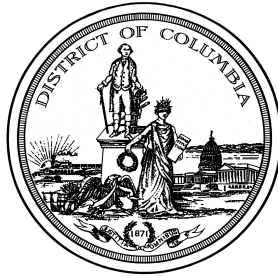


DISTRICT OF COLUMBIA

City Council



Ordinance No. 29-0012

Introduced by: Councilman Emperorlol01 on behalf of the Attorney

General of the District of Columbia.

An ordinance for an Act entitled: “Citizen’s Arrest and Self-Defense Act”

AN ACT to provide legal protections to citizens who engage in self-defense for themselves or others; and to establish the legal right of a citizen’s arrest in the District of Columbia.

SECTION 1 – SHORT TITLE; TABLE OF CONTENTS

(a) SHORT TITLE. – This Act may be cited as the “Citizen’s Arrest and Self-Defense Act” or “Ord. 20-0006”,

(b) TABLE OF CONTENTS. – The Table of Contents is as follows

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

SECTION 2. DEFINITIONS;

SECTION 3. SELF-DEFENSE;

SECTION 4. CITIZENS ARREST;

SECTION 5. EXECUTION OF PUBLIC DUTY;

SECTION 6. EFFECTIVE DATE;

SECTION 7. SEVERABILITY.

SECTION 2 – DEFINITIONS;

- (a) “Private person” shall be defined as as an person who holds citizenship within the United States of America and is acting in their individual capacity;

SECTION 3 – SELF-DEFENSE;

- (a) A private person is justified in using force upon another person in order to defend himself or herself against danger of imminent unlawful bodily injury or detention by such other person, except that:
 - (i) A person is not justified in using force for the purpose of resisting arrest, execution of process, or other performance of duty by a public servant under color of law, but excessive force may be resisted; and
 - (ii) A person is not justified in using force if (i) he intentionally provokes unlawful action by another person in order to cause bodily injury or death to such other person, or (ii) he has entered into a mutual combat with another person or is the initial aggressor unless he is resisting force which is clearly excessive in the circumstances. A person’s use of defensive force after he withdraws from an encounter and indicates to the other person that he has done so is justified if the latter nevertheless continues or menaces unlawful action.

SECTION 4 – CITIZENS ARREST;

- (b) Citizen’s Arrest shall be defined as the act of a private person arresting another without warrant.
- (c) A private person who has been directed by a public servant to assist that public servant is justified in using force to carry out the public servant’s direction, unless the action being taken by the public servant is plainly unlawful.

(d) A private person is justified in using force upon another in order to effect his or her arrest or prevent his or her escape when a public servant authorized to make the arrest or prevent the escape is not available.

(e) A private person may arrest another –

(i) Who he has probable cause to believe is committing his presence –

(1) A Class A or B offense under the District of Columbia Criminal Code.

(ii) In aid of a law enforcement officer or other person authorized by law to make an arrest.

(iii) Any person making an arrest pursuant to this section shall deliver the person arrested by a law enforcement officer without reasonable delay.

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