

D.C. Ordinance No. 26-06

Columbia Defense Force Act of 2024

In the 26th City Council of Washington, District of Columbia
on the 30th day of the November 2024

Deputy Mayor Bathamza on behalf of Mayor Alex J. Cabot has introduced the following Proposal, which was introduced to the District of Columbia City Council for consideration.

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Be it enacted by the Council as follows,

SECTION 1 // GENERAL PROVISIONS.

- (a) This bill shall be referred to as the ‘Columbia Defense Force Act of 2024’ or the ‘DC Militia Act’ upon the proper and lawful passage of this bill into law.
- (b) The doctrine of severability as recognized by the common law shall be applied to this Act if it needs to be severed.
- (c) This bill shall come into effect immediately upon its passage into law.

SECTION 2 // DEFINITIONS.

- (a) “Militia” refers to an organized body of residents in the District of Columbia trained to provide security, maintain peace and bring about order, including through the functioning of emergency services when called upon.
 - (i) All references to ‘Militia’ refer to the ‘Columbia Defense Force’ or ‘CDF’ unless otherwise stated.
- (b) “Commander-in-Chief” refers to the Mayor of the District of Columbia, except in times where the Militia shall be federalized by the President of the United States.
- (c) “Organized Militia” refers to the formally trained, equipped and employed persons in the District of Columbia who shall serve in the Militia.
- (d) “Unorganized Militia” refers to those who are not formally equipped, trained and employed but are nonetheless eligible to be called upon to serve in the Militia in times of emergency.

SECTION 3 // PURPOSE AND ESTABLISHMENT.

- (a) There shall be a Militia established under the authority of the District of Columbia which shall exist as a permanent departmental component of the civilian governance of the District and led by the Commander-in-Chief.
 - (i) This shall be referred to as the ‘Columbia Defense Force Act of 2024’ or any other name that the Executive Authority appropriates if and when necessary.
 - (ii) The Commander-in-Chief shall commission and establish a seal to be adopted by the Defense Force.
- (b) The Militia shall serve to:

- (i) Assist in the defense and protection of land, structures and persons residing in the District of Columbia;
- (ii) Assistant in the defense of the District in coordination with local and federal authorities;
- (iii) Ensure the security of infrastructure and government institutions in the District of Columbia;
- (iv) Maintain law and order generally and ensure that elections are conducted safely and democratic systems remain protected during specific periods;
- (v) Execute the laws faithfully when requested to do so by the civilian authority of the District of Columbia.

SECTION 4 // COMPOSITION.

- (a) The Militia shall consist of volunteers who are willing and able to subscribe to service in the Militia and to execute the functions outlined in Section 3(b) when called upon.
- (b) The Commander-in-Chief will appoint, with the advice and consent of the City Council, a Chief of the Columbia Defense Force who shall serve an indefinite tenure, except when dismissed by the civilian authority of the District of Columbia.

SECTION 5 // GOVERNANCE; TRAINING.

- (a) The Commander-in-Chief shall, along with the Chief of the Columbia Defense Force, establish regulations which shall be binding upon its membership during active service and deployment.
- (b) The Chief of the Columbia Defense Force may establish a set of rigorous training standards which all active service members shall be compliant with, except in times where the militia is called into ‘special service’.
 - (i) ‘Special service’ shall refer to the method by which, in times of emergency and disorder, the Commander-in-Chief may declare that the militia be deployed, and that voluntary enlistment may occur to ensure the militia is well-manned and supported.
- (c) The Chief of the Columbia Defense Force shall establish a chain of command and organizational structure, including the reasonable delegation of powers as they see fit.
 - (i) The Deputy Chief of the Columbia Defence Force shall execute the powers of the Chief in cases where the Chief shall have absented himself or the Commander-in-Chief or civilian authority shall have lost confidence in the Chief.

SECTION 6 // ACTIVATION; DEPLOYMENT.

- (a) Columbia Defense Force Guardsmen shall be afforded all tools found necessary and proper to execute the duties as described in this Act by Development Oversight.
- (b) The Commander-in-Chief upon a Declaration of a State of Emergency may request that the militia be deployed to enforce the law of the District of Columbia and support other agencies operating in the District.

- (i) This shall include the effectuation of arrests and detentions until the ordinary policing authority of the District of Columbia transmits to the Mayor they have ascertained control.
- (c) The Columbia Defense Force shall have a permanent ‘active’ status in which they shall ordinarily patrol with additional agencies and quell disorder and riots when so requested by the civilian authority without powers of arrest.
 - (i) They may establish a citizen's arrest until a law enforcement officer arrives to take any person they have lawfully detained into custody.
- (d) The Columbia Defense Force may be called to assist any local or federal agency in the enforcement of their duties at the discretion of each respective chief executive.
- (e) All Guardsmen shall take the following oath before assuming office:
 - (i) “I, [name], do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Charter of the District of Columbia against all enemies, foreign and domestic.”
- (f) The President of the United States may seek to federalize the Columbia Defense Force in accordance with the statutory and constitutional requirements already outlined in the U.S. Code and the Constitution.

SECTION 7 // CIVILIAN OVERSIGHT.

- (a) There shall be a civilian authority or a ‘civilian oversight’ of the Columbia Defense Force consisting of the Commander-in-Chief, the Deputy Mayor, the Chairman of the City Council, the District Security Advisor (if one so exists), the Inspector General and the Metropolitan Intelligence Service Chief.
- (b) The Chief of the Columbia Defense Force shall make a report on a monthly basis to the civilian oversight authority on the state of the militia, its training and governance procedures, disciplinary actions and requests for any other actual or statutory resources.
 - (i) The Council Chairman shall transmit this report to the council-at-large in session.