

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

A BILL
23-291

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Department of Youth Rehabilitation Services Establishment Act of 2004 to provide the Juvenile Services Program of the Public Defender Service for the District of Columbia with access to youth who are in the physical custody of the Department of Youth Rehabilitation Services, are committed to the Department of Youth Rehabilitation Services, or are confined at facilities of the Department of Youth Rehabilitation Services, and to allow the Juvenile Services Program of the Public Defender Service to provide such youth education on legal rights, access to counsel, information, and legal support.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Detained Youth Access to the Juvenile Services Program Amendment Act of 2019”.

Sec. 2. The Department of Youth Rehabilitation Services Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-335; D.C. Official Code § 2-1515.01 *et seq.*), is amended by adding a new section 105a to read as follows:

“Sec. 105a. Juvenile Services Program.

“(a) The Department shall permit the Juvenile Services Program of the Public Defender Service for the District of Columbia (“JSP-PDS”) access to youth in accordance with this section.

28 (b) The JSP-PDS shall be able to meet and have contact with youth through in person
29 communication, telephone calls and written correspondence in order to provide free legal
30 services to youth including:

31 “(1) Assistance contacting attorneys and others involved in the youths’ court
32 cases;

33 “(2) Representation of youth in disciplinary hearings;

34 “(3) Representation of youth in any proceeding at which the Department seeks to
35 place a youth at a more secure level of placement;

36 “(4) Legal rights orientations for new residents; and

37 “(5) Assistance filing complaints relating to conditions of confinement.

38 “(c) The Department shall provide:

39 “(1) The JSP-PDS with dedicated office space at the Youth Services Center, the
40 New Beginnings Youth Development Center, and any similar future secured facility operated by
41 the Department;

42 “(2) Youth and personnel of the JSP-PDS with confidential access to each other,
43 which shall include confidential:

44 (A) Telephone calls;

45 (B) Written correspondence; and

46 (C) In-person communications; and

47 “(3) The JSP-PDS personnel with reasonable in-person access, as necessary, to
48 the housing units or other areas of Department facilities where youth are confined; provided, that
49 the Department retains the authority to temporarily restrict or deny access previously granted, at
50 any time, due to institutional needs.

51 “(d) The dedicated office space provided pursuant to subsection (c)(1) of this section
52 shall include:

53 “(1) Space for confidential meetings between youth and the JSP-PDS personnel;
54 and

55 “(2) Electricity and permission for PDS to have and maintain its own internet
56 connection for JSP-PDS operated and managed computers, telephones, and electronic
57 equipment.

58 “(e) The JSP-PDS personnel may not use electronic equipment such as cell phones and
59 computers within Department housing units unless otherwise permitted by the Department or by
60 court order.

61 Sec. 3. Fiscal impact statement.

62 The Council adopts the fiscal impact statement in the committee report as the fiscal
63 impact statement required by section 4a of the General legislative Procedures Act of 1975,
64 approved October 16, 2006 (120 Stat. 2038; D. C. Official Code § 1-301.47a).

65 Sect. 4. Effective date.

66 This act shall take effect following approval by the Mayor (or in the event of veto by the
67 Mayor, action by the Council to override the veto), a 30-day period of congressional review as

ENGROSSED ORIGINAL

68 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
69 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the district of
70 Columbia Register.