



**OFFICE OF COUNCILMEMBER ANITA BONDS**  
CHAIR, COMMITTEE ON EXECUTIVE ADMINISTRATION AND LABOR  
THE JOHN A. WILSON BUILDING  
1350 PENNSYLVANIA AVENUE, NW  
WASHINGTON, DC 20004

April 9, 2024

Nyasha Smith, Secretary  
Council of the District of Columbia  
1350 Pennsylvania Avenue, N.W.  
Washington, DC 20004

Dear Secretary Smith,

Today, I am introducing the “**Senior Residence Protection Amendment Act of 2024.**” Please find enclosed a signed copy of the legislation amending Title 22 of the District of Columbia Official Code to provide for enhanced penalties when a person unlawfully enters the residence of a senior.

In 1982, the D.C. Council passed the District of Columbia Theft and White Collar Crimes Act.<sup>1</sup> The act provided for enhanced penalties of up to 1½ times the maximum fine, 1½ times the maximum term of imprisonment, or both, for certain offenses committed against individuals aged 60 and older. The offenses outlined in the original act included robbery, attempted theft, extortion, fraud in the 1<sup>st</sup> degree, and fraud in the 2<sup>nd</sup> degree.

In 2007, the list of applicable offenses was expanded to include abductions, assaults, carjacking, and other forms of abuse.<sup>2</sup> Recognizing a steady rise in crimes committed against elderly persons, particularly those designed to gain access to their personal property or finances, I introduced the “Financial Exploitation of Vulnerable Adults and the Elderly Amendment Act” in 2015.<sup>3</sup> This bill, which passed and became effective as of November 23, 2016, added identity theft and financial exploitation to the list of crimes subject to enhanced penalties. Financial exploitation was defined as the use of deception, intimidation, or undue influence to obtain the property of a vulnerable adult or elderly person or cause such a person to assume a legal obligation. The act also raised the qualifying age for penalty enhancements for offenses against senior victims from 60 to 65. Most recently, the Council passed the Secure DC Omnibus

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<sup>1</sup> D.C. Law 4-164.

<sup>2</sup> D.C. Law 16-306.

<sup>3</sup> D.C. Law 21-166.

Amendment Act of 2024, broadening the list of qualifying offenses to include any crime of violence, including offenses previously listed explicitly such as abuse and carjacking.<sup>4</sup>

While these successive amendments improved protections for senior citizens, malicious actors continue to find new ways to exploit the vulnerable. Rising costs of living and increased rates of senior isolation in particular have led bad actors to target the residences of seniors. In one instance, a man approached a senior citizen in a grocery store, offering to carry her groceries home.<sup>5</sup> He subsequently moved into the property, bringing with him an acquaintance and a dog. The resident, who suffered from dementia, admitted that she initially asked him to pay \$15 per month in rent, but subsequently became afraid and asked him to vacate her property. A part-time home health aide, who had initially assumed the individual was the victim's son, attempted to intervene on her behalf. Both the aide and well-meaning neighbors were unable to get the man to leave, and a court case ensued, during which the individual was allowed to remain in the house until a determination of tenancy could be made.

This legislation will establish protections from such crimes through the application of enhanced penalties when unlawful entry occurs on property where the lawful resident is a senior citizen. Outlined in D.C. Official Code § 22-3302, unlawful entry on property includes instances when a person enters or attempts to enter private property against the will of the lawful occupant, as well as instances where a person on the private property refuses to leave upon the demand of the lawful occupant. The legislation also clarifies that certain misdemeanor crimes are subject to felony penalty enhancements when committed against seniors and vulnerable adults.

Should you have any questions about this legislation, please contact Kevin Chavous at [kchavous@dccouncil.gov](mailto:kchavous@dccouncil.gov).

Thank you,



Anita Bonds

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<sup>4</sup> D.C. Bill 25-0345.

<sup>5</sup> Ford, Sam. (2015, July 10). *Squatters take over elderly woman's home in D.C.* WJLA. <https://wjla.com/news/local/squatters-take-over-elderly-woman-s-home-in-d-c--101279>



Councilmember Anita Bonds

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Title II of the District of Columbia Theft and White Collar Crimes Act of 1982 to add the crime of unlawful entry to the list of crimes committed against seniors that are subject to enhanced penalties; and to make a confirming amendment to An Act To establish a code of law for the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Senior Residence Protection Amendment Act of 2024.”

Sec. 2. Section 201(b) of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code § 22-3601(b)), is amended by striking the phrase “, or an attempt or conspiracy” and inserting the phrase “unlawful entry on property, or an attempt or conspiracy” in its place.

Sec. 3. Section 824(b) of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1189; D.C. Official Code § 22-3302(b)), is amended by striking the word “Any” and inserting the phrase “Except as provided in § 22-3601(b), any” in its place.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal

30 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
31 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

32           Sec. 5. Effective date.

33           This act shall take effect following approval by the Mayor (or in the event of veto by the  
34 Mayor, action by the Council to override the veto) and a 30-day period of congressional review  
35 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
36 24, 1973 (87 Stat. 813; D.C. Official Code§ 1-206.02(c)(1)).