

**DISTRICT OF COLUMBIA**  
**OFFICIAL CODE**

**TITLE 22.**  
**CRIMINAL OFFENSES AND PENALTIES.**

**CHAPTER 31B.**  
**TERRORISM.**

**2001 Edition**

# DISTRICT OF COLUMBIA OFFICIAL CODE

## CHAPTER 31B. TERRORISM.

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### TABLE OF CONTENTS

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§ 22-3151. Short title.

§ 22-3152. Definitions.

§ 22-3153. Acts of terrorism; penalties.

§ 22-3154. Manufacture or possession of a weapon of mass destruction.

§ 22-3155. Use, dissemination, or detonation of a weapon of mass destruction.

§ 22-3156. Jurisdiction.

# CHAPTER 31B. TERRORISM.

## § 22-3151. SHORT TITLE.

This chapter may be cited as the "Anti-Terrorism Act of 2002".

(Oct. 17, 2002, D.C. Law 14-194, § 101, 49 DCR 5306.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Legislative History of Laws*

Law 14-194, the "Omnibus Anti-Terrorism Act of 2002", was introduced in Council and assigned Bill No. 14-373, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on April 9, 2002, and May 7, 2002, respectively. Signed by the Mayor on June 3, 2002, it was assigned Act No. 14-380 and transmitted to both Houses of Congress for its review. D.C. Law 14-194 became effective on October 17, 2002.

## § 22-3152. DEFINITIONS.

For the purposes of this chapter, the term:

- (1) "Act of terrorism" means an act or acts that constitute a specified offense as defined in paragraph (8) of this section and that are intended to:
  - (A) Intimidate or coerce a significant portion of the civilian population of:
    - (i) The District of Columbia; or
    - (ii) The United States; or
  - (B) Influence the policy or conduct of a unit of government by intimidation or coercion.
- (2) "Biological agent" means any microorganism, virus, infectious substance, or biological product that may be engineered as a result of biotechnology, or any naturally occurring or bioengineered component of any such microorganism, virus, infectious substance, or biological product, capable of causing:
  - (A) Death, disease, or other biological malfunction in a human, an animal, a plant, or another living organism;
  - (B) Deterioration of food, water, equipment, supplies, or material of any kind; or
  - (C) Deleterious alteration of the environment.
- (3) "Hoax weapon of mass destruction" means any device or object that by its design, construction, content, or characteristics, appears to be or to contain, or is represented to be or to contain a weapon of mass destruction, even if it is, in fact, an inoperative facsimile or imitation of a weapon of mass destruction, or contains no weapon of mass destruction.
- (4) "Material support or resources" means:
  - (A) Expert services or assistance;
  - (B) Currency, financial securities or other monetary instruments, financial services, lodging, training, false documentation or identification, equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets; or
  - (C) A weapon of mass destruction.
- (5) "Nuclear material" means material containing any:
  - (A) Plutonium;
  - (B) Uranium not in the form of ore or ore residue that contains the mixture of isotopes as occurring in nature;
  - (C) Enriched uranium, defined as uranium that contains the isotope 233 or 235 or both in such

amount that the abundance ratio of the sum of those isotopes to the isotope 238 is greater than the ratio of the isotope 235 to the isotope 238 occurring in nature; or

(D) Uranium 233.

(6) "Provision of material support or resources for an act of terrorism" means the act of providing material support or resources to a person or an organization with the purpose or knowledge that the material support or resources will be used, in whole or in part, to plan, prepare, or carry out an act of terrorism, or to flee after committing an act of terrorism.

(7) "Solicitation of material support or resources to commit an act of terrorism" means the act of raising, soliciting, or collecting material support or resources with the purpose or knowledge that such material support or resources will be used, in whole or in part, to plan, prepare, or carry out an act of terrorism, or to flee after committing an act of terrorism.

(8) "Specified offense" means:

(A) Section 22-2101 (Murder in the first degree);

(B) Section 22-2102 (Murder in the first degree -- placing obstructions upon or displacement of railroads);

(C) Section 22-2106 (Murder of law enforcement officer or public safety employee);

(D) Section 22-2103 (Murder in the second degree);

(E) Section 22-2105 (Manslaughter);

(F) Section 22-2001 (Kidnapping and conspiracy to kidnap);

(G) Section 22-401 (Assault with intent to kill only);

(H) Section 22-406 (Mayhem or maliciously disfiguring);

(I) Section 22-301 (Arson);

(J) Section 22-303 (Malicious burning, destruction, or injury of another's property, if the property is valued at \$500,000 or more); or

(K) An attempt or conspiracy to commit any of the offenses listed in subparagraphs (A) through (J) of this paragraph.

(9) "Toxic or poisonous chemical" means any chemical which, through its chemical action on life processes, can cause death, permanent incapacitation, or permanent harm to humans.

(10) "Toxin" means the toxic material of plants, animals, microorganisms, viruses, fungi, or infectious substances, or a recombinant molecule, whatever its origin or method of production, including:

(A) Any poisonous substance or biological product that may be engineered as a result of biotechnology produced by a living organism; or

(B) Any poisonous isomer or biological product, homolog, or derivative of such a substance;

(11) "Unit of government" means:

(A) The office of the President of the United States;

(B) The United States Congress;

(C) Any federal executive department or agency;

(D) The office of the Mayor of the District of Columbia;

(E) Any executive department or agency of the District of Columbia, including any independent agency, board, or commission;

(F) The Council of the District of Columbia;

(G) The Superior Court of the District of Columbia;

(H) The District of Columbia Court of Appeals;

(I) The United States Court of Appeals for the District of Columbia;

(J) The United States District Court for the District of Columbia; or

(K) The Supreme Court of the United States.

(12) "Weapon of mass destruction" means:

(A) Any destructive device that is designed, intended, or otherwise used to cause death or serious bodily injury, including:

(i) An explosive, incendiary, or poison gas:

(I) Bomb;

(II) Grenade;

- (III) Rocket;
  - (IV) Missile;
  - (V) Mine; or
  - (VI) Device similar to any of the devices described in the preceding clauses;
- (ii) A mortar, cannon, or artillery piece; or
  - (iii) Any combination of parts either designed or intended for use in converting any device into a device described in sub-subparagraphs (i) through (iii) of this paragraph and from which such device may be readily assembled;
- (B) An object similar to or used to achieve the same destructive effect of any of the devices described in subparagraph (A) of this paragraph;
  - (C) Any weapon that is designed, intended, or otherwise used to cause death or serious bodily injury through the release, dissemination, or impact of a toxic or poisonous chemical;
  - (D) Any weapon that is designed, intended, or otherwise used to cause death or serious bodily injury through the release, dissemination, or impact of a biological agent or toxin; or
  - (E) Any weapon that is designed, intended, or otherwise used to cause death or serious bodily injury through the release, dissemination, or impact of radiation or radioactivity, or that contains nuclear material.

(Oct. 17, 2002, D.C. Law 14-194, § 102, 49 DCR 5306; Apr. 7, 2006, D.C. Law 16-91, § 141, 52 DCR 10637.)

*HISTORICAL AND STATUTORY NOTES*

*Effect of Amendments*

D.C. Law 16-91, in subpar. (12)(A)(iii), substituted "any device" for "any device described".

*Legislative History of Laws*

For Law 14-194, see notes following § 22-3151.

Law 16-91, the "Technical Amendments Act of 2005", was introduced in Council and assigned Bill No. 16-477 which was referred to the Committee on the Whole. The Bill was adopted on first and second readings on November 1, 2005, and November 15, 2005, respectively. Signed by the Mayor on November 30, 2005, it was assigned Act No. 16-212 and transmitted to both Houses of Congress for its review. D.C. Law 16-91 became effective on April 7, 2006.

**§ 22-3153. ACTS OF TERRORISM; PENALTIES.**

- (a) A person who commits first degree murder that constitutes an act of terrorism shall, upon conviction, be punished by imprisonment for life without the possibility of release.
- (b) A person who commits murder of a law enforcement officer or public safety employee that constitutes an act of terrorism shall, upon conviction, be punished by imprisonment for life without the possibility of release.
- (c) A person who commits murder in the second degree that constitutes an act of terrorism may, upon conviction, be punished by imprisonment for life.
- (d) A person who commits manslaughter that constitutes an act of terrorism may, upon conviction, be punished by imprisonment for life.
- (e) A person who commits kidnapping that constitutes an act of terrorism may, upon conviction, be punished by imprisonment for life.
- (f) A person who commits any assault with intent to kill that constitutes an act of terrorism may, upon conviction, be punished by imprisonment for not more than 30 years.
- (g) A person who commits mayhem or maliciously disfiguring another that constitutes an act of terrorism may, upon conviction, be punished by imprisonment for not more than 20 years.
- (h) A person who commits arson that constitutes an act of terrorism may, upon conviction, be punished by imprisonment for not more than 20 years.
- (i) A person who commits malicious burning, destruction, or injury of another's property, if such property is valued at \$500,000 or more, that constitutes an act of terrorism may, upon conviction, be punished by imprisonment for not more than 20 years.
- (j) A person who attempts or conspires to commit first degree murder, murder of a law enforcement officer or public safety employee, murder in the second degree, manslaughter, or kidnapping that constitutes an

act of terrorism may be punished by imprisonment for not more than 30 years.

(k) A person who attempts or conspires to commit any assault with intent to kill that constitutes an act of terrorism may, upon conviction, be punished by imprisonment for not more than 20 years.

(l) A person who attempts or conspires to commit mayhem or maliciously disfiguring another, arson, or malicious burning, destruction, or injury of another's property, if such property is valued at \$500,000 or more, that constitutes an act of terrorism may, upon conviction, be punished by imprisonment of not more than 15 years.

(m) A person who provides material support or resources for an act of terrorism may, upon conviction, be punished by imprisonment for not more than 20 years.

(n) A person who solicits material support or resources to commit an act of terrorism may, upon conviction, be punished by imprisonment for not more than 20 years.

(Oct. 17, 2002, D.C. Law 14-194, § 103, 49 DCR 5306.)

*HISTORICAL AND STATUTORY NOTES*

*Legislative History of Laws*

For Law 14-194, see notes following § 22-3151.

**§ 22-3154. MANUFACTURE OR POSSESSION OF A WEAPON OF MASS DESTRUCTION.**

(a) A person who manufactures or possesses a weapon of mass destruction capable of causing multiple deaths, serious bodily injuries to multiple persons, or massive destruction of property may, upon conviction, be punished by imprisonment for life.

(b) A person who attempts or conspires to manufacture or possess a weapon of mass destruction capable of causing multiple deaths, serious bodily injuries to multiple persons, or massive destruction of property may, upon conviction, be punished by imprisonment for not more than 30 years.

(Oct. 17, 2002, D.C. Law 14-194, § 104, 49 DCR 5306.)

*HISTORICAL AND STATUTORY NOTES*

*Legislative History of Laws*

For Law 14-194, see notes following § 22-3151.

**§ 22-3155. USE, DISSEMINATION, OR DETONATION OF A WEAPON OF MASS DESTRUCTION.**

(a) A person who uses, disseminates, or detonates a weapon of mass destruction capable of causing multiple deaths, serious bodily injuries to multiple persons, or massive destruction of property may, upon conviction, be punished by imprisonment for life.

(b) A person who attempts or conspires to use, disseminate, or detonate a weapon of mass destruction capable of causing multiple deaths, serious bodily injuries to multiple persons, or massive destruction of property may, upon conviction, be punished by imprisonment for not more than 30 years.

(Oct. 17, 2002, D.C. Law 14-194, § 105, 49 DCR 5306.)

*HISTORICAL AND STATUTORY NOTES*

*Legislative History of Laws*

For Law 14-194, see notes following § 22-3151.

**§ 22-3156. JURISDICTION.**

There is jurisdiction to prosecute any person who participates in the commission of any offense described in this chapter if any act in furtherance of the offense occurs in the District of Columbia or where the effect of any act in furtherance of the offense occurs in the District of Columbia.

(Oct. 17, 2002, D.C. Law 14-194, § 106, 49 DCR 5306.)

*HISTORICAL AND STATUTORY NOTES*

*Legislative History of Laws*

For Law 14-194, see notes following § 22-3151.

