

COUNCIL OF THE DISTRICT OF COLUMBIA

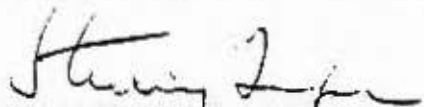
NOTICE

D. C. Law 2-107

"Criminal Justice Supervisory Board Act of 1978"

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 2-211, on first, amended first, and second readings May 16, 1978, May 30, 1978 and June 13, 1978, respectively. Following expiration of the ten-day review period provided the Mayor pursuant to Section 404 (e) of the Act No. 2-222, published in the August 11, 1978, edition of the D. C. Register and transmitted to both Houses of Congress for a 30-day review, in accordance with Section 602 (c) (1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has expired and, therefore, cites the following legislation as D. C. Law 2-107, effective September 13, 1978.

  
STERLING TUCKER  
Chairman of the Council

(Vol. 25, No. 6, D. C. Register, 1391, August 11, 1978)

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 13, 1978

To establish a criminal justice state planning agency for administering federal grant funds pursuant to the Omnibus Crime Control and Safe Streets Act of 1968, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Criminal Justice Supervisory Board Act of 1978".

Sec. 2. Definitions.

For the purposes of this act:

(a) "Board" means the Criminal Justice Supervisory Board established under section 4(b) of this act.

(b) "Crime Control Act" means the Omnibus Crime Control and Safe Streets Act of 1968, approved June 19, 1968 (82 Stat. 197; 42 U.S.C. 3701).

(c) "JPC" means the Judicial Planning Committee established pursuant to section 203(c) of the Crime Control Act of 1976, approved October 15, 1975 (90 Stat. 2407; 42 U.S.C. 3723).

(d) "Juvenile Justice Act" means the Juvenile Justice and Delinquency Prevention Act of 1974, approved September 7, 1974 (88 Stat. 1109; 42 U.S.C. 5501).

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(e) "OCJPA" means the Office of Criminal Justice Plans and Analysis established pursuant to section 4 of this act.

(f) "Youth" means a person who has not reached the age of twenty-one (21) years.

(g) "Senior citizen" means any person who has reached the age of sixty (60) years.

Sec. 3. Findings and Purpose.

The Council of the District of Columbia finds and declares that:

(a) crime and delinquency are complex social phenomena requiring the attention and efforts of the criminal justice system, local government and private citizens alike;

(b) the establishment of appropriate goals, objectives and standards for the reduction of crime and delinquency and for the administration of justice must be a priority concern;

(c) the functions of the criminal justice system must be coordinated more efficiently and effectively;

(d) the full and effective use of resources affecting local criminal justice systems requires the complete cooperation of local government agencies; and

(e) training, research, evaluation, technical assistance and public education activities must be

encouraged and focused on the improvement of the criminal justice system and the generation of new methods for the prevention and reduction of crime and delinquency.

Sec. 4. Criminal Justice Supervisory Board and Office of Criminal Justice Plans and Analysis; Membership; Staff.

(a) There is hereby established within the Executive Branch of the District of Columbia government a Criminal Justice Supervisory Board which shall serve as the law enforcement and criminal justice planning agency for the District of Columbia in accordance with the terms of the Crime Control Act. There is also hereby created an Office of Criminal Justice Plans and Analysis which shall serve as the staff of the Board.

(b) The Criminal Justice Supervisory Board shall consist of forty (40) members, as follows:

- (1) the Mayor;
- (2) the Chairman of the Council of the District of Columbia;
- (3) the Chief Judge of the District of Columbia Court of Appeals;
- (4) the Chief Judge of the Superior Court of the District of Columbia;
- (5) the Corporation Counsel of the District of Columbia;
- (6) the Chairperson of the Committee on the Judiciary of the Council of the District of

Columbia;

- (7) the Executive Officer of the District of Columbia Courts;
- (8) five (5) persons appointed by the Mayor from a list of no less than fifteen (15) nominees submitted by the Chief Judge of the District of Columbia Court of Appeals;
- (9) the United States Attorney for the District of Columbia (if he desires to serve);
- (10) the Chief of the Metropolitan Police Department;
- (11) the Director of the Department of Human Resources;
- (12) the Director of the Mayor's Office of Budget and Management Systems;
- (13) the Director of the Office of Youth Advocacy;
- (14) the Director of the District of Columbia Department of Corrections;
- (15) the Director of the District of Columbia Public Defender Service;
- (16) the Director of the District of Columbia Jail Agency;
- (17) the Chairperson of the District of Columbia Board of Parole;
- (18) the Director of the District of Columbia Municipal Planning Office;
- (19) the Chairperson of the District of Columbia Commission on the Status of Women;
- (20) the Chairperson of the state advisory group of the District of Columbia established pursuant to section 223 of the Juvenile Justice Act;

- (21) four (4) members of the state advisory group of the District of Columbia established pursuant to section 223 of the Juvenile Justice Act: PROVIDED, That the four (4) members, other than the Chairperson of such state advisory group, shall be chosen by a majority of the members of such state advisory group and three (3) of the four (4) chosen members shall not be employees of the District of Columbia government;
- (22) five (5) persons appointed by the Mayor: PROVIDED, That such persons shall not be employed by the District of Columbia government, one (1) of whom shall be a youth and two (2) of whom shall be senior citizens;
- (23) four (4) persons appointed by the Chairman of the Council of the District of Columbia with the consent of the Council: PROVIDED, That such persons shall not be employed by the District of Columbia government, one (1) of whom shall be a youth and one (1) of whom shall be a senior citizen; and
- (24) three (3) persons appointed by the Chairperson of the Committee on the Judiciary of the Council of the District of Columbia with the consent of the Committee: PROVIDED, That such persons shall not be employed by the District of Columbia government, one (1) of whom shall be a youth and one (1) of whom shall be a senior citizen.

(c) An alternate of a member of the Board may be designated by each member: PROVIDED, That such designation shall be in writing and, with respect to a member who serves on the Board by virtue of an office in the government of the District of Columbia, an alternate shall be a ranking subordinate of the member. In the event that a non-

government member, appointed pursuant to paragraphs (21) through (24) of section 4(b) of this act, is absent from three (3) consecutive meetings of the Board or any of its committees or subcommittees, the Chairperson of the Board shall request that the Mayor of the District of Columbia (hereinafter referred to as the "Mayor"), the Chairman of the Council, the Chairperson of the Committee on the Judiciary of the Council or the state advisory group established pursuant to section 223 of the Juvenile Justice Act, as the case may be, replace such appointed member.

(d) Members serving pursuant to paragraphs (21) through (24) of section 4(b) shall serve for two (2) year terms and may be reappointed for no more than one (1) additional consecutive term. Members serving pursuant to paragraph (8) of section 4(b) shall serve at the pleasure of the Chief Judge of the District of Columbia Court of Appeals. The terms of all other members shall be concurrent with their service in the office from which they derive their membership.

(e) Should any member cease to be an officer of the unit or agency of government which he is appointed to represent, his membership on the Criminal Justice Supervisory Board shall terminate immediately and a new

member shall be appointed in the same manner as his predecessor to fill the unexpired term. Vacancies occurring in memberships created by items (8) and (22) through (24) of subsection (b) of this section, except those by the expiration of a term, shall be filled for the balance of the unexpired term in the same manner as the original appointment within thirty (30) days of the vacancy.

(f) The Mayor shall appoint a chairperson of the Criminal Justice Supervisory Board. A vice-chairperson shall be selected by the Board from among its members.

(g) A member of the Board is not entitled to a salary for duties performed as a member of the Board. Each member is entitled to reimbursement for travel and other necessary expenses incurred in the performance of official Board duties.

(h) The Mayor shall appoint an executive director of the Office of Criminal Justice Plans and Analysis who shall serve at the pleasure of the Mayor and who shall be paid such compensation as the Mayor may determine. The executive director may employ such personnel and contract for such consulting services, as may be necessary, to carry out the purposes of this act and for which sufficient appropriation is made.



Sec. 5. Meetings; Quorums; Committees; Bylaws.

(a) The Criminal Justice Supervisory Board shall meet at least once every ninety (90) days and at such other times designated by the chairperson or a majority of the Board.

(b) A simple majority of the membership shall constitute a quorum for the Criminal Justice Supervisory Board and for its committees or subcommittees.

(c) In its developing and administering an annual comprehensive criminal justice plan for the District of Columbia, the Board shall establish committees or subcommittees comprised of members of the Board and such other persons as the Board deems advisable and feasible. The Board shall also determine the chairperson for each committee. The committee structure of the Board shall include but not be limited to:

(1) a committee on the courts comprised of the JPC and designed to carry out the purposes of section 203 of the Crime Control Act;

(2) a committee on juvenile justice comprised of the state advisory group of the District of Columbia established pursuant to section 223 of the Juvenile Justice Act and designed to develop the juvenile justice component

of the annual comprehensive criminal justice plan in accordance with the Juvenile Justice Act; and

(3) an appeals committee designed to consider appeals from any action of the Board denying all or part of any funds requested in any subgrant application to conduct a project for which funds are available.

(d) Except for a committee on the courts and a committee on juvenile justice, each committee of the Board shall contain: (1) at least one (1) member from or appointed by the Executive Branch of the District of Columbia government; (2) at least one (1) member from or appointed by the Council of the District of Columbia; (3) at least one (1) member from the District of Columbia courts; and (4) a sufficient number of members who are not employed by the District of Columbia government to comprise at least one-third (1/3) of the total membership of the committee or subcommittee. In the event that an executive committee is established by the Board, such executive committee shall include in its membership the same proportion of members representing the judiciary and members representing the juvenile justice advisory group as the total number of each such class of members bears to the total membership of the Board.

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(e) Subject to the provisions of paragraphs (1), (2) and (3) of subsection (c) of this section, the Board shall ensure that, prior to the adoption by the Board of an annual comprehensive criminal justice plan, it shall have received and considered recommendations from at least one (1) of its committees or subcommittees with respect to what ought to be the contents of the plan concerning: (1) the administration of justice; (2) the prevention of crime; (3) detection of crime and apprehension of offenders; (4) prosecution and defense; and (5) sentencing and correctional treatment of offenders. In addition, the Board shall ensure that, prior to its making grant awards in accordance with an approved annual comprehensive criminal justice plan, the Board shall have received and considered recommendations from at least one (1) of its committees or subcommittees with respect to all potential subgrant award recipients who qualify in accordance with the Board's rules and procedures governing subgrant awards.

(f) The Board shall promulgate rules of procedure governing its operations which comply with the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code, sec. 1-1501 et seq.), and

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with the Advisory Neighborhood Commissions Act of 1975, effective October 10, 1975 (D.C. Law 1-21).

Sec. 6. Powers and Duties.

The Board shall:

(a) advise and assist the Mayor, the District of Columbia Courts and the Council of the District of Columbia in developing policies, plans, programs and budgets for improving the coordination, administration and effectiveness of the criminal justice system in the District of Columbia;

(b) approve all components of the annual comprehensive criminal justice plan prepared pursuant to the Crime Control Act and submit such plan to the Council of the District of Columbia for its advisory review of the goals, priorities and policies contained therein prior to the ultimate submission of such plan to the Law Enforcement Assistance Administration, United States Department of Justice;

(c) include in each annual comprehensive criminal justice plan a statement of the fiscal impact each component of such plan would likely have, if any, on the fiscal budget of the District of Columbia for the next five (5) years;

(d) assure the participation of citizens, community organizations and juvenile justice advocates at all levels of the planning process;

(e) recommend goals, priorities and standards for the reduction of crime and the improvement of the administration of justice in the District of Columbia;

(f) recommend criminal justice legislation to the Mayor, the Council of the District of Columbia and the Congress, where appropriate;

(g) ensure that the annual judicial plan developed by the JPC is implemented to the extent that it is in conformity with the comprehensive plan for the improvement of law enforcement and criminal justice in accordance with section 304(b) of the Crime Control Act;

(h) encourage local and regional comprehensive criminal justice planning efforts;

(i) monitor and evaluate programs and projects, funded in whole or in part by the District of Columbia government, aimed at reducing crime and delinquency and improving the administration of justice;

(j) cooperate with and render technical assistance to agencies and units of the District of Columbia government, and public or private agencies relating to the criminal justice system;

(k) have the authority to collect from any District of Columbia governmental entity information, data, reports,

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statistics or such other material which is necessary to carry out the functions of the Office of Criminal Justice Plans and Analysis consistent with the District of Columbia Self-Government and Governmental Reorganization Act; and

(1) perform such other duties as may be necessary to carry out the purposes of this act.

Sec. 7. Reports.

(a) Within ninety (90) days of the close of each fiscal year, the Criminal Justice Supervisory Board shall submit an annual report to the Mayor and to the Council of the District of Columbia concerning its work during the preceding fiscal year.

(b) The OCJPA through the Board may submit other studies, evaluations, crime data analyses and reports to the Mayor or the Council of the District of Columbia as deemed appropriate or as requested by the Mayor or the Council.

Sec. 8. Authorization of Funds.

There are hereby authorized to be appropriated such funds as may be necessary for the administration of this act. In addition, the Mayor shall reprogram and transfer to the Office of Criminal Justice Plans and Analysis, as constituted by this act, any and all property, records and unexpected balances of appropriated funds for the Office of

Criminal Justice Plans and Analysis as created by Mayor's Orders 77-52 A and B.

Sec. 9. Repealers.

Mayor's Orders 77-52, effective April 1, 1977, 77-52A, effective April 19, 1977, 77-52B, effective May 17, 1977, and 78-61, effective March 23, 1978, are hereby repealed.

Sec. 10. Effective Date.

This act shall take effect pursuant to the provisions of section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act.

**RECORD OF OFFICIAL COUNCIL ACTION**

Docket No: BILL 2-211

First Reading Action: 5-16-78

VOICE VOTE: Adopted Unanimously (Abs.) D. Moore

*Robert E. Murray*  
Secretary to the Council

ROLL CALL VOTE:

COUNCIL MEMBER	ATT	NOT	EX.	ALL	COUNCIL MEMBER	ATT	NOT	EX.	ALL	COUNCIL MEMBER	ATT	NOT	EX.	ALL
TUCKER					MASON					SPAULDING				
HARDY					MOORE, D.					WILSON				
BARRY					MOORE, J.					WINTER				
CLARKE					ROLARK									
DIXON					SACKLETON									

2-Indicates Yes A 3-Absent N 7-Noted Yeses

Secretary to the Council

Amended First Reading Action: 5-30-78

VOICE VOTE: Adopted Unanimously (All Present)

*Robert E. Murray*  
Secretary to the Council

ROLL CALL VOTE:

COUNCIL MEMBER	ATT	NOT	EX.	ALL	COUNCIL MEMBER	ATT	NOT	EX.	ALL	COUNCIL MEMBER	ATT	NOT	EX.	ALL
TUCKER					MASON					SPAULDING				
HARDY					MOORE, D.					WILSON				
BARRY					MOORE, J.					WINTER				
CLARKE					ROLARK									
DIXON					SACKLETON									

2-Indicates Yes A 3-Absent N 7-Noted Yeses

Secretary to the Council

Final Reading or Emergency Action: 6-13-78

VOICE VOTE: Adopted Unanimously (2 Abs.) Barry, J. Moore

*Robert E. Murray*  
Secretary to the Council

ROLL CALL VOTE:

COUNCIL MEMBER	ATT	NOT	EX.	ALL	COUNCIL MEMBER	ATT	NOT	EX.	ALL	COUNCIL MEMBER	ATT	NOT	EX.	ALL
TUCKER					MASON					SPAULDING				
HARDY					MOORE, D.					WILSON				
BARRY					MOORE, J.					WINTER				
CLARKE					ROLARK									
DIXON					SACKLETON									

2-Indicates Yes A 3-Absent N 7-Noted Yeses

Secretary to the Council



Docket No: BILL 2-211

Presented to the Mayor: JUN 21 1978

Patricia S. Munn  
Secretary to the Council

Action of the Mayor: \_\_\_\_\_

- Approved:  Disapproved:
- Disapproved in part -- Reference Document: \_\_\_\_\_
- \*Budget Actions.
- Returned Without Action

\_\_\_\_\_  
Mayor of the District of Columbia

Martin K. Schaller  
Executive Secretary, D. C.

6 JUL 1978

I hereby certify that Council Bill 2-211 was presented to the Mayor of the District of Columbia on June 21, 1978 and that the Mayor neither approved nor disapproved the bill within the ten day period specified in Section 4041e1 of the District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93-198 of December 24, 1973.

Martin K. Schaller  
Martin K. Schaller  
Executive Secretary, D. C.

7/6/78  
Date

\_\_\_\_\_  
Secretary to the Council

Presented to the President: \_\_\_\_\_

\_\_\_\_\_  
Secretary to the Council

Action of the President: \_\_\_\_\_

- Reenactment Approved
- Mayor's Veto Sustained

\_\_\_\_\_  
President of the U. S.

Patricia S. Munn  
Secretary to the Council

Submitted to the Congress: JUL 1 1978

Senate Action: \_\_\_\_\_  
Resolution Number: \_\_\_\_\_

House Action: \_\_\_\_\_  
Resolution Number: \_\_\_\_\_

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Clerk of the House

Enacted Without Congressional Action: \_\_\_\_\_

\_\_\_\_\_  
D. C. Law No. Effective Date

\_\_\_\_\_  
Secretary to the Council