


Chairman Phil Mendelson

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to establish mandatory controlled substance and alcohol testing and criminal background checks and a background investigation program for applicants, appointees, employees, volunteers, and contractual workers of the Consolidated Forensic Sciences Laboratory.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Controlled Substance, Alcohol Testing, Criminal Background Check and Background Investigation Congressional Review Emergency Declaration Resolution of 2014”.

Sec. 2. (a) There exists an immediate need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et. seq.*), to establish a mandatory controlled substance and alcohol testing program, criminal background check, and background investigation program for applicants, appointees, employees, volunteers, and contractual workers who have a duty station at the Consolidated Forensic Sciences Laboratory ("CFL").

1 (b) The CFL officially opened on October 1, 2012 and will serve as the central location
2 for several of the District's public health and safety lab operations, such as the Office of the
3 Chief Medical Examiner, the Department of Forensic Sciences ("DFS"), and divisions under the
4 Metropolitan Police Department that include the Firearms and Fingerprint Examination Division,
5 DNA Laboratory, and the Forensic Sciences Services Division. The Department of Forensic
6 Sciences Establishment Act of 2011, effective August 17, 2011 (D.C. Law 19-18; D.C. Official
7 Code § 5-1501.01 *et. seq.*)(*"Act"*), requires that DFS provide security and protection for evidence
8 and samples in its custody. To ensure compliance with the Act, a mandatory controlled
9 substance and alcohol testing program, criminal background check, and background
10 investigation program for applicants, appointees, employees, volunteers, and contractual workers
11 who have a duty station at the CFL is necessary.

12 (c) A similar emergency measure (D.C. Act 19-582) was adopted on December 4, 2012,
13 along with an identical temporary measure (D.C. Act 19-616) was also adopted by the Council,
14 but expired on December 1, 2013. A permanent version of the legislation was introduced last
15 council period.

16 (d) During Council Period 20, an identical emergency measure (D.C Act 20-227) was
17 adopted but is set to expire on February 27, 2014. A corresponding temporary measure (D.C.
18 Act 20-247) is not projected to become law until March 6, 2014.

19 (e) This emergency measure is necessary to prevent a gap in the law.

20 Sec. 3. The Council of the District of Columbia determines that the circumstances
21 enumerated in section 2 constitute emergency circumstances making it necessary that the

- 1 Controlled Substance, Alcohol Testing, Criminal Background Check and Background
- 2 Investigation Congressional Review Emergency Amendment Act of 2014 be adopted after a
- 3 single reading.