

A RESOLUTION

22-707

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 18, 2018

To declare the existence of an emergency with respect to the need to amend the Firearms Control Regulations Act of 1975 to create a judicial process through which individuals who have been disqualified from receiving a firearms registration certificate due to having been voluntarily admitted or involuntarily committed to a mental health facility, determined to be an incapacitated individual, adjudicated as a mental defective, or committed to a mental institution, can petition the Superior Court of the District of Columbia for relief from that disqualification, to provide that a person convicted of possessing a large capacity ammunition feeding device shall be incarcerated for no more than 3 years, fined, or both, to allow persons to petition the Superior Court of the District of Columbia for an extreme risk protection order, which would prohibit the respondent from having possession or control of, purchasing, or receiving any firearm, ammunition, registration certificate, license to carry a concealed pistol, or dealer's license, if the court finds that the subject poses a significant danger of causing bodily injury to self or others, to establish a process for the personal service, renewal, and termination of extreme risk protection orders, to establish procedures for the surrender, storage, assessment of fees for storage, and return of firearms and ammunition that are recovered pursuant to an extreme risk protection order, and to establish a penalty for a violation of an extreme risk protection order; and 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 to prohibit the possession of bump stocks.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Firearms Safety Omnibus Emergency Declaration Resolution of 2018".

Sec. 2. (a) As of December 12, 2018, there have been 155 homicides in the District of Columbia – more than 100 of which involved the use of a firearm.

(b) Of the 139 homicide investigations conducted by the Office of the Chief Medical Examiner ("OCME") in 2016, the cause of death was a firearm in 96 cases, comprising 69% of homicides.

(c) Firearms were used in 6 of the 44 suicides investigated by the OCME in 2016. Firearms were involved in 20% of the 44 suicides in 2012, 15% of the 52 suicides in 2013, 32% of the 69 suicides in 2014, and 29% of the 52 suicides in 2015.

(d) The Metropolitan Police Department recovered 1,870 illegal firearms in 2016, an increase of 164 over 2015.

(e) This emergency legislation is identical to permanent legislation, the Firearms Safety Omnibus Amendment Act of 2018, passed on second reading on December 18, 2018 (Enrolled version of Bill 22-588), which the Council passed on final reading on December 18, 2018.

(f) This emergency legislation is necessary to immediately protect District residents.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Firearms Safety Omnibus Emergency Amendment Act of 2018 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.