

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
EXECUTIVE OFFICE,
Washington, July 22, 1968.

HON. BASIL L. WHITENER,
Chairman, Subcommittee No. 4,
Committee on the District of Columbia,
U.S. House of Representatives, Washington, D.C.

DEAR MR. WHITENER: On July 11, 1968, during the hearing before your Subcommittee on H.R. 16420 and H.R. 17502, identical bills "To authorize the Commissioner of the District of Columbia to utilize volunteers for active police duty", you asked Assistant Corporation Counsel Thomas F. Moyer to submit certain information for the record concerning these volunteer police.

Initially, you asked for some assurance of the intent of the Government of the District of Columbia that these volunteer policemen would have all the authority of a regular policeman. We note that on page 2 of the bill, lines 5 through 18 provide, in pertinent part, as follows:

"... Reserve officers shall have such of the powers, and perform such of the duties of regular officers and members of the Metropolitan Police force of the District, as the Commissioner may vest in and impose upon them. Reserve officers shall serve without compensation, but otherwise shall be considered employees of the government of the District of Columbia and members of the Metropolitan Police force for all purposes and under all provisions of law except those relating to retirement, insurance, health benefits, veterans' preference, or any other law under which benefits are made available only to compensated employees of such government, unless otherwise provided in this Act or in regulations adopted pursuant to this Act. . . ."

This language comports with the intent of the District that, when the reserve police are performing functions assigned to them, they shall have all of the authority of a regular policeman. The District contemplates that, normally, reserve police will be under the supervision of more experienced regular police.

You also asked what compensation for work injuries would be available to reserve policemen pursuant to subchapter I of chapter 81 of title 5, United States Code, as provided by the bills. These work injuries compensation provisions are available to Federal and District employees generally and are administered by the Department of Labor. An employee injured in the performance of his duties is entitled to 66⅔ percent of his pay while disabled. If he has dependents he is entitled to 75 percent of his pay, subject to the limitation of 75 percent of the monthly pay of the maximum rate of basic pay for GS-15 (presently \$2,143 per month, 75 percent of which would be \$1,607.25).

In case of death of a District or Federal employee in performance of duty leaving only a widow, such widow would be entitled to an annuity of 45 percent of such employee's pay. If there were children, the widow would receive 40 percent and each child would receive 15 percent, for a total maximum percentage of 75 percent. Alternative provisions are made for other dependent relatives of the deceased employee.

Chapter 81 of title 5, United States Code, further provides for medical services for disabled government employees (section 8103), vocational rehabilitation (section 8104), and lump sum compensation for various permanent disabilities (section 8107).

Section 8134 provides for payment of funeral expenses by the government not exceeding \$800, if death results from an injury sustained in the performance of duty.

You also stated that the Subcommittee might consider, in the case of a police reserve officer who is a District or Federal employee with a salary higher than that of a police private, that such other salary should be considered as the basis for determining work injury compensation, when such person is injured while serving as a reserve policeman. If the Subcommittee determines to consider such a provision, this object can be accomplished by striking the period in line 22 on page 3 of the bills and inserting in lieu thereof the following: