

DC Code § 24-101.01

District of Columbia Official Code

*** Current through laws in effect as of February 25, 2015 and through D.C. Act 20-422. ***

Division IV. Criminal law and procedure and prisoners.
Title 24. Prisoners and Their Treatment.
Chapter 1. Transfer of Prison System to Federal Authority.
Subchapter I. Corrections.

D.C. Code § 24-101.01 (2011)

§ 24-101.01. 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 § 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 Chapter 3A of Title 2 [§ 2-351.01 et seq.].

(3) The CIC is authorized to appoint one employee to the Excepted Service established by subchapter IX of Chapter 6 of Title 1 [§ 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.

HISTORY: (Aug. 5, 1997, [111 Stat. 734](#), Pub. L. 105-33, § 11201, as added Oct. 2, 2010, D.C. Law 18-233, § 2(b), 57 DCR 4514; Sept. 26, 2012, D.C. Law 19-171, § 221, 59 DCR 6190.)

NOTES:

Prior Codifications. --

2001 Ed., § 24-101a.

Effect of amendments. --

The 2012 amendment by D.C. Law 19-171 substituted "Chapter 3 of Title 2" for "Chapter 3A of Title 2" in (h)(2)(B).

Emergency legislation. --

For temporary (90 day) repeal of section 3 of D.C. Law 18-233, see § 7011 of Fiscal Year 2013 Budget Support Emergency Act of 2012 (D.C. Act 19-383, June 19, 2012, 59 DCR 7764).

For temporary (90 day) repeal of section 3 of D.C. Law 18-233, see § 7011 of Fiscal Year 2013 Budget Support Congressional Review Emergency Act of 2012 (D.C. Act 19-413, July 25, 2012, 59 DCR 9290).

Legislative history of Law 18-233. --

For history of Law 18-233, see notes under § 24-101.

Legislative history of Law 19-171. --

Law 19-171, the "Technical Amendments Act of 2012," was introduced in Council and assigned Bill No. 19-397. The Bill was adopted on first and second readings on Mar. 20, 2012, and Apr. 17, 2012, respectively. Signed by the Mayor on May 23, 2012, it was assigned Act No. 19-376 and transmitted to Congress for its review. D.C. Law 19-171 became effective on September 26, 2012.

Editor's notes. --

Section 3 of D.C. Law 18-233 provided that the act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, but no earlier than June 1, 2011. According to the Office of the Budget Director, as of Feb. 15, 2012, D.C. Law 18-233 had not been funded. D.C. Law 18-233, § 3, was repealed by D.C. Law 19-168, § 7011.