

# PROCLAMATION OF DIGITIZATION

“No Codification Without Promulgation”

WHEREAS, the District of Columbia has published the *OFFICIAL CODE*, containing the laws, general and permanent in their nature, relating to or in force in the District of Columbia; and

WHEREAS, the *OFFICIAL CODE* is only available for purchase for \$803.00, plus tax and shipping, from the designated official publisher, the West Group, a wholly owned subsidiary of the Thomson Reuters Corporation, a foreign corporation; and

WHEREAS, the *OFFICIAL CODE* contains a prominent notice that the material is “COPYRIGHT 2001 by the District of Columbia” and “All Rights Are Reserved”; and

WHEREAS, the only online version of the *OFFICIAL CODE* available to the public is accessible from the official publisher, which limits access through outdated technical mechanisms and poor design, such as a lack of a permanent Internet address (“permlink”), and further limits access through terms of use which prohibit the public from making copies of the code; and

WHEREAS, in a nation governed by the rule of law and founded on the principles of freedom of expression, due process, and equal protection, people must have the right to freely read, know, and speak the laws by which we as a people choose to govern ourselves; and

WHEREAS, the Supreme Court of the United States has unequivocally ruled that the law cannot be subject to copyright in *Wheaton v. Peters* (33 U.S. 591, 1834), when the Court unanimously held that “no reporter has or can have any copyright in the written opinions delivered” by the Court; and

WHEREAS, the Supreme Court of the United States has repeatedly reaffirmed this principle, stating for example in *Banks v. Manchester* (128 U.S. 244, 1888) that “the authentic exposition and interpretation of the law, which, binding every citizen, is free for publication to all, whether it is a declaration of unwritten law, or an interpretation of a constitution or a statute”; and

WHEREAS, the United States Copyright Office has unequivocally stated “Edicts of government, such as judicial opinions, administrative rulings, legislative enactments, public ordinances, and similar official legal documents are not copyrightable for reasons of public policy. This applies to such works whether they are Federal, State, or local as well as to those of foreign governments.”

THEREFORE, it is hereby proclaimed by this notice that any assertion of copyright by the District of Columbia or other parties on the District of Columbia Code is declared to be *NULL AND VOID* as a matter of law and public policy as it is the right of every person to read, know, and speak the laws that bind them.

BY THE PEOPLE and FOR THE PEOPLE on March 25, 2013