 07-8801 AND 07-8802) ACT OF 2009"**

**THURSDAY, MARCH 19, 2009, 2:00 P.M.  
JOHN A. WILSON BUILDING, ROOM 500  
1350 PENNSYLVANIA AVENUE, N.W.**

Council Chairman Vincent C. Gray announces a public hearing by the Committee of the Whole on Bill 18-142, the "Closing of Public Streets and Dedication and Designation of Land for Street Purposes in Squares 743, 744, 771, W-771, 802, 803, 826, 827, 853, 883, and 884 (S.O. 07-8801 and 07-8802) Act of 2009." The public hearing is scheduled for Thursday, March 19, 2009, at 2:00 p.m., in the Council Chamber, Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

Bill 18-142, introduced by Councilmember Wells, would close certain streets and dedicate new public streets to facilitate the redevelopment by Forest City Washington of The Yards/Southeast Federal Center, which will provide 2,800 residential units; 1.8 million square feet of office space; up to 400,000 square feet of retail and restaurants; and an approximately 5-acre public park.

Individuals and representatives of organizations who wish to testify at the public hearing are requested to telephone Aretha Latta, Administrative Assistant to the Committee of the Whole, at 202-724-8196 or by e-mail at [alatta@dccouncil.us](mailto:alatta@dccouncil.us), and furnish their names, addresses, telephone numbers and organizational affiliation, if any, by the close of business on Tuesday, March 17, 2009. Witnesses should also provide 20 copies of their written testimony at the hearing or submit one copy of their written testimony by March 17, 2009. Each person presenting verbal testimony may be limited to 3 minutes in order to permit each witness an opportunity to be heard. Written statements for the record are encouraged and will be made a part of the official record. All statements should be submitted to the Committee of the Whole, Council of the District of Columbia, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 410, Washington, D.C. 20004.

# **Council of the District of Columbia Committee of the Whole Notice of Public Oversight Hearing**

John A. Wilson Building 1350 Pennsylvania Avenue, N.W. Washington, DC 20004

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**CHAIRMAN VINCENT C. GRAY  
ANNOUNCES A PUBLIC OVERSIGHT HEARING  
BY THE COMMITTEE OF THE WHOLE ON**

**YOUTH ISSUES**

**SATURDAY, MARCH 14, 2009, 10:00 A.M.  
JOHN A. WILSON BUILDING, ROOM 500  
1350 PENNSYLVANIA AVENUE, N.W.**

Council Chairman Vincent C. Gray announces a public oversight hearing by the Committee of the Whole on Youth Issues on Saturday, March 14, 2009, at 10:00 a.m., in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W. The purpose of the public oversight hearing is to hear from youth, aged 21 and under, on issues affecting their lives.

Persons aged 21 and younger who wish to testify at the hearing are requested to contact the Aretha Latta, Administrative Assistant to the Committee of the Whole, at (202) 724-8196 or by e-mail at [alatta@dccouncil.us](mailto:alatta@dccouncil.us), to sign up by close of business on Thursday, March 12, 2009. When registering to testify, persons should leave their name, telephone number, email and mailing addresses, and organization they are representing, if any. Each person presenting oral testimony may be limited to THREE (3) minutes in order to permit each witness an opportunity to be heard. Witnesses testifying at the public hearing are requested to provide 20 copies of their written testimony at the hearing or submit one copy of their written testimony by March 12, 2009.

Written statements for the record are encouraged and will be made a part of the official record. All written testimony should be submitted to the Committee of the Whole, Council of the District of Columbia, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 410, Washington, D.C. 20004, or [alatta@dccouncil.us](mailto:alatta@dccouncil.us).

Council of the District of Columbia  
Committee on Government Operations and the Environment  
**Notice of Public Roundtable**  
1350 Pennsylvania Avenue, N.W. Washington, DC 20004

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**COUNCILMEMBER MARY M. CHEH, CHAIRPERSON  
COMMITTEE ON GOVERNMENT OPERATIONS & THE ENVIRONMENT**

**ANNOUNCES A PUBLIC ROUNDTABLE ON**

**PR18-33, the Public Employee Relations Board Brenda Oliver Confirmation Resolution of 2009  
PR18-53, the Public Employee Relations Board Diaa Nour Confirmation Resolution of 2009  
PR18-54, the Public Employee Relations Board Darryl Wiggins Confirmation Resolution of 2009  
&  
PR18-76, the Public Employee Relations Board James Byles Confirmation Resolution of 2009**

**March, 5, 2009**

**10:15 AM**

**Room 120**

**John A. Wilson Building  
1350 Pennsylvania Avenue, N.W.**

On March 5, 2009, Councilmember Mary M. Cheh, Chairperson of the Committee on Government Operations and the Environment, will hold a public roundtable on the following resolutions nominating individuals to the Public Employee Relations Board (PERB): PR18-33, the Public Employee Relations Board Brenda Oliver Confirmation Resolution of 2009; PR18-53, the Public Employee Relations Board Diaa Nour Confirmation Resolution of 2009; PR18-54, the Public Employee Relations Board Darryl Wiggins Confirmation Resolution of 2009; and PR18-76, the Public Employee Relations Board James Byles Confirmation Resolution of 2009. The roundtable will begin at 10:15 a.m. in Room 120 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official record. Anyone wishing to testify at the roundtable should contact Aukima Benjamin, staff assistant to the Committee on Government Operations and the Environment, at 724-8062, or via e-mail at [abenjamin@dccouncil.us](mailto:abenjamin@dccouncil.us). If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted either to the Committee on Government Operations and the Environment, or to Ms. Cynthia Brock-Smith, Secretary to the Council, Room 5 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004. The record will close at the end of the business day on March 12, 2009.