



Councilmember Janeese Lewis George

AN AMENDMENT #2

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Date: February 5, 2024

Offered by: Councilmember Lewis George

To: B25-345 “Secure DC Omnibus Amendment Act of 2024”

Version: ANS circulated 2/5/24

Amendment:

Add new sections 41 and 42 to read as follows:

“Sec. 41. The Second Chance Amendment Act of 2022, effective March 10, 2023

(D.C. Law 24-284; 70 DCR 913), is amended as follows:

“(a) Section 101(b) is amended as follows:

“(1) Amendatory section 16-802(b) is amended to read as follows:

“(b) Eligible criminal records and court proceedings related to citations, arrests, charges,

and convictions shall be expunged pursuant to subsection (a) of this section by October 1, 2027, or within 90 days after termination of the case by the prosecutor or final disposition, whichever is later.”.

“(2) Amendatory section 16-805(c) is amended as follows:

“(A) Paragraph (1)(A) is amended to read as follows:

“(A) For which the case was terminated by the prosecutor or otherwise reached a final disposition and did not result in a conviction or acquittal pursuant to § 24-501 prior to the effective date of the Second Chance Amendment Act of 2022, effective March 10, 2023 (D.C. Law 24-284; 70 DCR 913), shall be sealed by October 1, 2027, or within 90 days after termination of the case by the prosecutor or final disposition, whichever is later; and”.

“(B) Paragraph (2) is amended to read as follows:

“(2) Related to citations, arrests, charges, and convictions sealed pursuant to subsection (a)(2) of this section shall be sealed by October 1, 2027, or within 90 days after the expiration of the waiting period, whichever is later.”.

“(b) Section 301 is amended to read as follows:

““Sec. 301. Applicability.

““This act shall apply as of October 1, 2024.”

“Sec. __. Section 7088 of the Fiscal Year 2024 Budget Support Act of 2023, effective September 6, 2023 (D.C. Law 25-50; 70 DCR 10366), is repealed.”.

Rationale:

This amendment would move up the applicability date of the Second Chance Amendment Act of 2022, a compromise bill that was passed unanimously by this Council expanding the types of criminal records eligible for sealing or expungement. Record sealing is a crucial component of public safety, but the District currently has “one of the most [complex and restrictive](#) record relief laws in the country.” [One in seven](#) adults in DC have a publicly available criminal record, and only half of those records include an actual conviction. These records prevent people from being approved for housing and employment, which in turn leads to a person being more likely to reengage in criminal activity.

Most of the Second Chance Act would become applicable at the beginning of FY25, allowing people to file motions with the court to clean up their records. This process is already in place, only the law would change. The automatic portions of the law, requiring the court and agencies to create new processes, would not become applicable until FY28. This will allow sufficient time for new processes to be created and funded.