

**IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

DISTRICT OF COLUMBIA)	
441 4th Street, N.W.)	
Washington, D.C. 20001)	
)	
Plaintiff,)	Civ. No. 2020-CA-_____
)	
v.)	
)	
DISTRICT OF COLUMBIA HOUSING AUTHORITY)	
)	
c/o: Tyrone Garrett, Executive Director)	
1133 North Capital Street, NE)	
Washington, D.C. 20002)	
)	
Defendant.)	
)	
_____)	

**COMPLAINT FOR VIOLATIONS OF THE DRUG-, FIREARM-, OR PROSTITUTION-
RELATED NUISANCE ABATEMENT ACT**

The District of Columbia (the “District”), by and through the Office of the Attorney General for the District of Columbia, brings this action against Defendant District of Columbia Housing Authority (“DCHA” or “Defendant”) for violations of the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Act, D.C. Code §§ 42-3101 to -3114 (“Nuisance Abatement Act”). Defendant is an independent arm of the District government “responsible for providing **safe** and sanitary dwellings and related facilities, for persons and families of low and moderate-income in the District.” D.C. Code § 6-202(b) (emphasis added). DCHA has failed to fulfill this statutory mandate by refusing to address systematic drug- and firearm-related activity at ten (10) of its properties. More than 5000 community members are affected by the violent criminal activity at DCHA’s properties. Through this case, the District seeks to compel Defendant

to abate the on-going drug- and firearm-related nuisances present at its properties. In support of this request, the District alleges as follows:

INTRODUCTION

1. DCHA is an independent government agency that is charged by statute with providing safe housing to low- and moderate-income households. DCHA's real-estate portfolio includes more than 8,000 public housing units across 56 properties, serving close to 20,000 District of Columbia residents.

2. This lawsuit concerns ten (10) of DCHA's public housing properties: (i) James Creek Apartments, (ii) Syphax Gardens Apartments, (iii) Langston Terrace and Additions, (iv) LeDroit Apartments and Kelly Miller Apartments, (v) scattered-site public housing properties formerly known as the Arthur Capper/Carrollsborg Apartments, (vi) Kenilworth Courts Apartments, (vii) Richardson Dwellings Apartments, (viii) Benning Terrace Apartments, (vi) Stoddert Terrace Apartments, and (v) Lincoln Heights Apartments. More than 5,000 District residents live at these properties, which comprise 2,567 units total. The District brings this action to address Defendant's continued failure to abate the drug- and firearm-related activity at these properties.

3. A "drug- or firearm-related nuisance" exists if "any real property, in whole or in part, [is] used or intended to be used" to "unlawfully store or otherwise keep one or more firearms, or ... is used or intended to be used for the sale or manufacture of controlled substances or drug paraphernalia, [which] has an adverse impact on the community." D.C. Code § 42-3101(5)(A)-(B).

4. There is a drug- and firearm-nuisance at each of the ten (10) properties. These properties have been the site of ongoing drug- and firearm-related nuisance activities for years, including multiple homicides, the regular execution of search warrants, and seizures of drugs, drug

paraphernalia, firearms, and other firearm-related devices. The tenants of these properties who are not involved in these nuisance activities are impacted severely by the continual risk to their safety, having to walk to local grocery stores, churches, and schools under constant, warranted fear that they will be the victim of drug-related violence.

5. The District has repeatedly notified DCHA of these problems and sought to engage with DCHA on an abatement plan that would appropriately address the nuisances and serve the safety of DCHA’s residents at these properties. However, DCHA has failed to respond or engage meaningfully with the District on these matters.

6. The District brings this action pursuant to the Nuisance Abatement Act to compel Defendant to institute reasonable security improvements, including, increasing the number of DCHA Police or Special Police Officers at the properties, increasing the number of high-quality security cameras, increasing and maintaining high-wattage lights, enforcing barring notices and lease obligations regarding serious criminal activity against those individuals engaging in the activity, and improving communication and coordination between DCHA and the Metropolitan Police Department to address criminal activity in a more comprehensive manner.

JURISDICTION

7. The Court has subject matter jurisdiction pursuant to D.C. Code § 11-921 and D.C. Code § 42-3102.

8. The Court has personal jurisdiction pursuant to D.C. Code § 13-423.

PARTIES

9. Plaintiff District of Columbia (“District”), a municipal corporation empowered to sue and be sued, is the local government for the territory constituting the permanent seat of the government of the United States. The District is represented by and through its chief legal officer,

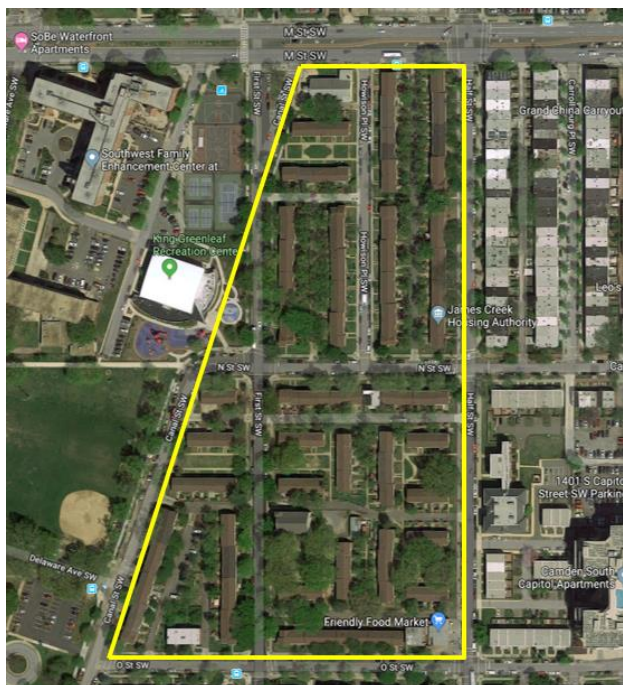
the Attorney General for the District of Columbia. The Attorney General has general charge and conduct of all legal business of the District and all suits initiated by and against the District and is responsible for upholding the public interest. D.C. Code § 1-301.81(a)(1). The Attorney General is specifically authorized to enforce the Nuisance Abatement Act. D.C. Code § 42-3102(a).

10. Defendant District of Columbia Housing Authority (“DCHA”) is an independent authority of the District government that maintains a principal place of business at 1133 North Capitol Street NE, Washington, DC 20002. Established in 1995 by the D.C. Council, Defendant is a corporate body that has a legal existence separate from the District Government. *See* D.C. Code § 6-202(a). (“[DCHA] shall be a corporate body, intended, created and empowered to effectuate the purposes stated in this chapter, and shall have a legal existence separate from the District government.”). DCHA is responsible for providing decent, safe, and sanitary dwellings [] for persons and families of low-and moderate-income in the District. D.C. Code § 6-202(b). DCHA is the owner and/or operator of all ten (10) properties at issue in this Complaint.

FACTS IN SUPPORT OF DEFENDANT’S VIOLATIONS OF THE DRUG-, FIREARM-, OR PROSTITUTION-RELATED NUISANCE ABATEMENT ACT

I. James Creek Apartments

11. James Creek Apartments (“James Creek”) is a DCHA public housing property located in the Southwest quadrant of Washington, DC. James Creek is situated between M Street SW to the North, Half Street SW to the East, O Street Southwest to the South, and Canal Street SW/1st Street SW to the East.



12. James Creek consists of 239 one-, two-, three-, four-, and six-bedroom townhomes with various distinct addresses, with the following being a representative picture of one of those townhouses:



13. According to DCHA's website, the tenants at James Creek are comprised of 28% children, 10% seniors, and 28% residents with disabilities. <http://www.dchousing.org/property.aspx?id=5Z>. Those residents are forced to live in fear because of the near constant criminal activity at the James Creek Apartments.

14. James Creek is located directly north of Syphax Gardens Apartments, which is another property owned and/or operated by Defendant and at issue in this matter.

15. For years, the James Creek community has suffered from drug- and firearm-related crimes and arrests. From January 2019 through May 2020, the Metropolitan Police Department (MPD) responded to James Creek and Syphax Gardens more than 1039 times, and 19 for drug-related activity and 42 for sounds of gunshots, and arrested numerous individuals for drug and firearm-related offenses.

16. For instance, on October 9, 2019, MPD officers responded to James Creek for the sound of gunshots. Upon arrival, officers were flagged down and directed to a victim who was suffering from gunshot wounds lying on the ground within James Creek Complex. The victim, 15-year-old Thomas Johnson, died at the scene. The Washington Post released an article on October 9, 2019 covering the fatal shooting. Peter Herman, *Teenager dies in afternoon shooting one block from Nationals Park*, Wash. Post, Oct. 9, 2019, https://www.washingtonpost.com/local/public-safety/teenager-dies-in-afternoon-shooting-one-block-from-nationals-park/2019/10/09/8755fee6-eac1-11e9-85c0-85a098e47b37_story.html; *15-Year-Old Boy Fatally Shot Near Nationals Park*, NBC4 Washington, Oct. 9, 2019, <https://www.nbcwashington.com/news/local/Teen-Fatally-Shot-Near-Nationals-Park-562644911.html>.

17. Several months later, on Sunday January 26, 2020 around 2:15 p.m., MPD ShotSpotters¹ reported ten (10) gunshots at James Creek. MPD responded to the location and found 36-year-old Eric Delonte Barbour lying on the ground suffering from gunshot wounds. He died a short time later after being taken to the hospital. Later that day, the Washington Post released an

¹ ShotSpotter is “[a]n advanced system of sensors, algorithms and artificial intelligence to detect, locate and alert police to gunfire.” <https://www.shotspotter.com>.

article on the fatal shooting. Martin Weil, *Man fatally shot Sunday Afternoon in Southwest D.C., Police Say*, Wash. Post, Jan. 26, 2020, https://www.washingtonpost.com/local/public-safety/man-fatally-shot-sunday-afternoon-in-southwest-dc-police-say/2020/01/26/62c239a6-40ab-11ea-b5fc-eefa848cde99_story.html.

18. From January 2019 through the present, MPD has responded to numerous incidents of drug- and firearm-related nuisance activity at James Creek. These incidents include search warrant executions and calls for service and arrests for possession of controlled substances with the intent to distribute, distribution of controlled substances, and possession of unregistered firearms and firearm-related devices.

19. Since January 2020 alone, MPD has responded to James Creek for at least twelve drug-related offenses such as distribution of controlled substances and possession of drug paraphernalia and at least five incidents involving gunshots and shootings.

20. The community is deeply impacted by the drug and firearm activity at James Creek. As noted above, James Creek houses several vulnerable populations such as children, seniors, and people with disabilities, who must live amongst rampant drug and firearm-related crimes that threaten their health and safety.

21. Additionally, the residents of James Creek, along with nearby community members, must endure heightened criminal activity to go to nearby grocery stores, churches, and recreation centers. For example, James Creek is located less than 1,000 ft from High Road Middle School, which is one of a small network of schools that provide specialized education for students facing learning, language, and social challenges. Also located adjacent to James Creek is the King Greenleaf Recreation Center, a community hub that houses a computer lab, fitness center, indoor gymnasium, multi-purpose rooms, outdoor sporting fields, and a playground.

22. Due to the drug- and firearm-related activity and violence that occurs at James Creek, its tenants and District residents are afraid to seek services and walk to nearby activities in the community, such as sporting events at the Washington Nationals Baseball Stadium and the D.C. United Soccer Stadium.

23. Furthermore, extensive media coverage of homicides at James Creek related to drug and firearm offenses creates a general reputation that James Creek is not safe for District residents.

II. Syphax Gardens Apartments

24. Syphax Gardens Apartments (“Syphax Gardens”) is a DCHA public housing property located in the Southwest quadrant of Washington, DC. Syphax Gardens is situated between O Street SW to the North, Half Street SW to the East, Q Street Southwest to the South, and 2nd Street SW to the East.



25. Syphax Gardens is a 174-unit community of two- and three-bedroom apartments. The complex consists of approximately 29 buildings, with below being a representative picture of one set of buildings:



26. According to DCHA's website, the residents at Syphax Gardens are comprised of 33% children, 7% seniors, and 24% residents with disabilities. <http://www.dchousing.org/property.aspx?id=63>. Those residents are forced to live in fear because of the near constant criminal activity at Syphax Gardens Apartments.

27. Syphax Gardens is located directly south of James Creek Apartments.

28. For years, the Syphax Gardens community has suffered from drug- and firearm-related crime. From January 2019 through May 2020, MPD responded to Syphax Gardens and James Creek more than 451 times, 9 for drug-related activity and 10 for sounds of gunshots, times and arrested numerous individuals for drug- and firearm-related offenses.

29. Since January 2019, MPD has executed search warrants based on information regarding the storage of drugs, firearms, and related drug and firearm paraphernalia at the property. Additionally, police have arrested numerous individuals for drug and firearm related offenses at the property. These offenses included possession of unregistered firearms, possession of

ammunition, possession of large capacity firearm magazines and other firearm related devices, distribution of controlled substances, and possession of controlled substances with the intent to distribute.

30. On September 18, 2019, at approximately 8:11 p.m., MPD responded to the southwest corner of Syphax Gardens for the sound of gunshots. MPD discovered the body of 27-year-old Marquette Harris, who had been shot and was unconscious. The victim was transported to the hospital where he died. The Washington Post published an article on the fatal shooting on September 19, 2019. Dana Hedgpeth, *Man fatally shot three blocks from Nationals Park is identified*, Wash. Post, Sept. 29, 2019, https://www.washingtonpost.com/local/public-safety/man-fatally-shot-three-blocks-from-nationals-park-in-southwest-washington/2019/09/19/ba6e0cb4-dad7-11e9-bfb1-849887369476_story.html.

31. Due to the drug- and firearm-related activity and violence that occurs at Syphax Gardens, its residents and neighbors living nearby are afraid to seek services and engage in other activities in the nearby community. As Syphax Gardens is located directly South of James Creek, Syphax Gardens is in close proximity to the same community services as James Creek, such as High Road Middle School and King Greenleaf Recreation Center.

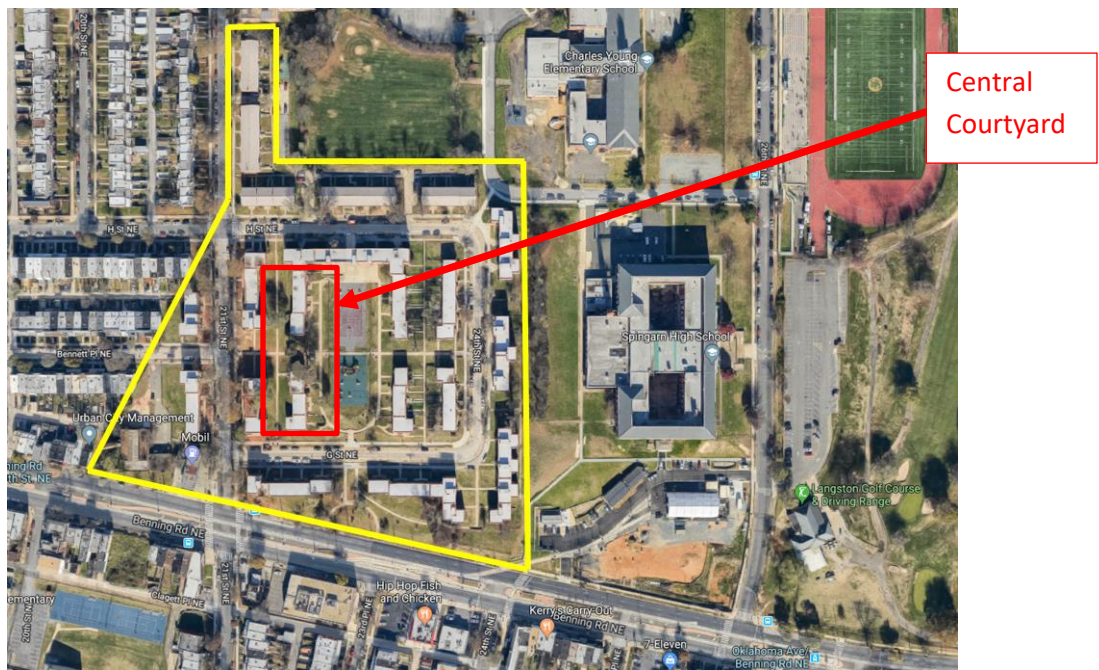
32. Tenants of Syphax Gardens and other District residents are similarly impacted by the threat of persistent drug- and firearm-related activity in their community.

33. Furthermore, extensive media coverage about the crimes at Syphax Gardens establishes the reputation that Syphax Gardens is dangerous for District residents.

III. Langston Terrace and Langston Additions

34. Langston Terrace and Langston Additions (collectively the “Langston Housing Complex”) is 242-unit public housing community situated on the bustling H Street and Benning Road corridor in Northeast D.C.

35. The Langston Housing Complex is comprised of several multifamily buildings and individual townhomes circling a central courtyard, as illustrated by the following photographs:



36. According to DCHA's website, the residents at Langston Terrace are comprised of 10% children, 23% seniors, and 38% of the residents are disabled. <http://www.dchousing.org/property.aspx?id=64>. Likewise, the residents at Langston Additions are comprised of 15% children, 14% seniors, and 24% disabled. <http://www.dchousing.org/property.aspx?id=6B>. Those residents are forced to live in fear because of the near constant criminal activity at the Langston Housing Complex.

37. For years, the Langston community has suffered from drug- and firearm-related crimes and arrests. From January 2019 through May 2020, MPD responded to the Langston Housing Complex more than 720 times, including at least 50 times for gunshots, and arrested numerous individuals for drug- and firearm- related offenses.

38. Since the beginning of the 2020, at least six men have been shot at Langston Housing Complex, two of whom died.

39. In January of 2020, within hours of each other, there were two shootings at the Langston Housing Complex. On January 11, 2020, there was a homicide at Langston Terrace. While standing at the driver side window of a car parked at 701 24th Street, NE, the victim was shot in the head by someone in the car at point blank range. The victim died from his wounds shortly after he was admitted to the hospital for surgery.

40. In the early evening of January 15, 2020, there was yet another homicide at Langston Terrace. MPD officers responded to the sound of gunshots in the 700 block of 21st Street NE. According to ShotSpotter, twenty shots were fired in three minutes. When officers arrived on the scene, they found a victim suffering from a gunshot wound to the ankle. According to the victim, while walking home he was attacked by four assailants in an attempted robbery. As the victim fled towards his home, a gunman continued firing in his direction. When officers went to

the victim's home, they found bullets lodged in his front door, front window, and television. A second victim was shot in the face earlier that day while walking in the Langston Terrace Housing Complex.

41. A month later, on February 17, 2020, officers responding to a call for gunshots, found a man suffering from a gunshot wound to his left leg. The victim was transported to the hospital where he was treated for his injuries.

42. Most recently, shortly after noon on May 5, 2020, MPD responded to a call for the sound of gunshots at the Langston Housing Complex. When MPD arrived at the scene, officers found two men lying face down in the dirt, suffering from multiple gunshot wounds. One died at the scene, while the other was transported to the hospital and survived. This double shooting occurred in broad daylight; a crowd of Langston tenants and other District residents witnesses the shot men lying in the dirt and the resultant police activity.

43. Residents at the Langston Housing Complex have endured this type of senseless, rampant gun violence for years. For example, On May 28, 2018, MPD officers heard gunshots at Langston Terrace. When officers responded to the property, they discovered a 24-year-old man, Anthony Jerome Clark, fatally shot in the 700 block of Langston Terrace NE. Ian Shapira, *D.C. man found fatally shot early on Memorial Day in Northeast Washington*, Wash. Post, May 28, 2018, https://www.washingtonpost.com/local/public-safety/dc-man-found-fatally-shot-early-on-memorial-day-in-northeast-washington/2018/05/28/9e6cf97e-62a8-11e8-99d2-0d678ec08c2f_story.html.

44. The homicides are only one example of the near constant drug and firearm activity at Langston Terrace. Since May 2019, MPD has responded to Langston Housing Complex approximately 150 times, over 50 of those for violent crime. MPD also has executed multiple

search warrants at the property and recovered drugs and guns, as well as related paraphernalia. MPD has investigated and arrested individuals at the property for offenses, including, but not limited to murder, assault with a dangerous weapon, possession of controlled substances with the intent to distribute, distribution of controlled substances, and possession of unregistered firearms and firearm-related devices.

45. The community is deeply impacted by the drug and firearm activity at Langston Housing Complex. Langston Terrace residents live in fear of the ongoing drug and firearm activity. In addition to the tenants, the Langston Housing Complex abuts H Street and Benning Road, busy thoroughfares where innocent bystanders are subjected to the drug- and firearm-related activity that occurs at the property.

IV. LeDroit Apartments and Kelly Miller Apartments

46. LeDroit Apartments and Kelly Miller Apartments (collectively the “LeDroit Housing Complex”) are adjacent apartment complexes comprised of mid-rise apartment buildings, three-story walk-up apartments, garden style apartments, and townhomes in Northwest D.C. With a combined total of 284 units, the LeDroit Housing Complex sits on 14 contiguous parcels of land nestled between Howard University and LeDroit Park, between the 4th block of W Street, NW and the 21st block of 4th Street, NW.



47. According to DCHA’s website, LeDroit Apartments is comprised of 11% children, 37% seniors, and 41% disabled residents. <http://www.dchousing.org/property.aspx?id=69>. Neighboring Kelly Miller Apartments is comprised of 27% children, 7% seniors, and 23% disabled residents. <http://www.dchousing.org/property.aspx?id=60>. Those residents are forced to live in fear because of the near constant criminal activity at the LeDroit Housing Complex.

48. For years, the LeDroit Housing Complex has suffered from drug- and firearm-related crimes. From January 2019 through May 2020, MPD responded to the Langston Housing Complex more than 1020 times, including for drug offenses and the sound of gunshots. The police have arrested numerous individuals at the Complex for drug and firearm related offenses.

49. On January 7, 2019, Officers responded to the sound of gunshots the Complex. After canvassing the area, officers discovered the body of 25-year-old Damon Dukes in a car in the 200 block of V Street NW, across from the Complex. Peter Hermann, *Violent weekend leaves six dead in District*, Wash. Post, Jan 7, 2019, https://www.washingtonpost.com/local/public-safety/violent-weekend-leaves-five-dead-in-district/2019/01/07/986509f8-1299-11e9-90a8-136fa44b80ba_story.html.

50. On January 23, 2020, MPD executed a search warrant at the LeDroit Housing Complex. Officers seized multiple rounds of ammunition, crack cocaine, and twenty empty Ziploc bags.

51. On April 7, 2020, MPD officers were alerted to shots being fired near the 2100 block of 4th Street NW. When officers arrived at the scene, they discovered sixteen shell casings and multiple bullet fragments, and a damaged dirt bike. Officers also noticed that the gunfire had damaged a WMATA bus stop. While canvassing the area, officers found a man suffering from a gunshot wound walking into Howard University Hospital Emergency Room. The man told officers that he was shot while riding his dirt bike in the LeDroit Housing Complex.

52. These drug- and firearm- related crimes were not isolated incidents. Since 2019, MPD has executed at least six search warrants based on information regarding the storage of guns or drugs in the Complex. Arrests in and around the property include for offenses of possession of controlled substances with the intent to distribute, distribution of controlled substances, and possession of unregistered firearms and firearm-related devices.

53. The community is deeply impacted by the drug and firearm activity at the LeDroit Housing Complex. The LeDroit Housing Complex is bordered by Howard University and LeDroit Park. Its violence adversely affects the law-abiding residents that live at the LeDroit Housing Complex as well as the neighboring community, which includes over 6,500 students and faculty at Howard University, who walk throughout the area to get to classes, shop for basic needs and enjoy a sense of community outside of their smaller apartments. LeDroit Housing Complex is also less than 700 feet from Washington Metropolitan High School and Sons & Daughters in Christ AME Church.

V. Former Arthur Capper/Carrollsborg Apartments

54. Arthur Capper/Carrollsborg Apartments was a public housing complex built in the late 1950s in the Southeast quadrant of Washington, D.C. At the time of its operation, Arthur Capper/Carrollsborg housed over 700 families.

55. In 2001, Defendant commissioned a comprehensive revitalization plan to replace the aging property with a mixed income community. Shortly thereafter, Defendant received \$34.9 million from the HUD HOPE VI Revitalization program, an initiative that awards funds to public housing authorities with distressed properties to encourage development of mixed-income rental units. <https://archives.hud.gov/news/2001/pr01-091.cfm>.

56. Defendant subsequently demolished Arthur Capper/Carrollsborg Apartments and the area remained under substantial construction from 2004 until 2008. Ultimately, several replacement townhome units were built with privately-owned mixed-income townhomes and commercial businesses interspersed throughout 23 acres in Southeast Washington, DC. This resulted in scattered-site public housing properties (the “Former Cappers”), which are still owned and operated by Defendant.

57. The Former Cappers is situated between Virginia Avenue SE to the North, 5th Street SE to the East, M Street SE to the South, and 3rd Street SE to the West. Since the area’s revitalization in 2001, the Former Cappers now represents a blended community of privately-owned and DCHA-owned properties. Those residents are forced to live in fear because of the criminal activity in the area.



58. From January 2019 through May 2020, MPD responded to at least 369 calls for service at Former Cappers and arrested numerous individuals for drug- and firearm-related offenses from these calls.

59. For example, on August 21, 2019, MPD responded to a burglary where the suspect brandished a firearm. Another community member complained to MPD that on March 25, 2019, they were threatened by someone who is known to carry a firearm.

60. The most recent search warrant was executed on February 29, 2020, where MPD recovered a firearm and an extended magazine with twenty-one rounds of unregistered ammunition.

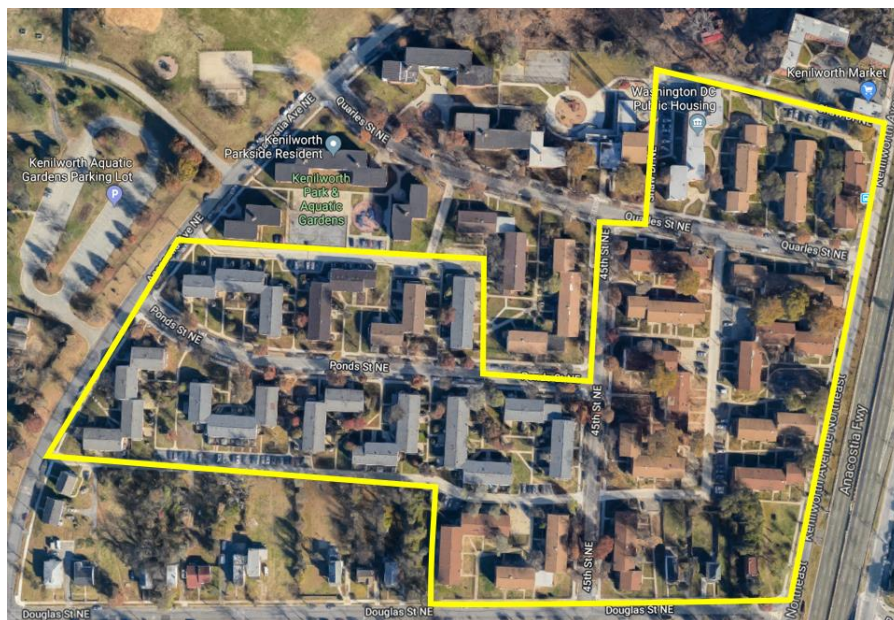
61. The community is deeply impacted by the firearm activity at Former Cappers. Former Cappers is located within 1,000 ft. of Van Ness Elementary School, the Joy Evans Early Childhood Development Center, the Arthur Capper Recreation Center, and several other community services and commercial businesses. The presence and use of firearms at and near these locations is a constant threat to the safety and wellbeing of District residents.

62. The Former Cappers is next to Arthur Capper Senior Apartments, a subsidized property at 900 5th Street, SE, that historically has housed seniors throughout its 162 units, which are in the process of being rebuilt after a fire destroyed all of the units. <http://www.dchousing.org/property.aspx?id=6X&AspxAutoDetectCookieSupport=1>. Once the building is back on-line on or about December 2020, these tenants risk living in the thick of firearm activity after already experiencing the trauma of displacement. <https://www.cappersenior.com/faqs>.

VI. Kenilworth Courts Apartments

63. Kenilworth Courts Apartments (“Kenilworth Courts”) is a DCHA public housing property that consists of 212 two-, three-, four-, and five-bedroom apartments located in the Northeast quadrant of Washington, D.C. Kenilworth Courts is situated between the 15th blocks of Anacostia and Kenilworth Avenues, NE and the 44th blocks of Douglas and Ponds Streets, NE and the 45th block of Quarles Street, NE.





64. According to DCHA’s website, the residents at Kenilworth Courts are comprised of 32% children, 6% seniors, and 22% residents with disabilities. See <http://www.dchousing.org/property.aspx?id=5N>. Those residents are forced to live in fear because of the near constant criminal activity at Kenilworth Courts.

65. For years, the Kenilworth Courts community has suffered from drug and firearm-related crime. From March 2018 through May 2020, MPD has responded to Kenilworth Courts numerous times, including for at least five homicides, at least nine separate incidents of assault with a dangerous weapon, and multiple possessions of unregistered firearms and firearm-related devices, and drug-related offenses.

66. Indicative of the rampant firearm activity at Kenilworth Courts, in August 2019 four individuals were shot, two fatally, in the complex. On August 16, 2019, 20-year-old Alonzo Hines, Jr. was shot and killed in the 4400 block of Douglas Street NE. Three days later, three individuals were shot on 45th Street NE – one of the three victims, Corey Wells, was pronounced dead shortly after being transported to a local hospital.

67. The Washington Post released articles on the August 2019 shootings. *See Man shot in Northeast Washington has died of his injuries*, Wash. Post, Aug. 16, 2019, https://www.washingtonpost.com/local/public-safety/man-shot-in-northeast-washington-has-died-of-his-injuries/2019/08/16/28bbcb0-c02c-11e9-9b73-fd3c65ef8f9c_story.html; *see also Man fatally shot, two wounded in Northeast Washington*, Wash. Post, Aug. 19, 2019 https://www.washingtonpost.com/local/public-safety/man-fatally-shot-in-northeast-washingtons-parkside-kenilworth-neighborhood/2019/08/19/a630ae94-c279-11e9-b5e4-54aa56d5b7ce_story.html.

68. The drug- and firearm-related activity at Kenilworth Courts persists today. Since December 31, 2019, MPD has made arrests at Kenilworth Courts for unlawful possession of firearms and large capacity ammunition feeding devices and possession of drugs with the intent to distribute. As recently as March 23, 2020, MPD seized a .45 Caliber revolver and .22 caliber rifle from Kenilworth Courts.

69. The community is deeply impacted by the drug and firearm activity at Kenilworth Courts. Residents of the Property fear accessing nearby crucial community service providers due to rampant drug and firearm activity that occurs at Kenilworth Courts. For example, the Property is located 0.5 miles from Kenilworth Recreation Center.

VII. Richardson Dwellings Apartments

70. Richardson Dwellings Apartments (“Richardson Dwellings”), also known as “Clay Terrace,” is a DCHA public housing property that consists of 123 two-, three-, four-, and five-bedroom apartments situated in the Northeast quadrant of Washington, D.C., between 53rd and 54th Streets, NE and Clay and Dix Streets, NE.



71. According to DCHA's website, the residents at Richardson Dwellings are comprised of 31% children, 7% seniors, and 18% residents with disabilities. See <http://www.dchousing.org/property.aspx?id=5M>. Those residents are forced to live in fear because of the near constant criminal activity at Richardson Dwellings.

72. For years, the Richardson Dwellings community has suffered from drug and firearm-related crime. From January 2019 through May 2020, MPD responded more than 460 times to Richardson Dwellings and arrested numerous individuals for drug- and firearm-related offenses.

73. In July 2018 the fatal shooting of 10-year-old Makiyah Wilson occurred in the 300 block of 53rd Street NE, which is part of the housing complex. The victim was caught in 70 rounds of seemingly indiscriminate gunfire as she returned from getting ice cream from a nearby truck.

74. On July 16, 2019, WUSA9 released an article on the anniversary of Makiyah Wilson's death, noting that violence in Richardson Dwellings remains commonplace, even more than a year after the child's death. *'She didn't deserve this' | Makiyah Wilson was shot in her heart and killed one year ago*, WUSA9, July 16, 2019, <https://www.wusa9.com/article/news/local/dc/she-didnt-deserve-this-makiyah-wilson-was-shot-in-her-heart-and-killed-one-year-ago/65-b1cd4d1a-819e-4bc5-8109-c4d598bfc8ac>.

75. From July 2018 through the present, MPD has executed multiple search warrants and responded to incidents concerning murder, assaults with dangerous weapons, possessions of controlled substances with the intent to distribute, distribution of controlled substances, and possession of unregistered firearms and firearm-related devices.

76. As recently as February 2020, MPD recovered multiple handguns and almost 100 rounds of ammunition from within the housing complex.

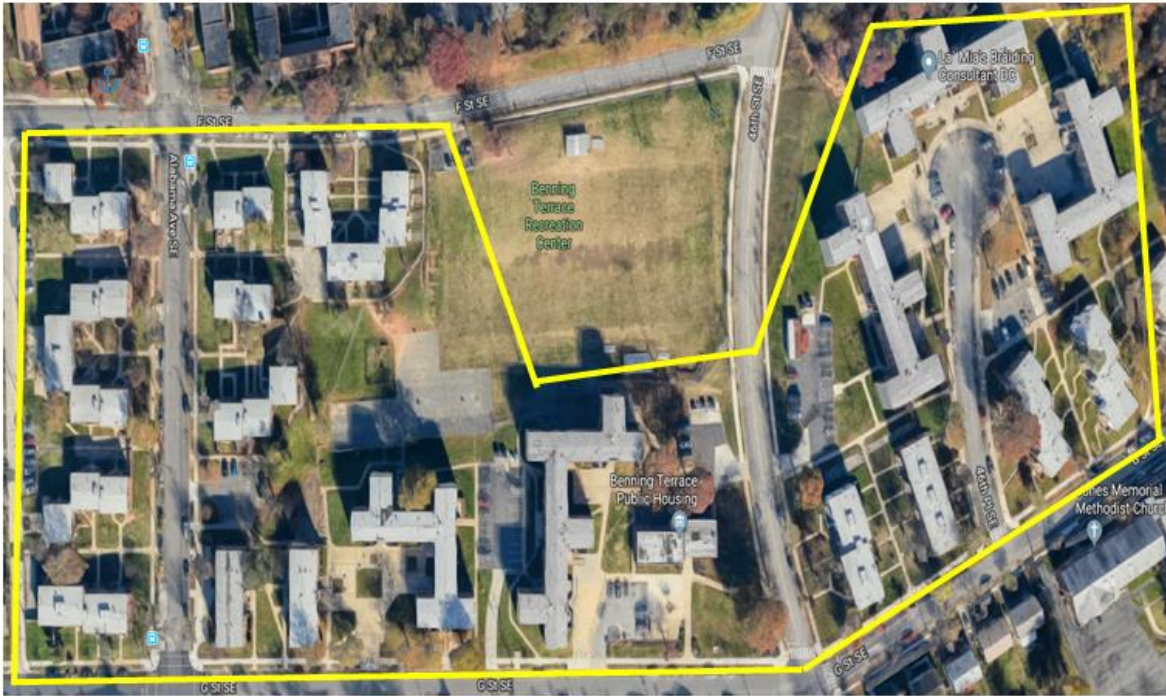
77. The residents of, and community around, Richardson Dwellings, fear accessing nearby services due to rampant drug- and firearm-related activity. For example, the Property is located 0.2 miles from two public charter schools - KIPP Quest Academy and KIPP DC Valor Academy. Sasha Bruce Youth Network, a community organization dedicated to helping homeless youth, is located at Richardson Dwellings. Mary Elizabeth House, an organization dedicated to assisting young mothers, is located right next to the Property, 0.1 miles away.

78. The Richardson Dwelling community and District residents are hampered in seeking services at these organizations and safely engaging in other activities in the community due to the drug- and firearm-related activity and violence that occurs at the Property.

VIII. Benning Terrace Apartments

79. Benning Terrace Apartments (“Benning Terrace”) is a DCHA public housing property that consists 177 two-, three-, four-, five-, and six-bedroom apartments located in the Southeast quadrant of Washington, D.C. Benning Terrace is situated between the 43rd and 44th blocks of F and G Streets, NE and the 6th block of 46th Street and 46th Place, SE.





80. According to DCHA’s website, the residents of Benning Terrace are comprised of 21% children, 9% seniors, and 25% residents with disabilities. See <http://www.dchousing.org/property.aspx?id=50>. Those residents are forced to live in fear because of the near constant criminal activity at Benning Terrace.

81. For years, the Benning Terrace community has suffered from drug- and firearm-related crime. From January 2019 through May 2020, MPD responded to Benning Terrace more than 448 times and arrested individuals for offenses including several homicides, possession of controlled substances with to intent to distribute, and possession of unregistered firearms and other firearm-related offenses.

82. In February and May 2019, Devante Moody and Mark Mosley were fatally shot at Benning Terrace. See <https://www.washingtonpost.com/local/public-safety/slaying-tuesday-leaves-four-month-dc-total-well-ahead-of-same-period-in-2018/2019/05/01/13682030-6bc9->

[11e9-8f44-e8d8bb1df986_story.html](https://www.washingtonpost.com/local/public-safety/dc-man-fatally-shot-in-southeast/2019/02/25/0385ae82-38f0-11e9-aaae-69364b2ed137_story.html); *see also* https://www.washingtonpost.com/local/public-safety/dc-man-fatally-shot-in-southeast/2019/02/25/0385ae82-38f0-11e9-aaae-69364b2ed137_story.html.

83. From May 2018 through the present, MPD has responded to multiple drug and firearm related crimes at the property, including murder, assaults with dangerous weapons, possession of controlled substances with the intent to distribute, distribution of controlled substances, and possession of unregistered firearms and firearm-related devices.

84. As recently as April 4, 2020, MPD arrested an individual at Benning Terrace for possession with intent to distribute controlled substances and unlawful possession of a firearm.

85. The community is deeply impacted by the drug and firearm activity at Benning Terrace. The Property is located near crucial community service providers, which residents and community members fear accessing due to rampant drug- and firearm-related activity in the area. For example, Benning Terrace Recreation Center is located at Benning Terrace. The Property is located 0.3 miles from Davis Elementary School. The KIPP Benning Campus is located 50 feet from Benning Terrace. First Rock Baptist Church is located across the street from Benning Terrace, 100 feet away.

IX. Stoddert Terrace Apartments

86. Stoddert Terrace Apartments (“Stoddert Terrace”) is a DCHA public housing property located in the Southeast quadrant of Washington, D.C. Stoddert Terrace is situated between Ridge Road SE and 37th Place SE, and 37th and B Streets SE.



87. Stoddert Terrace is a housing complex consisting of 148 two-, three-, four-, and five-bedroom apartments, located in the Southeast quadrant of D.C.

88. According to DCHA's website, the residents of Stoddert Terrace are comprised of 28% children, 6% seniors, and 25% residents with disabilities. <http://www.dchousing.org/property.aspx?id=5P>. Those residents are forced to live in fear because of the near constant criminal activity at Stoddert Terrace.

89. From January 1, 2019 through May 2020, the MPD has responded to Stoddert Terrace more than 515 times and arrested individuals for offenses including homicide, possession of controlled substances with to intent to distribute, possession of unregistered firearms, and other firearm-related offenses.

90. On January 23, 2020, police arrested an individual for possession of a large capacity ammunition feeding device and ammunition at Stoddert Terrace. Another individual was arrested the same day for possession of several firearms and ammunition.

91. Yet again, on February 8, 2020, MPD arrested two individuals at Stoddert Terrace for possession of controlled substances.

92. In March 2020 the MPD made arrests at Stoddert Terrace related to the unlawful possession of firearms and ammunition, including large capacity ammunition feeding devices. Also, in March 2020, a suspect fired multiple gunshots in the area of 37th Place SE in broad daylight, at 2:10 p.m. DCHA police observed the suspect throw a gun to the ground while fleeing the scene. On that school day, the gun could have been picked up by any child walking home from school.

93. On September 5, 2019, The Washington Post released an article on the fatal shooting of 22-year-old Semaj Alsobrooks that occurred at Stoddert Terrace. The article recounted that the police responded to the complex for a shooting and found two men suffering from gunshot wounds. Mr. Alsobrooks died after being transported to the hospital. Dana Hedgpeth, *Man fatally shot, another wounded in Northeast Washington*, Wash. Post, Sept. 5, 2019, https://www.washingtonpost.com/local/public-safety/person-fatally-shot-in-northeast-washington/2019/09/05/8a8386ce-cfeb-11e9-b29b-a528dc82154a_story.html.

94. Semaj Alsobrooks' mother, Aniedrea Galloway, had previously been interviewed for a column. She described how she was a single mother working toward a degree in early child development from the University of the District of Columbia, and that she drove Samaj each day from their home in Southeast Washington to a school in Northwest. This was to secure a future for her son, that ended with gunshots. Theresa Vargas, *At 9, he was described as having 'a family that believes in the impossible.'* Days ago, at the age of 22, he became D.C.'s 117th homicide victim, Wash. Post July 9, 2019, <https://www.msn.com/en-ie/news/truecrime/at-9-he-was-described-as-having-a-family-that-believes-in-the-impossible-days-ago-at-the-age-of-22-he-became-dcs-117th-homicide-victim/ar-AAGX9f6>.

95. The community is deeply impacted by the drug and firearm activity at Stoddert Terrace. As noted above, Stoddert Terrace houses several vulnerable populations such as children, seniors, and people with disabilities, who must live amongst rampant drug- and firearm-related crimes that threaten their health and safety.

96. Additionally, the residents of Stoddert Terrace, along with nearby community members, must endure heightened criminal activity to access nearby community services, such as grocery stores, churches, and recreation centers. For example, Stoddert Terrace is located near three schools that enroll over 700 children: Seed Public Charter School which is .2 miles away; Sousa Middle School, which is .6 miles away; and Cornerstone Schools, , which is .3 miles away. Stoddert Terrace is located .4 miles from Benning Stoddert Recreation Center, a community hub that houses a computer lab, administrative offices, a fitness center, indoor gymnasium, multi-purpose rooms, outdoor sporting fields, and a playground.

97. Due to the drug- and firearm-related activity and violence that occurs at Stoddert Terrace, its residents, and neighboring community members, are afraid to seek services and engage in these community activities, and fear for the safety of their children, who walk to and from school through the Stoddert Terrace neighborhood.

98. Furthermore, extensive media coverage of homicides at Stoddert Terrace related to drug- and firearm-related offenses creates a general reputation that Stoddert Terrace is not safe for District residents.

X. Lincoln Heights

99. Lincoln Heights is a DCHA public housing property located in the Northeast quadrant of Washington, D.C. Lincoln Heights is situated between 50th Street NE, 51st Street NE, Eads Place NE, and Fitch Place NE.

100. Lincoln Heights is a housing complex consisting of 268 one-, two-, three-, and four-bedroom apartments.





101. According to DCHA’s website, the residents of Lincoln Heights are comprised of 29% children, 7% seniors, and 28% residents with disabilities. <http://www.dchousing.org/property.aspx?id=5J>. Those residents are forced to live in fear because of the near constant criminal activity at Lincoln Heights.

102. From January 2019 through May 2020 MPD has responded to Lincoln Heights more than 249 times and arrested individuals for numerous drug and firearm offenses including at least two homicides, possession of controlled substances with intent to distribute, possession of unregistered firearms, and other firearm-related offenses.

103. As recent as May 5, 2020, police arrested an individual at the property for unlawful possession of firearms, ammunition, large capacity ammunition feeding devices, and controlled substances with the intent to distribute.

104. On April 8, 2020, an arrest was made on the Lincoln Heights property, for possession of a gun, ammunition, a large capacity ammunition feeding device, and controlled substances.

105. The following day, MPD responded to another incident in which an individual had been shot multiple times at Lincoln Heights.

106. On September 22, 2019, MPD officers responded to Lincoln Heights for a report of gunshots. The Washington Post released an article the same day detailing the fatal shooting of 21-year old Rashid Ferguson. Ferguson was gunned down in the early morning hours. Hannah Nathanson, *D.C. Police Investigating Shooting in Northeast that Left One Man Dead*, Wash. Post, Sept. 22, 2019, https://www.washingtonpost.com/local/public-safety/dc-police-investigating-shooting-in-northeast-that-left-one-man-dead/2019/09/22/0a7f88f4-dd49-11e9-be96-6adb81821e90_story.html.

107. Another fatal shooting occurred at Lincoln Heights on July 26, 2019. The Washington Post described the shooting in an article released the same day. The victim, 37-year old Francis Lee Savoy, was remembered by his brother as his protector. Peter Hermann, *Man Fatally Shot in Northeast Washington's Lincoln Heights Neighborhood*, Wash. Post, July 26, 2019, https://www.washingtonpost.com/local/public-safety/man-fatally-shot-in-northeast-washingtons-lincoln-heights-neighborhood/2019/07/26/8708cfbe-afa1-11e9-bc5c-e73b603e7f38_story.html.

108. The community is deeply impacted by the drug and firearm activity at Lincoln Heights. As noted above, Lincoln Heights houses several vulnerable populations such as children,

seniors, and people with disabilities, who must live amongst rampant drug and firearm-related crimes that threaten their health and safety.

109. Additionally, the residents of Lincoln Heights, along with nearby community members, must endure heightened criminal activity to access important services, such as nearby grocery stores, churches, and recreation centers. For example, Lincoln Heights is .4 miles from KIPP DC Quest Academy Public Charter School and .6 miles from Kelly Miller Middle School, which enrolled 482 students in 2020. Lincoln Heights is also .2 miles from Woodson Senior Recreation Center and near at least seven churches.

110. Due to the drug- and firearm-related activity and violence that occurs at Lincoln Heights, its residents and District residents are afraid to seek services and engage in other activities in the community, such as attend school and church.

111. Furthermore, extensive media coverage of crime at Lincoln Heights related to drug and firearm offenses creates a general reputation that Lincoln Heights is not safe for District residents.

XI. Adverse Impact of the Nuisance Properties

112. The systemic drug activity and gun violence described above has had a significant adverse impact upon the law-abiding residents living in these properties and the surrounding neighborhood, who fear for their safety when accessing basic nearby, critical services.

113. Residents of the properties have had to endure numerous search warrants being executed at the properties as well as the activity that resulted in those warrants. Some of the violence was in broad daylight, as children walked home from school and elderly neighbors traveled home from medical appointments. Many of the properties have amounted to drug markets where various illicit drugs are openly offered for sale out of apartments or in and around the

complexes. Neighborhood residents are afraid to engage in ordinary and usual activities at the properties including, but not limited to walking in the area, meeting with neighborhoods, using local playgrounds, and shopping. Search warrants executed at each of the properties related to the presence, use, or display of firearms and the use or sale of controlled substances and drug paraphernalia.

114. Undercover law enforcement officers have conducted controlled buys of illicit drugs at and near each of the properties on multiple occasions.

XII. Notice to Defendant of Nuisance Activities

115. For almost a year, the Office of the Attorney General (“OAG”) has been asking DCHA to address the drug and firearm activities at the properties. On May 31, 2019, OAG first met with DCHA’s General Counsel to discuss continued complaints from community stakeholders and concerned residents about persistent criminal activity at Defendant’s properties.

116. Approximately two weeks later, on June 14, 2019, OAG sent detailed letters to Defendant describing the gun and firearm activity at James Creek, Syphax Gardens, Langston Housing Complex, LeDroit Housing Complex, and Former Cappers. OAG made multiple requests to meet and discuss these issues. However, DCHA failed to provide either a substantive response or schedule a meeting.

117. On June 28, 2019, the District and MPD conducted a security risk assessment at James Creek, Syphax Gardens, and the Former Cappers to observe the existing security measures and develop recommendations for improving security at the properties. The District conducted similar security risk assessments at the LeDroit Housing Complex on July 16, 2019 and at the Langston Housing Complex on July 29, 2019.

118. On August 23, 2019, the District sent Security Recommendation Letters for James Creek, Syphax Gardens, Langston Housing Complex, LeDroit Housing Complex, and the Former Cappers to Defendant.

119. On October 11, 2019, the District sent a second tranche of letters to the Defendant, this time detailing the drug and firearm activity at Kenilworth Courts, Richardson Dwellings, Benning Terrace, Stoddert Terrace, and Lincoln Heights. Again, DCHA failed to meaningfully respond to OAG's requests to meet to discuss these properties.

120. On October 25, 2019, the District and MPD conducted security risk assessments at Kenilworth Courts, Richardson Dwellings, Benning Terrace, Stoddert Terrace, and Lincoln Heights to observe the existing security measures and develop recommendations for improving security at the properties.

121. On November 22, 2019, the District sent Security Recommendation Letters for Kenilworth Courts, Richardson Dwellings, Benning Terrace, Stoddert Terrace, and Lincoln Heights.

122. Each Security Recommendation Letter sent to Defendant outlined deficiencies in Defendant's security systems and protocols and recommended improvements to abate the nuisance activities described in the nuisance notice letters. Upon information and belief, Defendant has not implemented any of the District's security recommendations.

COUNT I
**(Abatement of a Drug- and Firearm- Related Nuisance Pursuant to
D.C. Code §§ 42-3101 to -3114 as to James Creek Apartments)**

123. The District hereby incorporates by reference herein Paragraphs 1 through 122.

124. James Creek Apartments, which is owned and/or operated by Defendant, is a drug- and firearm-related nuisance, as defined in D.C. Code § 42-3101(5), in that it is real property, used,

or intended to be used to: “(A) facilitate any violation of Chapter 9 of Title 48 [and] (B) [...] unlawfully store or otherwise keep one or more firearms, or that is used or intended to be used for the sale or manufacture of controlled substances or drug paraphernalia.”

125. The nuisance at James Creek Apartments has an adverse impact on the community, as defined by D.C. Code § 42-3101(1). The adverse impact on the community caused by the drug- and firearm-related nuisance at the property is extensive and continuous, and poses a serious threat to District residents, particularly those residing in other units at the Properties.

126. Defendant failed to abate the nuisance activities, despite notice from the District, continuing to place hundreds of community members at risk.

COUNT II
**(Abatement of a Drug- and Firearm- Related Nuisance Pursuant to
D.C. Code §§ 42-3101 to -3114 as to Syphax Gardens Apartments)**

127. The District hereby incorporates by reference herein Paragraphs 1 through 126.

128. Syphax Gardens Apartments, which is owned and/or operated by Defendant, is a drug- and firearm-related nuisance, as defined in D.C. Code § 42-3101(5), in that it is real property, used, or intended to be used to: “(A) facilitate any violation of Chapter 9 of Title 48 [and] (B) [...] unlawfully store or otherwise keep one or more firearms, or that is used or intended to be used for the sale or manufacture of controlled substances or drug paraphernalia.”

129. The nuisance at Syphax Gardens Apartments has an adverse impact on the community, as defined by D.C. Code § 42-3101(1). The adverse impact on the community caused by the drug- and firearm-related nuisance at the property is extensive and continuous, and poses a serious threat to District residents, particularly those residing in other units at the Properties.

130. Defendant failed to abate the nuisance activities, despite notice from the District, continuing to place hundreds of community members at risk.

COUNT III

(Abatement of a Drug- and Firearm- Related Nuisance Pursuant to D.C. Code §§ 42-3101 to -3114 as to the Langston Housing Complex)

131. The District hereby incorporates by reference herein Paragraphs 1 through 130.

132. The Langston Housing Complex, which is owned and/or operated by Defendant, is a drug- and firearm-related nuisance, as defined in D.C. Code § 42-3101(5), in that it is real property, used, or intended to be used to: “(A) facilitate any violation of Chapter 9 of Title 48 [and] (B) [...] unlawfully store or otherwise keep one or more firearms, or that is used or intended to be used for the sale or manufacture of controlled substances or drug paraphernalia.”

133. The nuisance at Langston Housing Complex has an adverse impact on the community, as defined by D.C. Code § 42-3101(1). The adverse impact on the community caused by the drug- and firearm-related nuisance at the property is extensive and continuous, and poses a serious threat to District residents, particularly those residing in other units at the Properties.

134. Defendant failed to abate the nuisance activities, despite notice from the District, continuing to place hundreds of community members at risk.

COUNT IV

(Abatement of a Drug- and Firearm- Related Nuisance Pursuant to D.C. Code §§ 42-3101 to -3114 as to the LeDroit Housing Complex)

135. The District hereby incorporates by reference herein Paragraphs 1 through 134.

136. The LeDroit Housing Complex, which is owned and/or operated by Defendant, is a drug- and firearm-related nuisance, as defined in D.C. Code § 42-3101(5), in that it is real property, used, or intended to be used to: “(A) facilitate any violation of Chapter 9 of Title 48 [and] (B) [...] unlawfully store or otherwise keep one or more firearms, or that is used or intended to be used for the sale or manufacture of controlled substances or drug paraphernalia.”

137. The nuisance at the LeDroit Housing Complex has an adverse impact on the community, as defined by D.C. Code § 42-3101(1). The adverse impact on the community caused by the drug- and firearm-related nuisance at the property is extensive and continuous, and poses a serious threat to District residents, particularly those residing in other units at the Properties.

138. Defendant failed to abate the nuisance activities, despite notice from the District, continuing to place hundreds of community members at risk.

COUNT V

(Abatement of a Drug- and Firearm- Related Nuisance Pursuant to D.C. Code §§ 42-3101 to -3114 as to the Former Cappers)

139. The District hereby incorporates by reference herein Paragraphs 1 through 138.

140. The Former Cappers, which is owned and/or operated by Defendant, is a firearm-related nuisance, as defined in D.C. Code § 42-3101(5), in that it is real property, used, or intended to be used to “(B) unlawfully store or otherwise keep one or more firearms.”

141. The nuisance at the Former Cappers has an adverse impact on the community, as defined by D.C. Code § 42-3101(1). The adverse impact on the community caused by the firearm-related nuisance at the property is extensive and continuous, and poses a serious threat to District residents, particularly those residing in other units at the Properties.

142. Defendant failed to abate the nuisance activities, despite notice from the District, continuing to place hundreds of community members at risk.

COUNT VI

(Abatement of a Drug- and Firearm- Related Nuisance Pursuant to D.C. Code §§ 42-3101 to -3114 as to the Kenilworth Courts Apartments)

143. The District hereby incorporates by reference herein Paragraphs 1 through 142.

144. Kenilworth Courts, which is owned and/or operated by Defendant, is a drug- and firearm-related nuisance, as defined in D.C. Code § 42-3101(5), in that it is real property, used, or intended to be used to: “(A) facilitate any violation of Chapter 9 of Title 48 [and] (B) [...] unlawfully store or otherwise keep one or more firearms, or that is used or intended to be used for the sale or manufacture of controlled substances or drug paraphernalia.”

145. The nuisance at Kenilworth Courts has an adverse impact on the community, as defined by D.C. Code § 42-3101(1). The adverse impact on the community caused by the firearm-related nuisance at the property is extensive and continuous, and poses a serious threat to District residents, particularly those residing in other units at the Properties.

146. Defendant failed to abate the nuisance activities, despite notice from the District, continuing to place hundreds of community members at risk.

COUNT VII

(Abatement of a Drug- and Firearm- Related Nuisance Pursuant to D.C. Code §§ 42-3101 to -3114 as to the Richardson Dwellings Apartments)

147. The District hereby incorporates by reference herein Paragraphs 1 through 146.

148. Richardson Dwellings, which is owned and/or operated by Defendant, is a drug- and firearm-related nuisance, as defined in D.C. Code § 42-3101(5), in that it is real property, used, or intended to be used to: “(A) facilitate any violation of Chapter 9 of Title 48 [and] (B) [...] unlawfully store or otherwise keep one or more firearms, or that is used or intended to be used for the sale or manufacture of controlled substances or drug paraphernalia.”

149. The nuisance at Richardson Dwellings has an adverse impact on the community, as defined by D.C. Code § 42-3101(1). The adverse impact on the community caused by the firearm-related nuisance at the property is extensive and continuous, and poses a serious threat to District residents, particularly those residing in other units at the Properties.

150. Defendant failed to abate the nuisance activities, despite notice from the District, continuing to place hundreds of community members at risk.

COUNT VIII

(Abatement of a Drug- and Firearm- Related Nuisance Pursuant to D.C. Code §§ 42-3101 to -3114 as to the Benning Terrace Apartments)

151. The District hereby incorporates by reference herein Paragraphs 1 through 150.

152. Benning Terrace, which is owned and/or operated by Defendant, is a drug- and firearm-related nuisance, as defined in D.C. Code § 42-3101(5), in that it is real property, used, or intended to be used to: “(A) facilitate any violation of Chapter 9 of Title 48 [and] (B) [...] unlawfully store or otherwise keep one or more firearms, or that is used or intended to be used for the sale or manufacture of controlled substances or drug paraphernalia.”

153. The nuisance at Benning Terrace has an adverse impact on the community, as defined by D.C. Code § 42-3101(1). The adverse impact on the community caused by the firearm-related nuisance at the property is extensive and continuous, and poses a serious threat to District residents, particularly those residing in other units at the Properties.

154. Defendant failed to abate the nuisance activities, despite notice from the District, continuing to place hundreds of community members at risk.

COUNT IX

(Abatement of a Drug- and Firearm- Related Nuisance Pursuant to D.C. Code §§ 42-3101 to -3114 as to the Stoddert Terrace Apartments)

155. The District hereby incorporates by reference herein Paragraphs 1 through 154.

156. Stoddert Terrace, which is owned and/or operated by Defendant, is a drug- and firearm-related nuisance, as defined in D.C. Code § 42-3101(5), in that it is real property, used, or intended to be used to: “(A) facilitate any violation of Chapter 9 of Title 48 [and] (B) [...] unlawfully store or otherwise keep one or more firearms, or that is used or intended to be used for the sale or manufacture of controlled substances or drug paraphernalia.”

unlawfully store or otherwise keep one or more firearms, or that is used or intended to be used for the sale or manufacture of controlled substances or drug paraphernalia.”

157. The nuisance at the Stoddert Terrace has an adverse impact on the community, as defined by D.C. Code § 42-3101(1). The adverse impact on the community caused by the firearm-related nuisance at the property is extensive and continuous, and poses a serious threat to District residents, particularly those residing in other units at the Properties.

158. Defendant failed to abate the nuisance activities, despite notice from the District, continuing to place hundreds of community members at risk.

COUNT X

(Abatement of a Drug- and Firearm- Related Nuisance Pursuant to D.C. Code §§ 42-3101 to -3114 as to the Lincoln Heights Apartments)

159. The District hereby incorporates by reference herein Paragraphs 1 through 158.

160. Lincoln Heights, which is owned and/or operated by Defendant, is a drug- and firearm-related nuisance, as defined in D.C. Code § 42-3101(5), in that it is real property, used, or intended to be used to: “(A) facilitate any violation of Chapter 9 of Title 48 [and] (B) [...] unlawfully store or otherwise keep one or more firearms, or that is used or intended to be used for the sale or manufacture of controlled substances or drug paraphernalia.”

161. The nuisance at Lincoln Heights has an adverse impact on the community, as defined by D.C. Code § 42-3101(1). The adverse impact on the community caused by the firearm-related nuisance at the property is extensive and continuous, and poses a serious threat to District residents, particularly those residing in other units at the Properties.

162. Defendant failed to abate the nuisance activities, despite notice from the District, continuing to place hundreds of community members at risk.

RELIEF REQUESTED

Wherefore, Plaintiff, the District of Columbia, respectfully requests that the Court:

a. Declares James Creek Apartments, which is operated by Defendant, to be a drug- and firearm-related nuisance pursuant to the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Act, D.C. Code §§ 42-3101 to -3114;

b. Declares Syphax Gardens Apartments, which are operated by Defendant, to be a drug- and firearm-related nuisance pursuant to the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Act, D.C. Code §§ 42-3101 to -3114;

c. Declares that Langston Terrace and Langston Additions, which are operated by Defendant, to be a drug- and firearm-related nuisance pursuant to the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Act, D.C. Code §§ 42-3101 to -3114;

d. Declares that the LeDroit Apartments and Kelly Miller Apartments, which are operated by Defendant, to be a drug- and firearm-related nuisance pursuant to the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Act, D.C. Code §§ 42-3101 to -3114;

e. Declares that the Former Cappers scattered site properties, which are operated by Defendant, to be a firearm-related nuisance pursuant to the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Act, D.C. Code §§ 42-3101 to -3114;

f. Declares Kenilworth Courts Apartments, which is operated by Defendant, to be a drug- and firearm-related nuisance pursuant to the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Act, D.C. Code §§ 42-3101 to -3114;

g. Declares Richardson Dwellings, which is operated by Defendant, to be a drug- and firearm-related nuisance pursuant to the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Act, D.C. Code §§ 42-3101 to -3114;

h. Declares that Benning Terrace, which is operated by Defendant, to be a drug- and firearm-related nuisance pursuant to the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Act, D.C. Code §§ 42-3101 to -3114;

i. Declares that Stoddert Terrace, which is operated by Defendant, to be a drug- and firearm-related nuisance pursuant to the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Act, D.C. Code §§ 42-3101 to -3114;

j. Declares that Lincoln Heights, which is operated by Defendant, to be a firearm-related nuisance pursuant to the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Act, D.C. Code §§ 42-3101 to -3114;

k. Enter preliminary and permanent injunctive relief sufficient to cause Defendant to abate all illegal nuisances at the properties at issue in this Complaint;

l. Order Defendant to pay damages in the amount of at least \$150 per day since the date Defendant was first provided notice of the nuisance activity to be paid into the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Fund pursuant to D.C. Code § 42-3111.01(a);

m. Awards all allowable costs;

n. Awards attorney fees; and

o. Awards any other relief that the Court deems appropriate.

Dated: **June 9, 2020**

Respectfully Submitted,

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