

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

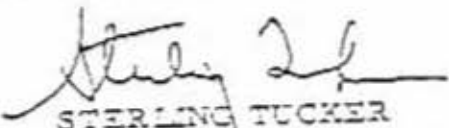
November 2, 1977

D. C. Law 2-29

"Security Officer Licensing Facilitation Act
of 1977".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, (PL 93-198) the Act, the Council of the District of Columbia adopted Bill No. 2-114 on first and second readings June 28, 1977 and July 12, 1977, respectively. Following expiration of the ten-day period provided the Mayor, in which no action was taken, pursuant to Section 404(e) of the Act, this legislation was assigned Act No. 2-64, published in the August 19, 1977, edition of the D. C. Register and transmitted to both Houses of Congress for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has expired and, therefore, cites the following legislation as D. C. Law 2-29, effective October 26, 1977.


STERLING TUCKER
Chairman of the Council

(Vol. 24, D. C. Register, 1451, August 19, 1977)

D.C. LAW

2-29

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 26, 1977

To provide standards for definitions by the Board of Appeals and Review and to provide for an expedited procedure in cases involving certification of certain persons with prior criminal convictions as security officers, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Security Officer Licensing Facilitation Act of 1977".

Sec. 2. The "Regulation Establishing Standards for Certification and Employment for Security Officers", enacted December 1, 1974 (reg. No. 74-31) is amended by:

(a) striking the words "any uniformed person privately employed" in subsection (f) of section 1.1 and inserting in lieu thereof the words "any persons privately employed".

(b) adding the words "and Review" following the words "Board of Appeals" in section 2.2;

(c) adding the word "the" following the words "In addition" in the second sentence of section 2.6;

(d) striking the word "preceeding" in section 3.1 and inserting in lieu thereof the word "preceding":

-2-

(e) (1) striking the third and fourth sentences of section 3.4 and inserting in lieu thereof the following:

"No person who has been released from incarceration for a felony conviction in any jurisdiction in the United States within two (2) years prior to the date of filing an application for certification or who has been released from incarceration for a misdemeanor conviction in any jurisdiction in the United States involving the illegal use, carrying or concealment of a dangerous weapon, or involving larceny within one (1) year prior to the date of filing an application for certification shall be eligible for certification as a security officer unless he or she meets the burden of proving to the Board of Appeals and Review that he or she is not a significant safety risk to the community and meets all other requirements for certification: PROVIDED, That if the Board of Appeals and Review does not act upon the application of such a person within sixty (60) days of its being filed, the certification shall be made if the applicant meets all other requirements for certification and other applicable law for the same. The Board shall consider the following in determining whether the applicant is a significant safety risk:

-3-

"(A) the nature of the crime for which the applicant was convicted and its relationship to the duties and circumstances of employment of a security officer;

"(B) information pertaining to the degree of rehabilitation of the applicant since the crime, including but not limited to formal work experience or participation in vocational training, educational attainment and family support;

"(C) the time elapsed since the conviction; and

"(D) other evidence of personal motivation, including but not limited to community volunteer work and character references."; and

"(2) adding the following to the end of section 3.4:

"For the purpose of this section only, 'release (d) from incarceration' shall be computed from the date of judgment of conviction if a person is convicted of a crime and is not sentenced to a term of imprisonment by the court or if a sentenced to a term of imprisonment by the court is suspended by the court at the time of sentencing and has not been subsequently revoked."; and

"(3) striking the words "subparagraph (c)" from paragraphs (5), (6) and (7) of subsection (c) of section 4.3 and inserting in lieu thereof the words "subsection (c)".

-4-

Sec. 3. The "Licensing and Bonding of Private Detectives Regulation", enacted July 9, 1970 (Reg. No. 70-30) is amended as follows:

- (a) subsection (b) of section 10 is repealed; and
- (b) striking the second and third clause in section 15 and the comma following the word "effect".

Sec. 4. Section 2 of the "Regulation Concerning Uniforms to Be Worn By Special Policemen and By Unarmed Guards and Security Officers", effective June 6, 1971 (Reg. No. 71-20) is repealed.

Sec. 5. This act shall take effect upon becoming law pursuant to Section 602 of the District of Columbia Self-Government and Governmental Reorganization Act.

RECORD OF OFFICIAL COUNCIL ACTION

Docket No: 2-114

First Reading Action: 6/28/77

☒ VOICE VOTE: Adopted Unanimously (2 abs.) Barry, Hardy

Robert A. Williams
Secretary to the Council

☐ ROLL CALL VOTE:

COUNCIL MEMBER	ATT	SAF	N.Y.	ALL	COUNCIL MEMBER	ATT	SAF	N.Y.	ALL	COUNCIL MEMBER	ATT	SAF	N.Y.	ALL
TUCKER					MASON					SPATLING				
HARDY					MOORE, D.					WILSON				
BARRY					MOORE, J.					WINTER				
CLARKE					ROLAND									
DECK					SHACKLETON									

Indication Yes A. Lacking N. Filled Yes

Secretary to the Council

Amended First Reading Action: _____

☐ VOICE VOTE: _____

Secretary to the Council

☐ ROLL CALL VOTE:

COUNCIL MEMBER	ATT	SAF	N.Y.	ALL	COUNCIL MEMBER	ATT	SAF	N.Y.	ALL	COUNCIL MEMBER	ATT	SAF	N.Y.	ALL
TUCKER					MASON					SPATLING				
HARDY					MOORE, D.					WILSON				
BARRY					MOORE, J.					WINTER				
CLARKE					ROLAND									
DECK					SHACKLETON									

Indication Yes A. Lacking N. Filled Yes

Secretary to the Council

Final Reading or Emergency Action: July 12, 1977

☒ VOICE VOTE: Adopted Unanimously

Robert A. Williams
Secretary to the Council

☐ ROLL CALL VOTE:

COUNCIL MEMBER	ATT	SAF	N.Y.	ALL	COUNCIL MEMBER	ATT	SAF	N.Y.	ALL	COUNCIL MEMBER	ATT	SAF	N.Y.	ALL
TUCKER					MASON					SPATLING				
HARDY					MOORE, D.					WILSON				
BARRY					MOORE, J.					WINTER				
CLARKE					ROLAND									
DECK					SHACKLETON									

Indication Yes A. Lacking N. Filled Yes

Secretary to the Council

RECORD OF OFFICIAL COUNCIL ACTION (Page 2)

Docket No: 2-114

Presented to the Mayor: _____

Robert A. Schaller
Secretary to the Council

Action of the Mayor: _____

- ☐ Approved: ☐ Disapproved:
☐ Disapproved in part -- *Reference
Documents:
*Budget Actions.

Mayor of the District of Columbia

Philip H. Schaller
Executive Secretary, D. C.

☒ Returned Without Action 1 AUG 1977

Enacted without Mayor's Signature _____

Secretary to the Council

Council Reenactment: _____

☐ VOICE VOTE: _____

Secretary to the Council

☐ ROLL CALL VOTE:

COUNCIL MEMBER	DATE	Y/N	Y/N	Y/N	COUNCIL MEMBER	DATE	Y/N	Y/N	Y/N	COUNCIL MEMBER	DATE	Y/N	Y/N	Y/N
TUCKER					MASON					SPAWLING				
HARRY					MCCRE. D.					WILSON				
BARRY					MCCRE. L.					WINTER				
CLARKE					ROLAND									
DEAN					SCHMIDT									
Enrollment Vote A. Schaller H. Venable Voter														

Secretary to the Council

Presented to the President: _____

Secretary to the Council

Action of the President: _____

☐ Reenactment Approved

☐ Mayor's Veto Suspained

President of the U. S.

Submitted to the Congress: _____

Secretary to the Council

Senate Action: _____

Resolution Number: _____

House Action: _____

Resolution Number: _____

Secretary of the Senate

Clerk of the House

Enacted Without Congressional Action:

D. C. Law No. _____ Effective Date _____

Secretary to the Council