

ENROLLED ORIGINAL

AN ACT

**D.C. ACT 22-451**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**SEPTEMBER 6, 2018**

To amend the National Capital Revitalization and Self-Government Improvement Act of 1997 to require the Corrections Information Council to submit an annual report on the conditions of confinement and programming provided to District of Columbia youth offenders in the custody of the federal Bureau of Prisons; to amend the Youth Rehabilitation Amendment Act of 1985 to modify the definitions of “committed youth offender”, “treatment”, and “youth offender”, to require the Mayor to submit a strategic plan to the Council to provide facilities, treatment, and services to certain youth offenders and persons at risk of becoming youth offenders, to require youth offenders 15 to 24 years of age to perform not fewer than 90 hours of community service as part of probation, to clarify the act’s application to the sentencing of youth offenders convicted of offenses with mandatory-minimum terms, to provide a list of factors to guide the court in making the determination of whether a youth offender should be sentenced under the act or have his or her conviction set aside, to require written statements of judges’ sentencing and set aside decisions, to shift the decision of whether a youth offender’s conviction should be set aside from sentencing to after the completion of the youth offender’s probation or sentence of incarceration, supervised release, or parole, whichever is later, to provide grants to organizations to assist victims of crime and youth offenders in understanding and navigating the act’s sentencing and set aside provisions, to require the Criminal Justice Coordinating Council to conduct a biennial analysis of the act, and to require certain District government agencies to provide the Criminal Justice Coordinating Council with data necessary to conduct the analysis; to establish a Clemency Board to facilitate clemency applications to the President of the United States; and to amend the Office on Ex-Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006 to establish a pilot program to provide transportation subsidies to returning citizens.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Youth Rehabilitation Amendment Act of 2018”.

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TITLE I. YOUTH REHABILITATION AMENDMENT

Sec. 101. Section 11201a(f)(1) of the National Capital Revitalization and Self-Government Improvement Act of 1997, effective October 2, 2010 (D.C. Law 18-233; D.C. Official Code § 24-101.01(f)(1)), is amended as follows:

(a) Subparagraph (A) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(b) Subparagraph (B) is amended by striking the period and inserting the phrase “; and” in its place.

(c) A new subparagraph (C) is added to read as follows:

“(C) A report on the conditions of confinement of and programming provided to District of Columbia youth offenders, as that term is defined in section 2(6) of the Youth Rehabilitation Amendment Act of 1985, effective December 7, 1985 (D.C. Law 6-69; D.C. Official Code § 24-901(6)), in the custody of the Bureau of Prisons.”.

Sec. 102. The Youth Rehabilitation Amendment Act of 1985, effective December 7, 1985 (D.C. Law 6-69; D.C. Official Code § 24-901 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 24-901) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “individual committed” and inserting the phrase “individual sentenced” in its place.

(2) Paragraph (5) is amended to read as follows:

“(5) “Treatment” means guidance for youth offenders designed to improve public safety by facilitating rehabilitation and preventing recidivism.”.

(3) Paragraph (6) is amended to read as follows:

“(6) “Youth offender” means a person 24 years of age or younger at the time that the person committed a crime other than murder, first degree murder that constitutes an act of terrorism, second degree murder that constitutes an act of terrorism, first degree sexual abuse, second degree sexual abuse, and first degree child sexual abuse.”.

(b) Section 3 (D.C. Official Code § 24-902) is amended as follows:

(1) The section heading is amended to read as follows:

“Sec. 3. Facilities, treatment, and services for youth offenders.”.

(2) Subsection (a) is amended to read as follows:

“(a) The Mayor shall provide facilities, treatment, and services for the developmentally appropriate care, custody, subsistence, education, workforce training, and protection of the following youth offenders:

“(1) Those pending trial on charges of having committed misdemeanor or felony offenses under District law; and

“(2) Those convicted of misdemeanor or felony offenses under District law and who are in the District’s care or custody.”.

(3) A new subsection (a-1) is added to read as follows: