



Advisory Neighborhood Commission 2A

“Serving the Foggy Bottom and West End communities of Washington, D.C.”

Regular Meeting Minutes

Wednesday, November 15th, 2023; 7:00 p.m.

In-Person – West End Library, Meeting Room, 2301 L Street NW

Online via Zoom

Call to Order

Commissioner Jim Malec (02) called the meeting to order at 7:08 pm. Commissioners Yannik Omictin (01), Trupti Patel (03), Ed Comer (04), Dasia Bandy (07), and Jordan Nassar (08) were present.

Adoption of the Agenda

Chair Malec made a motion to adopt the ANC’s meeting agenda. Commissioner Patel seconded the motion, which was adopted by unanimous consent.

Adoption of the ANC’s Regular October 2023 Meeting Minutes

Chair Malec made a motion to adopt the ANC’s regular October 2023 meeting minutes. Commissioner Patel seconded the motion, which was adopted by unanimous consent.

Administrative Matters

Approval of the ANC’s FY 2024 Budget

Chair Malec made a motion to approve the ANC’s FY 2024 budget. Commissioner Comer seconded the motion. Chair Malec made a motion to adopt an amendment to the budget to correct the actual FY 2023 expenditures for grants. Commissioner Comer seconded the motion for the amendment, which was adopted by unanimous consent. A roll call vote was requested. The final motion was voted on and passed (VOTES: 5-0-0). The roll call vote was as follows:

Commissioner Omictin: Yea

Chair Malec: Yea

Commissioner Patel: Yea

Commissioner Comer: Yea

Commissioner Bandy: Yea

Approval of Changes to the ANC’s 2023 Meeting Schedule

Chair Malec made a motion to not hold the ANC’s regular December 2023 meeting. Commissioner Patel seconded the motion, which was adopted by unanimous consent.

General Agenda

Update from the Department of Human Services Regarding The Aston at 1129 New Hampshire Avenue NW

David Ross, the Chief of Staff for the Department of Human Services (DHS) and Anthony Newman, the Deputy Administrator for Individuals for DHS' Family Services Administration, gave an update regarding The Aston at 1129 New Hampshire Avenue NW.

Community Forum

Report from the Metropolitan Police Department's PSA 207

Sergeant Reinaldo Otero, a representative for the Metropolitan Police Department's (MPD) Second District, gave an overview of the recent crime statistics for the neighborhood.

Report from the Executive Office of the Mayor

Christopher Powell, a Ward 2 representative for the Mayor's Office of Community Relations and Services (MOCRS), gave updates from the Mayor's Office.

Report from the Office of Ward 2 Councilmember Brooke Pinto

Pablo Velasco Rodriguez, the Constituent Services Coordinator for Councilmember Brooke Pinto's Office, gave updates from the Councilmember's Office.

Report from the Foggy Bottom West End Village Regarding Fire Recovery Grant Funds

Chair Malec made a motion to remove this matter from the ANC's meeting agenda. Commissioner Patel seconded the motion, which was adopted by unanimous consent.

Commissioner Updates and Announcements

There were not any commissioner updates and announcements.

Announcements and Public Comments

Four local residents gave announcements and public comments.

Unfinished Business

Matters Before the DC Council

Commissioner Patel made a motion to adopt a proposed resolution regarding DC Council Bill B25-0049 – the “Local Rent Supplement Program Eligibility Amendment Act of 2023.” Chair Malec seconded the motion, which was adopted by unanimous consent. The resolution reads as follows:

WHEREAS, on January 19, 2023, Chairman Mendelson and Councilmember Pinto introduced the Local Rent Supplement Program (LRSP) Eligibility Amendment of 2023, amending the District of Columbia Housing Authority Act of 1999 (“The Authority”) to

allow applicants for local rent supplement vouchers to expedite the timeline in being rehoused and remove barriers around consideration,

WHEREAS, in Fiscal Year (FY) 2022, the Council unanimously approved identical language in emergency/temporary legislation to amend eligibility requirements for LRSP,

WHEREAS, the Council unanimously extended the same legislation in June 2023 as emergency/temporary legislation to ensure that no gap will exist while the permanent legislation is being reviewed,

WHEREAS, the LRSP initial and continued eligibility determination process is administered by the District of Columbia Housing Authority (DCHA), which also manages a greater number of federally funded housing subsidies. These federally funded subsidies impose restrictions on eligibility that the LRSP simply does not,

WHEREAS, with the large increases to the Department of Human Services (DHS) Permanent Supportive Housing (PSH) program in FY 2022 and FY 2023, one of the major concerns raised regarding the timely implementation of those resources was the way that obtaining birth certificates, photo IDs, and other LRSP documentation is a barrier for many individuals who have been homeless due to the following:

- ID documents were lost, stolen, thrown away, damaged, or destroyed in encampment evictions, and must be reacquired now before they can complete the LRSP application.
- Applications for birth certificates from other states get held up for a variety of reasons and these sometimes get lost in the mail.
- Appointments and transportation to the Department of Motor Vehicles (DMV) can take half a day, and if a client's ID has only recently been issued — i.e., within the 180 days prior to submitting with the LRSP application — it will not be accepted.
 - If the picture is too dark, it may not be accepted.
 - There are the individuals we work with whose cases are complicated by misspellings and errors on their original birth certificate, or by sealed adoption records.
 - There are people who do not know their social security numbers, and we have even encountered people who did not know their date of birth.
 - There are scores of individuals who are undocumented who have been experiencing unsheltered homelessness for years, and sometimes decades, with no connections to their countries of origin, or who were born in places that did not keep birth records, preventing any effort to get any sort of official documentation from any authority.

WHEREAS, the LRSP self-certifications regulations put in place have been important in removing these barriers for many individuals,

WHEREAS, this legislation will ensure that DCHA administers the LRSP according to LRSP rules by prohibiting inquiries into eligibility criteria that are not applicable to

LRSP, and whose consideration would only serve to improperly exclude or discourage eligible applicants for local rent subsidies,

WHEREAS, the Authority will allow applicants or participants to self-certify any required eligibility, admission, or continued occupancy factors when an applicant cannot easily obtain verification documentation at the time of initial eligibility,

WHEREAS, the Authority will treat the self-certifications as final and remain sufficient for purposes of continued occupancy recertifications,

WHEREAS, the Authority shall not inquire about nor consider for the purposes of eligibility, admission, or continued occupancy, any information about citizenship, immigration status, or prior criminal arrests, convictions, or pending criminal matters,

WHEREAS, prior to enactment of the emergency/temporary legislation, criminal background and immigration status eligibility was applied differently for tenant-based, sponsor-based, and project-based LRSP,

WHEREAS, this permanent legislation will establish one standard for all types of LRSP thus ending confusion and ending exclusion from the rental subsidy.

WHEREAS, inquiries into citizenship and immigration status can have a chilling effect on applicants, sending the message that they are not welcome to apply for housing subsidies; eliminating such inquiries is an equitable solution in housing subsidy eligibility determinations, and

WHEREAS, inquiries into criminal background do not aid or inform the determination process but disproportionately affect applicants from low income communities and communities of color, just as the criminal legal system disproportionately affects these communities; by disallowing inquiries into the criminal background that can contain inaccuracies, irrelevant information, and a lack of context of applicants, participants can remove an unnecessary barrier to acutely needed affordable housing.

THEREFORE, BE IT RESOLVED that ANC 2A supports the Local Rent Supplement Program Eligibility Amendment of 2023, which would permanently enact emergency and temporary legislation that has facilitated the provision of housing to individuals excluded from federally-funded housing programs by eliminating these barriers and clarifying the scope of DCHA's inquiry.

BE IT FURTHER RESOLVED that ANC 2A recognizes the LRSP is a lifeline to low-income individuals who need stable housing but might be ineligible for federal rent subsidies due to their immigration status, history with the criminal legal system, or who encounter other obstacles to obtaining official records.

BE IT FURTHER RESOLVED that ANC 2A believes that lowering barriers for DC residents creates opportunities for our most at risk residents, further establishing a city housing policy that is inclusive and supportive of all of its residents.

BE IT FURTHER RESOLVED that ANC 2A echoes the policy recommendations stated by Miriam’s Kitchen to build upon and ensure that LRSP self-certification regulations are successful to ensure three things:

1. That all PSH (permanent supportive housing) clients and PSH providers and case managers are educated about the self-certification options and use them consistently whenever needed.
2. That PSH providers are helping clients to get the required ID documents ahead of future recertification periods when they will be necessary.
3. That DHS has a plan and budget for using their “DHS Local” funds for whatever small percentage of clients are never able to obtain their required documents, as we do not want difficulty with documents to make anyone homeless again in the future. There is currently a funding stream that does allow individuals without documentation, or who are otherwise deemed ineligible for LRSPs, to be housed. However with self-certification, people can now be housed while that process plays out.

Commissioner Patel made a motion to adopt a proposed resolution regarding DC Council Bill B25-0351 – the "Sexual Harassment Investigation Integrity Amendment Act of 2023." Chair Malec seconded the motion. Commissioner Nassar made a motion to table consideration of the matter until a future ANC meeting, which was not voted on due to the lack of a second. A roll call vote was requested. The final motion was voted on and passed (VOTES: 4-2-0). The roll call vote was as follows:

Commissioner Omictin: Yea
Chair Malec: Yea
Commissioner Patel: Yea
Commissioner Comer: Nay
Commissioner Bandy: Yea
Commissioner Nassar: Nay

The resolution reads as follows:

WHEREAS, on December 18, 2017, Mayor Muriel Bowser signed Mayor’s Order 2017-313 (“The Order”), updating the District’s policies and procedures addressing sexual harassment in the workplace, in part in response to “the much needed and growing conversation on sexual harassment around the nation,”

WHEREAS, Mayor Bowser’s announcement noted: “Sexual harassment violates DC values, we take all claims of harassment seriously, and we remain committed to providing a safe working environment for all employees,”

WHEREAS, the Order “make[s] clear that the District of Columbia Government [...] does not tolerate any form of sexual harassment in the workplace. Sexual harassment is recognized as one of the most unjust, demeaning, and demoralizing examples of workplace misconduct,”

WHEREAS, the Order defines what constitutes sexual harassment (including quid pro quo and the establishment of a hostile environment), how to report and respond to sexual harassment, and what protections are available to employees involved in a sexual harassment complaint,

WHEREAS, the Order requires each agency to have a dedicated sexual harassment officer to review and investigate allegations of sexual harassment. This individual must investigate and issue findings within 60 days of reporting. A complaint against an agency director is submitted to the appropriate Deputy Mayor for review; a complaint against a Deputy Mayor is submitted to the City Administrator for review; and a complaint against the City Administrator is submitted to the Mayor's General Counsel for review, who also receives complaints against any agency director in the Executive Office of the Mayor. An independent consultant is only hired to investigate where there is a complaint against the Mayor or the Mayor's General Counsel,

WHEREAS, on March 20, 2023, Bowser announced an investigation by the Mayor's Office of Legal Counsel (MOLC) into John Falcicchio, who previously served as the Mayor's Chief of Staff and Deputy Mayor for Planning and Economic Development, following his resignation three days earlier in the wake of claims that he committed sexual harassment in the workplace,

WHEREAS, shortly after Mayor Bowser's announcement, the law firm of Katz Banks Kumin released a statement that they represent a DC government employee who came forward to report "serious allegations of sexual harassment" by John Falcicchio, who has been described as "a shadow mayor who wielded power over economic development and devised political strategy," and stating that "this behavior is longstanding,"

WHEREAS, nearly two weeks later, a second employee came forward with allegations of harassment by John Falcicchio. The statement from Katz Banks Kumin regarding that employee noted: "Her allegations are extremely disturbing and reflect a longstanding pattern of sexual harassment and predatory behavior by Mr. Falcicchio,"

WHEREAS, Ward 1 Councilmember Brianne Nadeau issued a statement on April 11th, 2023, raising concern about the lack of an outside investigation into the allegations against John Falcicchio. Councilmember Nadeau noted: "When a sexual harassment allegation by a Council staff person or councilmember rises to the level of a formal complaint, we bring in an outside investigator. That is how it should be and is not the path that was used in the recent high-profile case in the Mayor's office. That investigation, involving a deputy mayor, is being investigated by the Mayor's legal counsel. I am worried that it could represent a broader failure in District government to take sexual harassment seriously,"

WHEREAS, on June 17, 2023, the MOLC posted the following findings of their investigation into these allegations via an untitled link on a secondary page on the MOLC website,

WHEREAS, the MOLC report concluded, “Based on the foregoing, the Complainant's substantiated allegations against the DM/COS more likely than not constituted sexual harassment as defined and prohibited by the Mayor’s Order 2017-313,”

WHEREAS, on July 10, 2023, Councilmembers Nadeau, Parker, Pinto, Lewis George, Bonds, Allen, R. White, Gray, and Henderson and Chairman Mendelson introduced the “Sexual Harassment Investigation Integrity Amendment Act of 2023,” and

WHEREAS, this bill requires that allegations of sexual harassment made against executive branch employees in positions of power — specifically, Mayoral appointees, including agency and sub-agency heads, Deputy Mayors, and those appointed to boards and commissions — be referred to an independent investigator with experience in investigating sexual harassment allegations, rather than be handled by any office within the executive branch.

THEREFORE, BE IT RESOLVED that ANC 2A supports the proposed legislation to guide the process for choosing an appropriate investigatory body for past and future sexual harassment accusations of Mayoral-appointed full-time DC government employees.

BE IT FURTHER RESOLVED that ANC 2A calls for an investigation managed independently from the Mayor’s Office to assess sexual harassment claims made regarding Deputy Mayor for Planning and Economic Development and Chief of Staff John Falcicchio.

BE IT FURTHER RESOLVED that ANC 2A recommends the Mayor instructs the Mayor’s Office of Legal Counsel to expand its investigation upon any finding of workplace sexual harassment by the Deputy Mayor for Planning and Economic Development to include consideration of whether there were missed opportunities by those in positions of authority to prevent the harassment and provide the final report to the District’s Office of the Inspector General.

BE IT FURTHER RESOLVED that ANC 2A calls on the DC Council, including the Committee on Executive Administration and Labor, to conduct adequate oversight to ensure complete staffing so that each agency has the required sexual harassment officer and to encourage each agency to also assign an alternate sexual harassment officer.

BE IT FURTHER RESOLVED that ANC 2A calls on the DC Council, including the Committee on Public Works and Operations, to conduct adequate oversight to ensure faithful implementation of the Sexual Harassment Data Collection and Reporting Act of 2022 and the data reporting contained therein, as well as to encourage the Mayor’s Office to implement the recommendations contained in this resolution (and possibly others), as informed by the data provided.

BE IT FURTHER RESOLVED that ANC 2A requests that findings from such investigation be made freely public within a reasonable time following the completion of said investigation.

BE IT FURTHER RESOLVED that ANC 2A advises the Department of Human Resources (DHR) to recruit, update, and maintain a list of sexual harassment officers for use by all the DC government employees.

Commissioner Patel made a motion to adopt a proposed resolution regarding DC Council Bill B25-0227 – the “Rent Stabilization Protection Amendment Act of 2023.” Chair Malec seconded the motion, which was adopted by unanimous consent. The resolution reads as follows:

WHEREAS, on January 19, 2023, Councilmember Frumin along with Chairman Mendelson and Councilmembers Allen, Nadeau, Henderson, Bonds, Parker, Lewis George, and Pinto introduced the Rent Stabilization Protection Amendment Act of 2023,

WHEREAS, this legislation, which was drafted in consultation with the Office of the Tenant Advocate (OTA), would require that the District of Columbia Housing Authority (DCHA) complies with rent stabilization laws when calculating the amount of rent paid by a tenant-based housing voucher,

WHEREAS, in March 2022, the U.S. Department of Housing and Urban Development (HUD), coordinated by the Northeast Public Housing Network, (“HUD March 2022 Report on DCHA”) conducted the DCHA audit and documented the disparities in the rents paid through the voucher program and the rents charged in rent controlled buildings, in violation of federal and District laws and regulations,

WHEREAS, federal and District regulations require that the combination of voucher payments and resident contributions are tailored to pay for a reasonable rent, based on the quality of the apartment itself and the rents paid for similar units on the private market,

WHEREAS, this requirement, referred to as "rent reasonableness," is both common sense and mandated by HUD, however the recent HUD audit of DCHA revealed that "DCHA does not conduct annual rent reasonableness assessments or perform rent reasonableness determinations in accordance with HUD rules and regulations,"

WHEREAS, housing vouchers are a critical tool in the effort to end homelessness and better the lives of District residents, and they allow the recipient to pay for rent at the same level as a voucher-less tenant would pay, with the intention to make every neighborhood available to low-income tenants while also carefully marshaling resources,

WHEREAS, earlier this year, on-the-ground investigations by reporters for the Washington Post, WAMU, and other accounts demonstrate the terrible consequences that DCHA’s policy of refusing to comply with HUD and DC regulations governing Housing Choice Vouchers (HCVs) have on rent stabilized and voucher-holding tenants,

WHEREAS, the Washington Post has estimated that unreasonable voucher payments have exceeded \$1 million per month in addition to pushing out low-income tenants from rent stabilized (controlled) buildings citywide to transform them into voucher-holder-only buildings and gaining massive rental profit as a result,

WHEREAS, the articles mentioned in this resolution show that the developers are buying out renters of rent stabilized (controlled) buildings using the Tenant Opportunity to Purchase Act (TOPA) and converting them to voucher-holder-only buildings as it is very lucrative because voucher holders are being charged much higher rents than the displaced rent-controlled tenants and higher rents than the market rents for comparable apartments in the surrounding area,

WHEREAS, a landlord's economic interest can be served by allowing conditions in a building to deteriorate and driving out rent-stabilized tenants to be replaced by voucher recipients from whom they can secure much higher rents and who have less power to report housing violations, which transforms buildings, turning them into "in essence, privately-run public housing complexes, where residents frequently don't receive the social services they need,"

WHEREAS, without any accountability mechanisms to ensure that apartments are up to code, it also results in new concentrations of poverty, which is just what the voucher program tries to prevent, and ends up artificially raising rents for all District residents,

WHEREAS, any payment that exceeds reasonable rent is going to landlords, while voucher tenants receive lower quality housing for a higher cost,

WHEREAS, the HUD audit noted concerns that DCHA was "being exploited by [voucher] landlords," costing the District millions of dollars and preventing others from becoming housed, and

WHEREAS, by not accounting for the reasonableness of rent in the context of a rent-stabilized unit, an incentive structure was created as a direct consequence, where the DC Government sacrifices one form of affordable housing-rent stabilization for another.

THEREFORE, BE IT RESOLVED that ANC 2A supports this legislation as it is a direct policy recommendation/remedy in requiring DCHA to comply with a standard of reasonableness when calculating its rent subsidies in rent-stabilized buildings, also known as rent controlled buildings.

BE IT FURTHER RESOLVED that this legislation would ensure that, in the context of a rent stabilized building, reasonable rent for a voucher recipient is the amount that would be paid by a new private tenant under the rent stabilization laws. This change implements the core "rent reasonableness" requirement in rent-stabilized buildings, better marshaling resources and avoiding incentives that could unintentionally erode our rent-stabilized housing stock.

Commissioner Patel made a motion to adopt a proposed resolution regarding DC Council Bill B25-0152 – the “Reparations Foundation Fund and Task Force Establishment Act of 2023.” Commissioner Bandy seconded the motion. Commissioner Omictin made a motion to adopt an amendment to the proposed resolution to add language regarding adopting the recommendations of the Racial Equity Impact Assessment. Chair Malec seconded the motion for the amendment,

which was adopted by unanimous consent. A roll call vote was requested. The final motion was voted on and passed (VOTES: 4-2-0). The roll call vote was as follows:

Commissioner Omictin: Yea
Chair Malec: Yea
Commissioner Patel: Yea
Commissioner Comer: Nay
Commissioner Bandy: Yea
Commissioner Nassar: Nay

The resolution reads as follows:

WHEREAS, on February 24, 2023, "The Reparations Foundation Fund and Task Force Establishment Act of 2023" (B25-0125) was introduced,

WHEREAS, this legislation seeks to acknowledge the centuries of government-sanctioned policies and private practices that exploited Black people as chattel property,

WHEREAS, this legislation will address the anti-Black racism baked into government institutions and civil society,

WHEREAS, the racial wealth gap in DC is stark, with the typical white household having a net worth that is 81 times greater (\$284,000) than the typical Black household (\$3,500),

WHEREAS, this legislation will establish a nine-member Reparations Task Force to study and develop reparation proposals for African Americans directly wronged and traumatized by the violence of slavery, Jim Crow, and structural and institutional racism,

WHEREAS, the legislation would require the Commissioner of the Department of Insurance, Securities, and Banking to establish a slavery era database of records relating to slaveholding, which will subsequently be made available to the Reparations Task Force to aid in its study of reparations proposals,

WHEREAS, the DC Council would establish a Reparations Foundation Fund to be used for the payment of reparations under a program established pursuant to the findings and recommendations of the Reparations Task Force, and

WHEREAS, it will take government-sanctioned action to atone for enslavement and address the violent robbing of generational wealth in Black communities.

THEREFORE, BE IT RESOLVED that ANC 2A encourages the DC Council to support the Reparations Foundation Fund and Task Force Establishment Act of 2023.

BE IT FURTHER RESOLVED that it will take government-sanctioned action to atone for enslavement and address the violent robbing of generational wealth in Black communities.

BE IT FURTHER RESOLVED that Black Americans should be compensated for their ancestors' labor and for the continuing effects of policies and systems designed to suppress their potential to build wealth.

BE IT FURTHER RESOLVED that ANC 2A urges the DC Council to adopt the recommendations of the Racial Equity Impact Assessment for this legislation in regards to the proposed slavery-era database, namely that the database be public information and that the legislation be amended to specify how the database must be used to create future proposals and legislation.

Matters Before the Public Space Committee

Commissioner Nassar made a motion to adopt a proposed resolution regarding Bindaas' public space application for a new, un-enclosed sidewalk café at 2000 Pennsylvania Avenue NW. Commissioner Omictin seconded the motion. A roll call vote was requested. The final motion was voted on and did not pass (VOTES: 3-3-0). The roll call vote was as follows:

Commissioner Omictin: Yea
Chair Malec: Nay
Commissioner Patel: Nay
Commissioner Comer: Yea
Commissioner Bandy: Nay
Commissioner Nassar: Yea

Commissioner Comer made a motion to adopt a proposed resolution regarding Bindaas' public space application for a new, un-enclosed sidewalk café at 2000 Pennsylvania Avenue NW. Commissioner Nassar seconded the motion. A roll call vote was requested. The final motion was voted on and did not pass (VOTES: 3-3-0). The roll call vote was as follows:

Commissioner Omictin: Yea
Chair Malec: Nay
Commissioner Patel: Nay
Commissioner Comer: Yea
Commissioner Bandy: Nay
Commissioner Nassar: Yea

Matters Before the DC Council

Consideration of CR-23-011, a Resolution Regarding DC Council Bill B25-0479 – the “Addressing Crime through Targeted Interventions and Violence Enforcement (“ACTIVE”) Amendment Act of 2023”

Chair Malec made a motion to adopt a proposed resolution regarding the matter. Commissioner Patel seconded the motion. A roll call vote was requested. The final motion was voted on and passed (VOTES: 4-0-2). The roll call vote was as follows:

Commissioner Omictin: Yea

Chair Malec: Yea
Commissioner Patel: Yea
Commissioner Comer: Abstain
Commissioner Bandy: Yea
Commissioner Nassar: Abstain

The resolution reads as follows:

WHEREAS, the District of Columbia is currently undergoing a spike in violence, including murders, sexual crimes, assaults, and robberies,

WHEREAS, Councilmember Pinto proposed a package of laws she called Secure DC, meant to address the rise in crime and violence in both the short- and long-terms, including the Addressing Crime Through Targeted Interventions and Violence Enforcement Act of 2023 (hereafter the ACTIVE Act),

WHEREAS, the ACTIVE Act requires all persons convicted of a gun offense on probation, supervised release, or parole to submit to a full search at any time, in any place, without a warrant, and without probable cause,

WHEREAS, just three days after Councilmember Pinto publicized Secure DC on social media, the Chief Judge of the Superior Court of the District of Columbia and the Chief Judge of the District of Columbia Court of Appeals raised questions about the constitutionality under the 4th Amendment of the ACTIVE Act's expanded search and seizure permissions,

WHEREAS, in cities that have expanded police's ability to execute warrantless detentions and searches, popularly known as stop-and-frisk practices, police have primarily targeted Black and Brown members of the community indiscriminately, including in New York City where around 90% of the 5,232,134 stops between 2002 and today were executed on people of color,

WHEREAS, in 2020, 74.6% of all police stops in DC were on Black individuals, though they compose 46.5% of DC's total population,

WHEREAS, the ACTIVE Act notes under this section that "it is not the intent of the Council to authorize law enforcement officers to conduct searches for the sole purpose of harassment," thereby implicitly acknowledging that expanding search and seizure power may lead to increased harassment, without proposing any mechanism by which potential victims could seek recourse,

WHEREAS, the ACTIVE Act enhances the rebuttable presumption in favor of pre-trial detention in cases involving violent crime, making it harder for accused individuals to be released pre-trial,

WHEREAS, pre-trial detention carries serious deleterious effects on the detained individual, who has not yet been convicted of any crime in a court of law, including

losing jobs, educational opportunities, community supports, social services, and housing, and

WHEREAS, pre-trial detention may be associated with increased recidivism after the conclusion of a trial, including increasing the likelihood of recidivism of youth by as much as 33%, and has inconclusive effects on court appearance rates.

THEREFORE, BE IT RESOLVED that ANC 2A does not support the expansion of search-and-seizure powers or pretrial detention as proposed in the ACTIVE Act of 2023, both of which would likely lead to greater distrust between the community and the state and higher recidivism rates.

BE IT FURTHER RESOLVED that ANC 2A supports the provisions of the ACTIVE Act that will lead to solutions to the root causes of recidivism and violence, including the creation of a Pre-Arrest Diversion Taskforce that will recommend sustainable methods of diversion from imprisonment for lower-level offenses.

Matters Before the District Department of Transportation

Notice of Intent (NOI) to Remove Parking on the West Side of 20th Street North of K Street NW to Improve Sight Distance Issues Adjacent to the Two-Way Cycletrack

The Commission did not take any action regarding this matter.

Matters Before the Alcoholic Beverage and Cannabis Administration

Fabulous Market – Application for Renewal of the Establishment’s Retailer’s Class “B” Grocery License at 2424 Pennsylvania Avenue NW

The Commission did not take any action regarding this matter.

Trader Joe's #653 – Application for Renewal of the Establishment’s Retailer’s Class “B” Grocery License at 2425 L Street NW

The Commission did not take any action regarding this matter.

Adjournment

Chair Malec adjourned the meeting at 10:42 pm.

Respectfully submitted,



Edward Comer
Secretary, ANC 2A04