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Chairman Mendelson  
6 at the request of the Attorney General  
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10 A PROPOSED RESOLUTION  
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13 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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16 To declare the existence of an emergency with respect to the need to amend the Human Rights  
17 Act of 1977 to clarify the remedies that are available to the Attorney General in the prosecution  
18 of civil rights violations.

19       RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
20 resolution may be cited as the “Attorney General Civil Rights Enforcement Emergency  
Declaration Resolution”.

21           Sec. 2. (a) The Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38;  
22 D.C. Official Code § 2-1401.01 *et seq.*), was enacted to protect people from invidious forms of  
23 discrimination. The Attorney General has carried out the purpose of the Human Rights Act by  
24 diligently investigating and prosecuting civil rights violations.

25           (b) In the course of the Attorney General’s prosecution of civil rights violations, subjects  
26 of investigations have repeatedly raised unsubstantiated challenges to the Attorney General’s  
27 common law authority to utilize investigative tools such as subpoenas and sworn investigative  
28 interviews in the context of civil rights investigations. Similarly, defendants have challenged the  
29 Attorney General’s authority to obtain injunctive relief and civil penalties.

30           (c) Recently in response to the coronavirus emergency, the Attorney General’s authority  
31 to use investigative tools and seek injunctive relief and penalties was expressly confirmed in the  
32 various coronavirus-related emergency and temporary bills, which added a new section to the

33 Human Rights Act expressly authorizing their use. The additional clarification of the Attorney  
34 General's authority streamlined the Attorney General's efforts to protect vulnerable persons from  
35 discrimination during the coronavirus emergency and increased their effectiveness.

36 (d) Civil rights violations continue to persist and increase after the coronavirus  
37 emergency. Express reauthorization of the Attorney General's authority in this area is necessary  
38 to continue to efficiently and effectively investigate and prosecute civil rights violations, and  
39 protect victims of discrimination.

40 Sec. 3. The Council of the District of Columbia determines that the circumstances  
41 enumerated in section 2 constitute emergency circumstances making it necessary that Attorney  
42 General Civil Rights Enforcement Emergency Amendment Act of 2021 be adopted after a single  
43 reading.

44 Sec. 4. This resolution shall take effect immediately.