

A RESOLUTION

20-405

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2014

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").

(b) The CFL officially opened on October 1, 2012, and will serve as the central location for several of the District’s public health and safety lab operations, such as the Office of the Chief Medical Examiner, the Department of Forensic Sciences ("DFS"), and divisions under the Metropolitan Police Department that include the Firearms and Fingerprint Examination Division, DNA Laboratory, and the Forensic Sciences Services Division. The Department of Forensic Sciences Establishment Act of 2011, effective August 17, 2011 (D.C. Law 19-18; D.C. Official Code § 5-1501.01 *et. seq.*) ("Act"), requires that DFS provide security and protection for evidence and samples in its custody. To ensure compliance with the Act, 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 CFL is necessary.

ENROLLED ORIGINAL

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

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

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

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

Sec. 4. This resolution shall take effect immediately.