

COUNCIL OF THE DISTRICT OF COLUMBIA

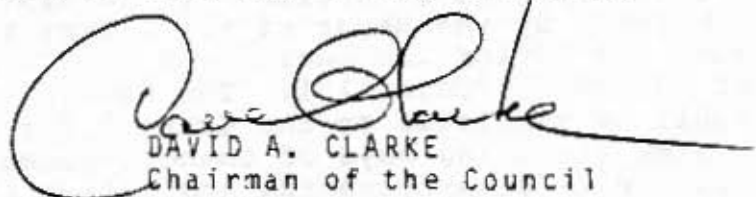
NOTICE

D.C. LAW 7-103

"District of Columbia Board of Parole
Amendment Act of 1987".

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. 7-133 on first and second readings, November 10, 1987, and November 24, 1987, respectively. This legislation was deemed approved without the signature of the Mayor on December 14, 1987, pursuant to Section 404(e) of "the Act", and was assigned Act No. 7-122, published in the December 25, 1987, edition of the D.C. Register, (Vol. 34 page 8279) and transmitted to Congress on December 21, 1987 for a 60-day review, in accordance with Section 602(c)(2) of the Act.

The Council of the District of Columbia hereby gives notice that the 60-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 7-103, effective April 28, 1988.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 60-day Congressional Review Period:

December 21,22
January 25,26,27,28,29
February 1,2,3,4 5,8,9,16,17,18,19,22,23,24,25,26,29
March 1,2,3,4,7,8,9,10,11,14,15,16,17,18,21,22,23,24,25,
28,29,30,31
April 11,12,13,14,15,18,19,20,21,22,25,26,27

AN ACT

D.C. ACT 7 - 122

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DEC 14 1987

To repeal sections 1 and 2 of An Act To reorganize the system of parole of prisoners convicted in the District of Columbia; to abolish the current Board of Parole; to reestablish a Board of Parole for the District of Columbia; and to require that all members of the Board of Parole be appointed with the advice and consent of the Council of the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Board of Parole Amendment Act of 1987".

Sec. 2. Creation; term of members.

(a) A Board of Parole ("Board") for the penal and correctional institutions of the District of Columbia ("District") is established to consist of 5 members appointed by the Mayor of the District of Columbia ("Mayor") with the advice and consent of the Council of the District of Columbia ("Council"). The nomination of a Board member shall be submitted to the Council for a 90-day period of review excluding days of Council recess. The Council may approve or disapprove the nomination by resolution within 90 days of the date the nomination is transmitted to the Council. If the Council does not act within the 90-day period, the nomination:

- (1) Shall be deemed disapproved; or
- (2) Shall be deemed approved if the Council has not acted on the 3 prior nominations for the same vacancy.

(b) One member of the Board shall be designated as Chairperson of the Board ("Chairperson") by the Mayor. Each member of the Board shall be a resident of the District selected on the basis of his or her broad experience in responsible positions in the fields of corrections, social services, rehabilitation, or law or education in related fields of behavioral science. Members of the Board shall be

New,
D.C. Code,
sec. 24-201.1
(1988 supp.)

compensated at a rate determined by the Mayor in accordance with applicable laws.

(c) Initial appointments to the Board shall be as follows: The Chairperson shall be appointed for 5 years; 2 members shall be appointed for 3 years; and 2 members shall be appointed for 2 years. Thereafter, all appointments shall be for 5 years. In the event of a vacancy on the Board, the Mayor shall appoint a successor to complete the unexpired term of that member.

(d) The Mayor shall submit to the Council a nomination for each position on the Board within 60 days of the effective date of this act.

(e) The Board of Parole as established by Organization Order No. 6, effective December 26, 1967 (C.O. 67-95; 14 DCR 152), is abolished.

(f) Each member of the Board of Parole established pursuant to Organization Order No. 6, effective December 26, 1967 (C.O. 67-95; 14 DCR 152), serving as a member as of the effective date of this act shall serve as an interim member of the Board established by this section, until a replacement member, appointed pursuant to this section, is sworn in.

Sec. 3. Powers and duties of the Board.

(a) The Board shall:

(1) Determine if and when it is in the best interest of society and the offender to release him or her on parole or on conditional release in the case of committed youth offenders;

(2) Determine the terms and conditions of parole or conditional release;

(3) Supervise parolees in the community; and

(4) Determine if and when to terminate parole or conditional release or to modify the terms or conditions of parole or conditional release.

(b) A quorum shall consist of 3 members of the Board. All decisions regarding approval, denial, or revocation of parole shall be by majority vote of the Board.

(c) The Chairperson shall preside at meetings of the Board and provide for and supervise the administrative and ministerial activities and personnel of the Board.

(d) The Chairperson shall insure that all Board policies, plans, rules, and standards are coordinated with the Department of Corrections in order to provide for an effective and integrated correctional system and for continuity in treatment and training of offenders that is geared to their readjustment as productive and useful members of society.

New,
D.C. Code,
sec. 24-201.2
(1988 supp.)

(e) The employees, official records, furniture, supplies, and any unexpended balance of any appropriation of the Board of Parole shall be transferred to the Board.

Sec. 4. Rulemaking.

New,
D.C. Code,
sec. 24-201.3
(1988 supp.)

The Mayor shall promulgate proposed rules to implement the provisions of this act. The proposed rules shall be submitted to the Council for a 60-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 60-day review period, the proposed rules shall be deemed approved. Nothing in this section shall affect any requirements imposed upon the Mayor by title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code, sec. 1-1501 et seq.).

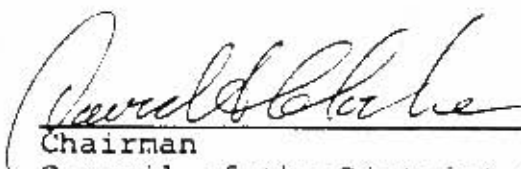
Sec. 5. Repealers.

Repeal,
D.C. Code,
sec. 24-201a
& 201b
(1988 supp.)

(a) Sections 1 and 2 of An Act to reorganize the system of parole of prisoners convicted in the District of Columbia, approved July 17, 1947 (61 Stat. 378; D.C. Code, sec. 24-201a and 201b), are repealed.

(b) Organization Order No. 6, effective December 26, 1967 (C.O. 67-95; 14 DCR 152), is repealed.

Sec. 6. Effective date. This act shall take effect after a 60-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(2) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(2)).



Chairman
Council of the District of Columbia

DEEMED APPROVED WITHOUT
SIGNATURE UPON EXPIRATION
OF 10-DAY MAYORAL REVIEW BOARD.

NOT SIGNED

Mayor
District of Columbia
DECEMBER 14, 1987



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Seven

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B7-133

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 11-10-87

VOICE VOTE: Unanimous

Recorded vote on request

Absent: all present

ROLL CALL VOTE — RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					NATHANSON					THOMAS SR.				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SCHWARTZ									
MASON					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

11/25/87
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 11-24-87

VOICE VOTE: By Majority, Member Thomas voted no

Recorded vote on request

Absent: all present

ROLL CALL VOTE — RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					NATHANSON					THOMAS, SR.				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SCHWARTZ									
MASON					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

11/25/87
Date

Item on Consent Calendar

ACTION & DATE: _____

VOICE VOTE: _____

Recorded vote on request

Absent: _____

ROLL CALL VOTE — RESULT _____

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					NATHANSON					THOMAS, SR.				
CRAWFORD					RAY					WILSON				
JARVIS					ROLARK					WINTER				
KANE					SCHWARTZ									
MASON					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD