

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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Official Code*

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To amend, on a temporary basis, An Act To create a Department of Corrections in the District of Columbia to expedite the processing of incarcerated individuals released from the Central Detention Facility, to ensure the inmate's safe release and the safety of the surrounding community, and to require that adequate public records be maintained of all releases from the Central Detention Facility.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "DOC Inmate Processing and Release Temporary Amendment Act of 2011".

Sec. 2. An Act To create a Department of Corrections in the District of Columbia, approved June 27, 1946 (60 Stat. 320; D.C. Official Code § 24-211.01 *et seq.*), is amended as follows:

(a) Section 2(b) (D.C. Official code § 24-211.02(b)) is amended as follows:

Note,
§ 24-211.02

(1) Paragraph (4) is amended by adding the word "and" at the end

(2) Paragraph (5) is amended by striking the phrase "; and" and inserting a period in its place.

(3) Paragraphs (6), (7), and (8) are repealed.

(b) A new section 2a is added to read as follows:

"Sec. 2a. Processing and release of inmates from the Central Detention Facility.

"(a) The Department of Corrections shall process and release an inmate from the Central Detention Facility within 5 hours of a court order granting his or her release, unless the inmate is to continue in confinement pursuant to another charge or warrant or, for an inmate who has completed his or her sentence, before noon on the inmate's scheduled release date.

"(b) The Department of Corrections shall establish, in coordination with the courts and the United States Marshals Service, procedures to ensure that inmates who have been ordered released by the court are returned to the Central Detention Facility as promptly as possible.

"(c) For an inmate released after 10 p.m., prior to release, the Department of Corrections shall:

“(1) Ensure that:

“(A) The inmate has a residence or other housing that the inmate is able to access and that the inmate has agreed, in writing, to access the residence or other housing at the time of his or her release; or

“(B) A shelter is able and willing to receive the inmate at the time of the inmate’s release and that the inmate has agreed, in writing, to access the shelter at the time of his or her release;

“(2) Provide the inmate with the clothing that the inmate wore upon intake to the Central Detention Facility or, if this clothing is not available, other clothing that is:

“(A) Appropriate for the weather;

“(B) Not a jumpsuit; and

“(C) Typical of street clothing worn by citizens in public;

“(3) Obtain written verification from the Central Detention Facility’s healthcare provider (“provider”) that, upon release, the inmate has a 7-day supply of all prescription medications that the inmate is to continue taking following release from custody and that he or she has received release counseling, if medically recommended, from the provider within the preceding 7 days;

“(4) Have provided, within the 7 days prior to release, release counseling to the inmate, if the inmate is a sentenced inmate, on access to benefits and services available in the District to facilitate reentry;

“(5) Ensure that the inmate has transportation immediately available upon the inmate’s release from the Central Detention Facility to transport the inmate to the housing or the shelter identified in paragraph (1) of this subsection provided by:

“(A) A member of the Department of Corrections’ transportation unit;

“(B) A taxi, at the Department of Corrections’ expense; or

“(C) A friend or family member;

“(6) Provide the inmate with the option of remaining within a Department of Corrections facility for release at 7 a.m.; and

“(7) Require that the warden of the Central Detention Facility certify, in writing, that the requirements of this subsection have been met.

“(d)(1) The Department of Corrections shall maintain an accurate record of the date and time of each inmate’s release from the Central Detention Facility that shall be a matter of public record, which may be audited, upon request, by the Inspector General or the District of Columbia Auditor.

“(2) The Department of Corrections shall provide to the Council, on a quarterly basis, a list of all inmates who have been released in violation of this section. The list shall include the following information for each released inmate:

“(A) The custody status of the inmate prior to release, such as, for example, whether the inmate was in pre-trial detention or was a sentenced misdemeanant;

“(B) Whether the inmate’s release was because of the completion of his

or her sentence or pursuant to a court order;

“(C) The date and time that the Department of Corrections received the release order from the court or other authority; and

“(D) The date and time of the release.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia