

transfer certain civil and criminal enforcement functions of the District of Columbia government from the U.S. attorney to the Corporation Counsel. It seemed to all concerned more logical that these municipal enforcement functions should be performed by the office of the attorney for the city government rather than by me.

Section 1 of S. 486 enlarges the crimes against property covered in the District of Columbia Code 22-403 to include breaking and attempts to break, to cover public as well as private property, and real property as well as personal property. It raises the cutoff point between misdemeanors and felonies from \$50 value to \$200 value, consistent with the general change in dollar value since the statute was originally enacted. It adds a fine to the penalties imposed.

Section 2 of S. 486 eliminates duplicity between section 403 and section 3112 of District of Columbia Code, title 22. In their present form, both statutes prohibit injury or destruction to property. By eliminating those acts from the coverage of section 3112, which defines only misdemeanors, it will be clear that malicious injury or destruction of property may be a felony under section 403.

Section 3 redefines kidnaping under the District of Columbia Code, as it has been defined in the United States Code (see 18 U.S.C. 2101) to make any purposeful kidnaping a crime, regardless of whether monetary reward is the motive. Reward would no longer be an essential element.

Section 4. In existing law, witnesses in a disorderly house prosecution cannot be given immunity, and hence rest upon their fifth amendment privilege of silence. This commonly makes such prosecutions very difficult, if not impossible. By an anomaly, existing law permits witnesses to be given immunity in civil nuisance enforcement proceedings against disorderly houses. District of Columbia Code 22-2721. Section 4 of the bill would make it possible for witnesses to be given immunity in criminal prosecutions, with the consent of the Corporation Counsel. The purpose of providing for that consent is to give the Corporation Counsel a chance to make a determination whether his office might wish to preserve a disorderly conduct charge, a misdemeanor within his prosecutive jurisdiction.

Enforcement of professional license statutes

Section 5 transfers from the U.S. attorney to the District of Columbia Corporation Counsel the authority to conduct civil proceedings to revoke medical licenses or registrations and injunction proceedings. Section 6 transfers similar authority in connection with the professional credentials of registered nurses. Section 7 transfers the criminal prosecutive authority with regard to violations by optometrists, and section 8 with regard to violations by public accountants. Both types of violation are misdemeanors.

Section 9 of the bill repeals obsolete provisions of the District of Columbia Code relating to the licensing and bonding of private detectives. The practice of private detectives would be exclusively regulated by District of Columbia Code 47-2341.

Section 10 of the bill substitutes the Corporation Counsel for the U.S. attorney as the proper legal officer to prosecute petitions for the appointment of receivers for the property of absconding persons who fail to provide for the support of dependents.

These functions all appear to be much more closely related to the municipal authority of the District of Columbia Commissioners than to the principal enforcement duties of the U.S. attorney or the Department of Justice, and accordingly my office sought the transfer of these functions, with the consent and cooperation of the Corporation Counsel.

H.R. 7525

Title IV

Title IV is, I think, a desirable amendment to existing law. Section 3202 of title 22, District of Columbia Code, authorizes additional terms of imprisonment for the commission of crimes of violence with firearms, and title IV of this bill would add the crime of robbery to the definition of a "crime of violence" for the purpose of the sentencing authority contained in section 3202.