

AN ACT

*Codification
District of
Columbia
Official Code*

2001 Edition

2010 Fall
Supp.

West Group
Publisher

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the National Capital Revitalization and Self-Government Improvement Act of 1997 to establish additional duties for the Corrections Information Council ("CIC"), to establish a Corrections Information Council Governing Board with duties to advise and provide oversight on the recommendations of the CIC, to establish the position of Executive Director of the CIC with duties to conduct inspections of correctional facilities and report his or her findings to the Corrections Information Council Governing Board, and to require that the CIC provide annual reports on the conditions of confinement for District inmates housed in Bureau of Prisons or Department of Corrections custody.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Corrections Information Council Amendment Act of 2010".

Sec. 2. Chapter 1 of Subtitle C of the National Capital Revitalization and Self-Government Improvement Act of 1997, approved August 5, 1997 (111 Stat. 734; D.C. Official Code § 24-101 *et seq.*), is amended as follows:

(a) Section 11201 (D.C. Official Code § 24-101) is amended as follows:

Amend
§ 24-101

- (1) Designate subsection (g-1) as subsection (h).
- (2) Designate subsection (h) as subsection (i).
- (3) The newly designated subsection (h) is repealed.

(b) A new section 11201a is added to read as follows:

“Sec. 11201a. District of Columbia Corrections Information Council.

“(a) There is established a District of Columbia Corrections Information Council ("CIC"). The CIC shall be responsible for the inspection of all facilities housing District of Columbia inmates who are under the jurisdiction of either the Bureau of Prisons or the Department of Corrections, and for the monitoring of the conditions and treatment of District of Columbia inmates incarcerated in those facilities.

“(b)(1) The CIC shall consist of a Corrections Information Council Governing Board

(“Board”) as well as an Executive Director and subordinate personnel.

“(2)(A) The Board shall be composed of 3 members, 2 of whom shall be appointed by the Mayor with the advice and consent of the Council, and one of whom shall be appointed by the Council.

“(B) Of the members first appointed, the Mayor shall appoint one member for a one-year term. The other mayoral appointee and the Council appointee shall serve 2-year terms. Thereafter, members shall be appointed for terms of 2 years. A Board member may be reappointed. A person appointed to fill a vacancy on the Board occurring prior to the expiration of a term shall serve for the remainder of the term or until a successor has been appointed.

“(C) The Mayor shall designate the chairperson of the Board.

“(D) All members shall be residents of the District of Columbia.

“(E) All Board members shall serve without compensation.

“(3) The Executive Director shall be the head of the office of the CIC, and shall report to the Board. The Executive Director shall have at least 3 years relevant experience in criminal justice to include matters affecting prisoner conditions of confinement. The Mayor shall appoint the Executive Director to serve for a term of 3 years. An Executive Director may be reappointed. The Board may remove the Executive Director from office for cause.

“(c) The Board shall meet as necessary to conduct official business. The presence of 2 members shall constitute a quorum necessary for the CIC to take official action. The CIC may act by an affirmative vote of at least 2 members. The duties of the Board shall include:

“(1) Reporting to the Director of the Bureau of Prisons and the Director of the Department of Corrections with advice and information regarding matters affecting District of Columbia inmates in the custody of the Bureau of Prisons or the Department of Corrections.

“(2) Advising the Executive Director in performing his or her duties;

“(3) Reviewing the findings of the Executive Director concerning the conditions of confinement of District of Columbia inmates in both the Bureau of Prisons and the Department of Corrections custody and make recommendations where appropriate.

“(4) Transmitting the findings of the CIC as required under subsection (e) of this section.

“(d) The duties of the Executive Director shall include:

“(1) Conducting comprehensive inspections of District of Columbia corrections facilities housing inmates, including halfway houses, the Correctional Treatment Facility, and the Central Detention Facility pursuant to section 2(b)(1) of An Act To create a Department of Corrections in the District of Columbia, approved June 27, 1946 (60 Stat. 320; D.C. Official Code § 24-211.02(b)(1));

“(2) Negotiating with the Director of the Bureau of Prisons to provide access to each facility housing District of Columbia sentenced felons for the purposes of:

“(A) Conducting inspections, unannounced, if possible, of all areas

accessible to inmates;

“(B) Conducting unmonitored interviews of inmates in areas open to inspection; and

“(C) Interviewing selected staff at each facility;

“(3) Conducting, on an annual basis, comprehensive inspections of at least 3 separate Bureau of Prisons facilities housing District of Columbia sentenced felons;

“(4) Reviewing documents related to the conditions of confinement at each facility housing District of Columbia sentenced felons, including inmate files and records, inmate grievances, incident reports, disciplinary reports, use of force reports, medical and psychological records, administrative and policy directives of the facility, and logs, records, and other data maintained by the facility;

“(5) Reporting his or her findings related to the duties of this subsection to the Board; and

“(6) Producing reports as required under subsection (f) of this section.

“(e)(1) The Executive Director shall employ qualified persons or utilize the services of qualified volunteers, as necessary, to perform the work of the CIC. Subject to appropriations, the Executive Director may employ persons on a full-time or part-time basis, or retain the services of contractors for the purpose of inspecting facilities.

“(2) The Executive Director shall supervise all employees and volunteers of the CIC, and shall ensure that all rules, regulations, and orders are carried out properly, and that all records of the CIC are maintained properly.

“(3) Subject to approval of the Board, the Executive Director shall establish a pool of qualified persons who shall be assigned by the Executive Director to carry out the functions set forth in this section. In selecting a person to be a member of this pool, the Executive Director shall take into consideration each person's education, work experience in the correctional facility area, and general reputation for competence, impartiality, and integrity in the discharge of his responsibilities. No member of the pool shall be a current employee of the Department of Corrections or the Bureau of Prisons. For their services, the members of this pool shall be entitled to such compensation as the Executive Director, with the approval of the Board, shall determine; provided, that the compensation shall be on a per-case, not a per-hour, basis.

“(f)(1) Within 60 days of the end of each fiscal year, the CIC shall transmit to the Director of the Bureau of Prisons, the Mayor, the Council, and the Director of the Department of Corrections the following reports:

“(A) A report on the conditions of confinement of District of Columbia inmates in the Department of Corrections custody; and

“(B) A report on each inspection of a facility housing District of Columbia sentenced felons as required in subsection (d)(3) of this section.

“(2) The reports shall have been prepared by the Executive Director and

approved by the Board, and shall be made available to the public.

“(g) The CIC is authorized to apply for and receive grants to fund its program activities in accordance with the laws and regulations relating to grant management.

“(h)(1) The Chief Financial Officer shall provide financial support services and oversight for the CIC using personnel assigned to provide financial support services and oversight for the Department of Corrections.

“(2)(A) The Chief Procurement Officer shall provide contracting and procurement support services and oversight for the CIC using personnel assigned to provide contracting and procurement support services and oversight for the Department of Corrections.

“(B) The CIC is authorized to contract with qualified private organizations or individuals for services in accordance with the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*).

“(3) The CIC is authorized to appoint one employee to the Excepted Service established by Title IX of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-609.01 *et seq.*).

“(i) The Mayor shall provide the CIC with adequate office space that is separate and independent from the Department of Corrections.”.

Sec. 3. Applicability.

This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, but no earlier than June 1, 2011.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report 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. 5. Effective date.

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 60-day period of Congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia