

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Administrative Procedure Act to provide that information about employees and officers of public bodies who are participants in the Address Confidentiality Program shall not be made public; to amend the Victims of Violent Crime Compensation Act of 1996 to expand eligibility for victims of certain crimes to receive compensation, to expand the types of mental health counseling expenses and to add veterinary expenses as medical expenses eligible for compensation, to provide additional methods for claimants to satisfy the reporting requirement for compensation, and to increase the compensation available to claimants who are or were the parent, guardian, custodian, or primary caregiver to more than 2 children; to amend the Sexual Assault Victims' Rights Act of 2014 to strengthen the duties of the independent expert consultant, and to require the Sexual Assault Response Team to establish minimum standards of care for entities participating in the continuum of services for sexual assault victims; to amend An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children to clarify the rules surrounding mandatory reporting, to exempt domestic violence counselors, human trafficking counselors, and sexual assault counselors from certain reporting requirements, to exempt certain individuals employed or supervised by a lawyer from certain reporting requirements, and to require that the Office of the Attorney General provide training to mandatory reporters; to amend the District of Columbia Mental Health Information Act of 1978 to clarify that a mental health professional includes a sexual assault counselor who is under the supervision of a licensed social worker, nurse, psychiatrist, psychologist, or psychotherapist; to amend the Firearms Control Regulations Act of 1975 to clarify that applicants seeking relief from a firearms disqualifier under District law may only obtain such relief if the disqualifier is based on a voluntary admission, commitment, incapacity determination, or adjudication that occurred in the District, and to provide that a person disqualified under 18 U.S.C. § 922(d)(4) may petition for relief from disqualification; to amend Title 14 of the District of Columbia Official Code to require domestic violence counselors, human trafficking counselors, and sexual assault counselors to report crimes in certain situations, to establish crime victim counselor programs and hospital-based violence intervention programs and to make communications between victims and crime victim counselors or members of hospital-

based violence intervention programs confidential, and to require that clients have notice of and an opportunity to object to potential disclosures of confidential communications; to amend Chapter 10 of Title 16 of the District of Columbia Official Code to allow adults with physical custody of a minor to petition for a civil protection or on the minor's behalf; to amend the Anti-Sexual Abuse Act of 1994 to explicitly criminalize the first or second degree sexual abuse of an arrestee or detainee; to amend Title 23 of the District of Columbia Official Code to authorize the warrantless arrest in certain circumstances of a person who intentionally violates a condition of release that the person stay away, or have no contact with, an individual or location, to prohibit a person on supervised release, probation, or parole from intentionally violating any condition of release that the person stay away from, or have no contact with, an individual or location, to provide victims of gunshot and stabbing wounds the right to have a member of a hospital-based violence intervention program present during any forensic medical, evidentiary, or physical examination at the hospital or interviews with law enforcement at the hospital, to require the Office of Victim Services and Justice Grants to establish a Task Force on Hospital-Based Violence Intervention Programs to study nationally recognized best practices and develop recommendations for hospital-based violence intervention programs, to require the Office of Victim Services and Justice Grants to issue grants for a pilot program to develop policies, protocols, and trainings relating to hospital-based violence intervention programs, to allow sexual assault victims to pursue injunctive relief against District agencies for violations of certain rights, and to restrict the use of custodial arrests on sexual assault victims and victims who have an intentionally inflicted gunshot or stabbing wound seeking emergency medical treatment or medical forensic care; to amend An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes to make conforming amendments; and to establish by law the Office of Victim Services and Justice Grants and provide for its organization and duties.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Expanding Supports for Crime Victims Amendment Act of 2022".

TITLE I. EXPANDING SERVICES AND PROTECTIONS FOR VICTIMS OF CRIME

Sec. 101. Section 206(a)(1) of the District of Columbia Administrative Procedure Act, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-536(a)(1)), is amended to read as follows:

“(1) The names, salaries, title, and dates of employment of all employees and officers of a public body, except for any employee or officer of a public body who is a participant, as that term is defined in section 101(12) of the Address Confidentiality Act of 2018, effective July 3, 2018 (D.C. Law 22-118; D.C. Official Code § 4-555.01(12)) (“Address Confidentiality Act”), in the Address Confidentiality Program established by section 102 of the Address Confidentiality Act, and submits a request to the Department of Human Resources

(“Department”), through a process to be established by the Department, that their information not be made public.”.

Sec. 102. The Victims of Violent Crime Compensation Act of 1996, effective April 9, 1997 (D.C. Law 11-243; D.C. Official Code § 4-501 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 4-501) is amended as follows:

(1) The lead-in language is amended by striking the phrase “act the” and inserting the phrase “act, the” in its place.

(2) Paragraph (2) is amended as follows:

(A) Subparagraph (A) is amended by striking the semicolon and inserting the phrase “; or” in its place.

(B) Subparagraph (B) is amended by striking the phrase “; or” and inserting a period in its place.

(C) Subparagraph (C) is repealed.

(3) Paragraph (3) is amended to read as follows:

“(3) “Collateral source”:

“(A) Means a source of benefits or compensation available to a claimant for economic loss resulting from a crime; and

“(B) Includes payments or benefits from:

“(i) The offender;

“(ii) The United States, District of Columbia, a state or territory of the United States or its political subdivisions, or an agency of the foregoing, including Social Security, Medicare, Medicaid, workers’ compensation, public employees’ disability compensation, the Department of Human Services, the Department of Health, the Child and Family Services Agency, or Court Social Services;

“(iii) A wage continuation program of an employer;

“(iv) A contract of life, health, disability, liability, or fire and casualty insurance, or a contract providing prepaid hospital or health care benefits;

“(v) Proceeds of a lawsuit brought as a result of the crime; or

“(vi) Life insurance proceeds of more than \$50,000.”.

(4) Paragraph (6) is amended to read as follows:

“(6) “Crime” means the following offenses, or the attempt to commit the following offenses, whether prosecuted under the District of Columbia Official Code or substantially similar offense defined in the United States Code, and whether committed in the District against any person or outside of the United States against a resident of the District:

“(A) An act of terrorism, as described in section 103 of the Omnibus Anti-Terrorism Act of 2002, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 22-3153);

“(B) Arson, as described in section 820 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1323; D.C. Official Code § 22-301);

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“(C) Assault with intent to kill, rob, or poison, or to commit first degree sexual abuse, second degree sexual abuse or child sexual abuse, as described in section 803 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1321; D.C. Official Code § 22-401);

“(D) Assault with intent to commit mayhem or with a dangerous weapon, as described in section 804 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1321; D.C. Official Code § 22-402);

“(E) Assault with intent to commit any offense, as described in section 805 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1322; D.C. Official Code § 22-403);

“(F) Assault or threatened assault in a menacing manner; stalking, as described in section 806 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1322; D.C. Official Code § 22-404);

“(G) Aggravated assault, as described in section 806a of An Act To establish a code of law for the District of Columbia, effective August 20, 1994 (D.C. Law 10-151; D.C. Official Code § 22-404.01);

“(H) Assault on member of police force, campus or university special police, or fire department, as described in section 432 of the Revised Statutes of the District of Columbia (D.C. Official Code § 22-405);

“(I) Burglary, as described in section 823 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1323; D.C. Official Code § 22-801);

“(J) Carjacking, as described in section 811a(a)(1) of An Act To establish a code of law for the District of Columbia, effective May 8, 1993 (D.C. Law 9-270; D.C. Official Code § 22-2803(a)(1)); or

“(K) Armed carjacking, as described in section 811a(b)(1) of An Act To establish a code of law for the District of Columbia, effective May 8, 1993 (D.C. Law 9-270; D.C. Official Code § 22-2803(b)(1));

“(L) Criminal abuse of a vulnerable adult or elderly person, as described in section 203 of the Senior Protection Amendment Act of 2000, effective June 8, 2001 (D.C. Law 13-301; D.C. Official Code § 22-933);

“(M) Financial exploitation of a vulnerable adult or elderly person, as described in section 203a of the Senior Protection Amendment Act of 2000, effective November 23, 2016 (D.C. Law 21-166; D.C. Official Code § 22-933.01);

“(N) Criminal negligence, as described in section 204 of the Senior Protection Amendment Act of 2000, effective June 8, 2001 (D.C. Law 13-301; D.C. Official Code § 22-934);

“(O) Cruelty to animals, as described in section 1 of Chapter 106 of the Acts of the Legislative Assembly, approved August 23, 1871, (D.C. Official Code § 22-1001), when committed against the victim’s animal;

“(P) Cruelty to children, as described in section 3 of An act for the protection of children in the District of Columbia and for other purposes, approved February 13, 1885 (23 Stat. 303; D.C. Official Code § 22-1101);

“(Q) The following offenses that resulted in death or bodily injury to a person, notwithstanding that the offender lacked the capacity to commit the offense by reason of infancy, insanity, intoxication, or otherwise:

“(i) Speeding and reckless driving, as described in section 9 of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1123; D.C. Official Code § 50-2201.04);

“(ii) Fleeing from a law enforcement officer in a motor vehicle, as described in section 10b of District of Columbia Traffic Act, 1925, effective March 16, 2005 (D.C. Law 15-239; D.C. Official Code § 50-2201.05b);

“(iii) Leaving after colliding, as described in section 10c of District of Columbia Traffic Act, 1925, effective April 27, 2013 (D.C. Law 19-266; D.C. Official Code § 50-2201.05c);

“(iv) Object falling or flying from vehicle, as described in section 10d of District of Columbia Traffic Act, 1925, effective April 27, 2013 (D.C. Law 19-266; D.C. Official Code § 50-2201.05d);

“(v) Driving under the influence (DUI) of alcohol or a drug, as described in section 3b of the Anti-Drunk Driving Act of 1982, effective April 27, 2013 (D.C. Law 19-266; D.C. Official Code § 50-2206.11);

“(vi) Driving under the influence of alcohol or a drug; commercial vehicle, as described in section 3c of the Anti-Drunk Driving Act of 1982, effective April 27, 2013 (D.C. Law 19-266; D.C. Official Code § 50-2206.12);

“(vii) Operating a vehicle while impaired, as described in section 3e of the Anti-Drunk Driving Act of 1982, effective April 27, 2013 (D.C. Law 19-266; D.C. Official Code § 50-2206.14);

“(viii) Operating under the influence of alcohol or a drug (horse-drawn vehicle), as described in section 3g of the Anti-Drunk Driving Act of 1982, effective April 27, 2013 (D.C. Law 19-266; D.C. Official Code § 50-2206.16);

“(ix) Operating under the influence of alcohol or a drug (watercraft), as described in section 3j of the Anti-Drunk Driving Act of 1982, effective April 27, 2013 (D.C. Law 19-266; D.C. Official Code § 50-2206.31); and

“(x) Operating a watercraft while impaired, as described in section 3l of the Anti-Drunk Driving Act of 1982, effective April 27, 2013 (D.C. Law 19-266; D.C. Official Code § 50-2206.33);

“(R) Manufacture, transfer, use, possession, or transportation of Molotov cocktails, or other explosives for unlawful purposes, as described in section 15A of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 654; D.C. Official Code § 22-4515a);

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“(S) Forced labor, as described in section 102 of the Prohibition Against Human Trafficking Amendment Act of 2010, effective October 23, 2010 (D.C. Law 18-239; D.C. Official Code § 22-1832);

“(T) Trafficking in labor or commercial sex acts, as described in section 103 of the Prohibition Against Human Trafficking Amendment Act of 2010, effective October 23, 2010 (D.C. Law 18-239; D.C. Official Code § 22-1833);

“(U) Sex trafficking of children, as described in section 104 of the Prohibition Against Human Trafficking Amendment Act of 2010, effective October 23, 2010 (D.C. Law 18-239; D.C. Official Code § 22-1834);

“(V) Unlawful conduct with respect to documents in furtherance of human trafficking, as described in section 105 of the Prohibition Against Human Trafficking Amendment Act of 2010, effective October 23, 2010 (D.C. Law 18-239; D.C. Official Code § 22-1835);

“(W) Benefitting financially from human trafficking, as described in section 106 of the Prohibition Against Human Trafficking Amendment Act of 2010, effective October 23, 2010 (D.C. Law 18-239; D.C. Official Code § 22-1836);

“(X) Kidnapping, as described in section 812 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1322; D.C. Official Code § 22-2001);

“(Y) Malicious burning, destruction, or injury of another’s property, as described in section 848 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1327; D.C. Official Code § 22-303), that:

“(i) Resulted from the discharge of a firearm into the victim’s residence or vehicle; or

“(ii) Was committed by an intimate partner;

“(Z) Mayhem or maliciously disfiguring, as described in section 807 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1322; D.C. Official Code § 22-406);

“(AA) Manslaughter, as described in section 802 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1321; D.C. Official Code § 22-2105);

“(BB) Murder in the first degree (purposeful killing; killing while perpetrating certain crimes), as described in section 798 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1321; D.C. Official Code § 22-2101);

“(CC) Murder in the first degree (placing obstructions upon or displacement of railroads), as described in section 799 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1321; D.C. Official Code § 22-2102);

“(DD) Murder in the second degree, as described in section 800 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1321; D.C. Official Code § 22-2103);

“(EE) Murder of law enforcement officer, as described in section 802a of An Act To establish a code of law for the District of Columbia, effective May 23, 1995 (D.C. Law 10-256; D.C. Official Code § 22-2106);

“(FF) Negligent homicide, as described in section 802(a) of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1321; D.C. Official Code § 22-2203.01);

“(GG) Where a person was compelled to engage in prostitution:

“(i) Engaging in prostitution or soliciting for prostitution, as described in section 1 of An Act For the Suppression of prostitution in the District of Columbia, approved August 15, 1935 (49 Stat. 651; D.C. Official Code § 22-2701);

“(ii) Abducting or enticing child from the child’s home for purposes of prostitution; harboring such child, as described in section 813 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1322; D.C. Official Code § 22-2704);

“(iii) Pandering; inducing or compelling an individual to engage in prostitution, as described in section 1 of an Act In relation to pandering, to define and prohibit the same and to provide for the punishment thereof, approved June 25, 1910 (36 Stat. 833; D.C. Official Code § 22-2705);

“(iv) Compelling an individual to live life of prostitution against the individual’s will, as described in section 2 of an Act In relation to pandering, to define and prohibit the same and to provide for the punishment thereof, approved June 25, 1910 (36 Stat. 833; D.C. Official Code § 22-2706);

“(v) Procuring; receiving money or other valuable thing for arranging assignation, as described in section 3 of an Act In relation to pandering, to define and prohibit the same and to provide for the punishment thereof, approved June 25, 1910 (36 Stat. 833; D.C. Official Code § 22-2707);

“(vi) Causing spouse or domestic partner to live in prostitution, as described in section 4 of an Act In relation to pandering, to define and prohibit the same and to provide for the punishment thereof, approved June 25, 1910 (36 Stat. 833; D.C. Official Code § 22-2708);

“(vii) Detaining an individual in disorderly house for debt there contracted, as described in section 5 of an Act In relation to pandering, to define and prohibit the same and to provide for the punishment thereof, approved June 25, 1910 (36 Stat. 833; D.C. Official Code § 22-2709);

“(viii) Procuring for house of prostitution, as described in section 6 of an Act In relation to pandering, to define and prohibit the same and to provide for the punishment thereof, approved January 3, 1941 (54 Stat. 1226; D.C. Official Code § 22-2710);

“(ix) Procuring for third persons, as described in section 7 of an Act In relation to pandering, to define and prohibit the same and to provide for the punishment thereof, approved January 3, 1941 (54 Stat. 1226; D.C. Official Code § 22-2711); and

“(x) Operating house of prostitution, as described in section 8 of an Act In relation to pandering, to define and prohibit the same and to provide for the punishment thereof, approved January 3, 1941 (54 Stat. 1226; D.C. Official Code § 22-2712);

“(HH) Rioting or inciting to riot, as described in section 901 of An Act relating to crime and criminal procedure in the District of Columbia, approved December 27, 1967 (81 Stat. 742; D.C. Official Code § 22-1322);

“(II) Robbery, as described in section 810 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1322; D.C. Official Code § 22-2801);

“(JJ) Attempt to commit robbery, as described in section 811 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1322; D.C. Official Code § 22-2802);

“(KK) First degree sexual abuse, as described in section 201 of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3002);

“(LL) Second degree sexual abuse, as described in section 202 of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3003);

“(MM) Third degree sexual abuse, as described in section 203 of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3004);

“(NN) Fourth degree sexual abuse, as described in section 204 of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3005);

“(OO) Misdemeanor sexual abuse, as described in section 205 of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3006);

“(PP) First degree child sexual abuse, as described in section 207 of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3008);

“(QQ) Second degree child sexual abuse, as described in section 208 of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3009);

“(RR) First degree sexual abuse of a minor, as described in section 208a of the Anti-Sexual Abuse Act of 1994, effective April 24, 2007 (D.C. Law 16-306; D.C. Official Code § 22-3009.01);

“(SS) Second degree sexual abuse of a minor, as described in section 208b of the Anti-Sexual Abuse Act of 1994, effective April 24, 2007 (D.C. Law 16-306; D.C. Official Code § 22-3009.02);

“(TT) First degree sexual abuse of a secondary education student, as described in section 208c of the Anti-Sexual Abuse Act of 1994, effective October 23, 2010 (D.C. Law 18-239; D.C. Official Code § 22-3009.03);

“(UU) Second degree sexual abuse of a secondary education student, as described in section 208d of the Anti-Sexual Abuse Act of 1994, effective October 23, 2010 (D.C. Law 18-239; D.C. Official Code § 22-3009.04);

“(VV) Enticing a child or minor, as described in section 209 of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3010);

“(WW) Misdemeanor sexual abuse of a child or minor, as described in section 209a of the Anti-Sexual Abuse Act of 1994, effective April 24, 2007 (D.C. Law 16-306; D.C. Official Code § 22-3010.01);

“(XX) Arranging for a sexual contact with a real or fictitious child, as described in section 209b of the Anti-Sexual Abuse Act of 1994, effective June 3, 2011 (D.C. Law 18-377; D.C. Official Code § 22-3010.02);

“(YY) First degree sexual abuse of a ward, patient, client, arrestee, detainee, or prisoner, as described in section 212 of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3013);

“(ZZ) Second degree sexual abuse of a ward, patient, client, arrestee, detainee, or prisoner, as described in section 213 of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3014);

“(AAA) First degree sexual abuse of a patient or client, as described in section 214 of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3015);

“(BBB) Second degree sexual abuse of a patient or client, as described in section 215 of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3016);

“(CCC) Sexual performances using minors, as described in section 3 of the District of Columbia Protection of Minors Act of 1982, effective March 9, 1983 (D.C. Law 4-173; D.C. Official Code § 22-3102);

“(DDD) Stalking, as described in section 503 of the Omnibus Public Safety and Justice Amendment Act of 2009, effective December 10, 2009 (D.C. Law 18-88; D.C. Official Code § 22-3133);

“(EEE) Threats to do bodily harm, as described in section 2 of An Act To confer concurrent jurisdiction on the police court of the District of Columbia in certain cases, approved July 16, 1912 (37 Stat. 193; D.C. Official Code § 22-407);

“(FFF) Voyeurism, as described in section 105 of the Omnibus Public Safety Amendment Act of 2006, effective April 24, 2007 (D.C. Law 16-306; D.C. Official Code § 22-3531); and

“(GGG) Use, dissemination, or detonation of a weapon of mass destruction, as described in section 105 of the Omnibus Anti-Terrorism Act of 2002, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 22-3155).”.

(5) Paragraph (7)(A) is amended as follows:

(A) Sub-subparagraph (i) is amended by striking the phrase “the District of Columbia” and inserting the phrase “the District” in its place.

(B) Sub-subparagraph (xi) is amended by striking the phrase “cost of a rental car for” and inserting the phrase “cost of alternate transportation, including a rental car or rideshare, for” in its place.

(6) A new paragraph (8A) is added to read as follows:

“(8A) “Intimate partner” means a person:

“(A) To whom the offender is or was married;

“(B) With whom the offender is or was in a domestic partnership;

“(C) With whom the offender has a child in common; or

“(D) With whom the offender is, or was, or is seeking to be in a romantic, dating, or sexual relationship.”.

(7) Paragraph (9) is amended as follows:

(A) Subparagraph (C) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(B) Subparagraph (D) is amended as follows:

(i) Sub-subparagraph (ii) is amended by striking the phrase “; or” and inserting a semicolon in its place.

(ii) Sub-subparagraph (iii) is amended by striking the period and inserting the phrase “; or” in its place.

(iii) A new sub-subparagraph (iv) is added to read as follows:

“(iv) Individual licensed by the Board of Professional Counseling as a:

“(I) Professional counselor, as described in section 710(a) of the District of Columbia Health Occupations Revision Act of 1985, effective July 22, 1992 (D.C. Law 9-126; D.C. Official Code § 3-1207.10(a));

“(II) Professional counselor, as described in section 710(c) of the District of Columbia Health Occupations Revision Act of 1985, effective July 22, 1992 (D.C. Law 9-126; D.C. Official Code § 3-1207.10(c)); or

“(III) Graduate professional counselor, as described in in section 710(b) of the District of Columbia Health Occupations Revision Act of 1985, effective July 22, 1992 (D.C. Law 9-126; D.C. Official Code § 3-1207.10(b)); and”.

(C) A new subparagraph (E) is added to read as follow:

“(E) Veterinary expenses in claims where the victim’s animal was a victim of cruelty to animals, as described in section 1 of Chapter 106 of the Acts of the Legislative Assembly, adopted August 23, 1871 (D.C. Official Code § 22-1001).”.

(8) A new paragraph (9A) is added to read as follows:

“(9A) “Minor” means a person under 18 years of age.”.

(9) Paragraph (13)(A) is amended by striking the phrase “step, and adopted” and inserting the phrase “step, foster, and adopted” in its place.

(10) Paragraph (14) is amended as follows:

(A) The lead-in language is amended by striking the phrase “the District of Columbia” wherever it appears and inserting the phrase “the District” in its place.

(B) Subparagraph (C) is amended by striking the semicolon and inserting the phrase “; or” in its place.

(C) Subparagraph (D) is amended by striking the phrase “; or” and inserting a period in its place.

(D) Subparagraph (E) is repealed.

(b) Section 3 (D.C. Official Code § 4-502) is amended by striking the phrase “claims of victims of violent crime” and inserting the phrase “claims of victims and secondary victims” in its place.

(c) Section 4 (D.C. Official Code § 4-503) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “the Superior Court of the District of Columbia (“Court”)” and inserting the phrase “the Court” in its place.

(2) Subsection (c) is amended as follows:

(A) Paragraph (6) is amended by striking the phrase “the Crime Victims Compensation Appeals Board (“Board”), the District of Columbia Metropolitan Police Department, the U.S. Attorney’s Office, the Corporation Counsel of the District of Columbia” and inserting the phrase “the Board, the Metropolitan Police Department, the Office of the Attorney General for the District of Columbia, the Office of the United States Attorney for the District of Columbia” in its place.

(B) Paragraph (7) is amended by striking the phrase “both English” and inserting the phrase “at least both English” in its place.

(d) Section 5 (D.C. Official Code § 4-504) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Commission (“Commission”) is established” and inserting the phrase “Commission is established” in its place.

(2) Subsection (b) is amended to read as follows:

“(b) The Commission’s members shall:

“(1) Serve for a term of 3 years;

“(2) Be eligible for reappointment;

“(3) Serve without compensation; and

“(4) Elect any additional officers necessary for the efficient discharge of their duties.”.

(3) Subsection (c) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “Committee on the Judiciary of the Council of the District of Columbia” and inserting the phrase “Council committee with jurisdiction over victims’ compensation” in its place.

(B) Paragraph (2) is amended by striking the phrase “the Corporation Counsel” and inserting the phrase “the Attorney General for the District of Columbia” in its place.

(C) Paragraph (3) is amended by striking the phrase “U.S. Attorney’s Office” and inserting the phrase “Office of the United States Attorney for the District of Columbia” in its place.

(D) Paragraph (7) is amended by striking the phrase “District of Columbia Department of Corrections” and inserting the phrase “Department of Corrections” in its place.

(e) Section 6(a) (D.C. Official Code § 4-505(a)) is amended by striking the phrase “Board (“Board”) is” and inserting the phrase “Board is” in its place.

(f) Section 7 (D.C. Official Code § 4-506) is amended as follows:

(1) Subsection (a) is amended to read as follows:

“(a) A claimant is eligible to receive compensation under this act if:

“(1) The claimant filed a claim under this act within one year after:

“(A) The crime occurred;

“(B) Learning of the Program, with an adequate showing that the delay in learning of the Program was reasonable;

“(C) The resolution of a first application, or any subsequent application entertained by the court, for a sentence modification as described in section 3c of An Act To establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes, effective April 4, 2017 (D.C. Law 21-238; D.C. Official Code § 24-403.03); or

“(D) The resolution of a motion to modify a term of imprisonment as described in section 3d of An Act To establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes, effective April 27, 2021 (D.C. Law 23-274; D.C. Official Code § 24-403.04); and

“(2) The crime was reported to a law enforcement office within 7 days after its occurrence or, if the crime could not be reasonably reported within that time period, within 7 days from the time a report can reasonably be made.”.

(2) New subsections (a-1) and (a-2) are added to read as follows:

“(a-1)(1) Notwithstanding any other provision of law, a victim of the offense of malicious burning, destruction, or injury of another’s property, as described in section 2(6)(Y), whose claim is barred under subsection (a)(1)(A) of this section, may file a claim under this act during the one-year period after the effective date of the Expanding Supports for Crime Victims Amendment Act of 2022, passed on 2nd reading on October 18, 2022 (Enrolled version of Bill 24-75), which shall be deemed timely filed under subsection (a)(1)(A) of this section; provided, that the offense occurred within the 2-year period before the effective date of the Expanding

Supports for Crime Victims Amendment Act of 2022, passed on 2nd reading on October 18, 2022 (Enrolled version of Bill 24-75).

“(2) Compensation awarded for a claim filed under paragraph (1) of this subsection shall be limited to the reasonable cost of replacing doors, windows, locks, or other items to secure the victim’s home or other place of residence, which shall not exceed \$1,000.

“(a-2)(1) A claimant shall not be deemed ineligible to receive compensation in cases where the claimant is a family member or household member of the perpetrator of the crime for which compensation is sought.

“(2) The identification, arrest, prosecution, or conviction of a perpetrator of the crime for which compensation is sought is not required for a claimant to be eligible for compensation.

“(3) Unless an application for rehearing, appeal, or petition for certiorari is pending or a new trial or hearing has been ordered, conviction of the perpetrator of the crime for which compensation is sought is conclusive evidence that a crime was committed.

“(4) If the offense listed in the police report or criminal charge is not a crime eligible for compensation, the Program may determine a claimant’s eligibility based on the facts of the incident for which compensation is sought instead of the offense listed in the police report or criminal charge.”.

(3) Subsection (c) is amended to read as follows:

“(c) Notwithstanding subsection (a)(2) of this section, the victim may satisfy the reporting requirement by:

“(1) In the case of a domestic violence victim, obtaining a:

“(A) Temporary protection order or civil protection order from the Court;

or

“(B) Forensic medical examination;

“(2) In the case of a stalking victim, obtaining a temporary anti-stalking order or anti-stalking order from the Court;

“(3) In the case of a sexual assault victim:

“(A) Obtaining a:

“(i) Temporary civil protection order or civil protection order from the Court; or

“(ii) Forensic medical examination; or

“(B) Reporting the offense to a law enforcement office before expiration of the applicable statute of limitations for that offense, as provided in D.C. Official Code § 23-113;

“(4) In the case of a victim of cruelty to children, the filing of a neglect petition by the District of Columbia in the Court; or

“(5) For any victim, if the Program determines that the claimant’s ability to report the crime may be impacted due to the claimant’s age, physical condition, psychological state, cultural or linguistic barriers, or any other health or safety concern that jeopardizes the

claimant's well-being, as described in 34 U.S.C. § 20102(b)(2), including in their application any of the following documents establishing they are a victim:

“(A) An order or judgement from any court of competent jurisdiction;

“(B) Records from a law enforcement agency; or

“(C) Records from a medical professional from whom the victim has sought assistance in dealing with the alleged crime.”.

(4) New subsections (e) and (f) are added to read as follows:

“(e) Any written requests for information release issued to providers of medical services to victims or secondary victims, including to hospitals, physicians, and mental health clinics, shall:

“(1) Not be made available to the public;

“(2) Limit the request for information from the provider to an acknowledgement of their treatment of the victim or secondary victim, and that such treatment was in connection to the crime for which the claimant is requesting compensation;

“(3) Include a limitation on the time or duration of the authorization for release of information;

“(4) Notify the victim or secondary victim that they may submit a written revocation of the authorization for release of information;

“(5) Include a disclaimer that the provider is not authorized to discuss the victim's or secondary victim's health information or medical care with anyone other than the Program; and

“(6) Include a disclaimer that the provider must notify the victim or secondary victim if any additional information about the victim's or secondary victim's treatment is requested by:

“(A) The Program; or

“(B) Any other person or entity related to a claim under this act.

“(f) In evaluating the claimant's application, the Program shall not require a victim or secondary victim to affirmatively and fully waive the physician-patient privilege as a condition to claiming such compensation.”.

(g) Section 8 (D.C. Official Code § 4-507) is amended as follows:

(1) Subsection (a-1) is amended by striking the phrase “himself or herself of” and inserting the phrase “themselves of” in its place.

(2) Subsection (b) is amended to read as follows:

“(b) The Court shall not award compensation in an amount exceeding \$25,000 per victimization; except, that:

“(1) If the victim is or was the parent, guardian, custodian, or primary caregiver to more than 2 children who reside or resided with the victim, the Court may award additional compensation to the claimant of up to \$5,000 for each child who resides with the claimant, beginning with the third child; and

(2) Compensation for veterinary expenses as described in section 2(9)(E) shall not exceed \$1,000.”.

(h) Section 9(b)(2) (D.C. Official Code § 4-508(b)(2)) is amended to read as follows:

“(2)(A) The victim failed to reasonably cooperate with law enforcement; and

“(B) The victim’s cooperation was not impacted by the factors described in section 7(c).”.

(i) Section 10 (D.C. Official Code § 4-509) is amended as follows:

(1) Subsection (c) is amended by striking the phrase “The District of Columbia” both times it appears and inserting the phrase “The District” in its place.

(2) Subsection (d) is amended by striking the phrase “Corporation Counsel of the District of Columbia if a lawsuit for restitution or damages is instituted. The District of Columbia” and inserting the phrase “Office of the Attorney General for the District of Columbia if a lawsuit for restitution or damages is instituted. The District” in its place.

(j) Section 13 (D.C. Official Code § 4-512) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “or by electronic mail” and inserting the phrase “online, or by electronic mail” in its place.

(2) Subsection (b) is amended by striking the phrase “claimant by first class mail or electronic mail, along” and inserting the phrase “claimant, along” in its place.

(3) Subsection (c) is amended by striking the phrase “claimant by first class mail or electronic mail, along” and inserting the phrase “claimant, along” in its place.

(k) Section 16a (D.C. Official Code § 4-515.01) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Services.” and inserting the phrase “Services and Justice Grants.” in its place.

(2) Subsection (c) is amended by striking the phrase “than 5% of” and inserting the phrase “than 8% of” in its place.

(l) Section 17(a) (D.C. Code Official Code § 4-516(a)) is amended to read as follows:

“(a)(1) In addition to and separate from punishment imposed, an assessment of \$100 for each violation of the following crimes, an assessment of between \$50 and \$250 for other serious traffic or misdemeanor offenses, and an assessment of between \$100 and \$5,000 for each felony offense shall be imposed upon each person convicted of or pleading guilty or nolo contendere to the offense in the Court or any other court in which the offense charged is:

“(A) Leaving after colliding, as defined in section 10c of District of Columbia Traffic Act, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.05c);

“(B) Object falling or flying from vehicle, as defined in section 10d of District of Columbia Traffic Act, approved March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.05d);

“(C) Driving under the influence (DUI) of alcohol or a drug, as defined in section 3b of the Anti-Drunk Driving Act of 1982, effective September 14, 1982 (D.C. Law 4-145; D.C. Official Code § 50-2206.11);

“(D) Driving under the influence of alcohol or a drug (commercial vehicle), as defined in section 3c of the Anti-Drunk Driving Act of 1982, effective September 14, 1982 (D.C. Law 4-145; D.C. Official Code § 50-2206.12);

“(E) Operating a vehicle while impaired, as defined in section 3e of the Anti-Drunk Driving Act of 1982, effective September 14, 1982 (D.C. Law 4-145; D.C. Official Code § 50-2206.14);

“(F) Operating under the influence of alcohol or a drug (horse-drawn vehicle), as defined in section 3g of the Anti-Drunk Driving Act of 1982, effective September 14, 1982 (D.C. Law 4-145; D.C. Official Code § 50-2206.16);

“(G) Operating under the influence of alcohol or a drug (watercraft), as defined in section 3j of the Anti-Drunk Driving Act of 1982, effective September 14, 1982 (D.C. Law 4-145; D.C. Official Code § 50-2206.31); or

“(H) Operating a watercraft while impaired, as defined in section 3l of the Anti-Drunk Driving Act of 1982, effective September 14, 1982 (D.C. Law 4-145; D.C. Official Code § 50-2206.33).

“(2) The decision of the Court regarding assessments is final.

“(3) If an offender is indigent at the time of sentencing and is later employed for salary, receives compensation while on probation or parole, or is incarcerated in a facility of the Department of Corrections or elsewhere and receives wages or compensation therein, the amount of assessments under this section shall be paid from such salary, wages, or other compensation.”.

Sec. 103. The Sexual Assault Victims’ Rights Act of 2014, effective November 20, 2014 (D.C. Law 20-139; D.C. Official Code § 4-561.01 *et seq.*), is amended as follows:

(a) Section 204 (D.C. Official Code § 4-561.04) is amended by adding a new subsection (e) to read as follows:

“(e) Once retained by OVSJG, the work product, reports, and recommendations of the independent expert consultant shall remain in the exclusive control of the independent expert consultant until the draft version of the independent expert consultant’s report is provided to entities for review as described in section 206(a)(2)(A).

(b) Section 206(a) (D.C. Official Code § 4-561.06(a)) is amended as followed:

(1) Paragraph (1) is amended as follows:

(A) Subparagraph (A)(v) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(B) Subparagraph (B) is amended by striking the period and inserting the phrase “; and” in its place.

(C) A new subparagraph (C) is amended to read as follows:

“(C) Review any changes to the sexual assault response continuum of care resulting from the Sexual Assault Victims’ Rights Act of 2014, effective November 20, 2014 (D.C. Law 20-139; 61 DCR 5913), and the Sexual Assault Victims’ Rights Amendment Act of 2019, effective March 3, 2020 (D.C. Law 23-57; 66 DCR 15914), including the legal obligations imposed on entities participating in the sexual assault response continuum of care and the service delivery models used within the sexual assault response continuum of care.”.

(2) Paragraph (2) is amended as follows:

(A) Subparagraph (A) is amended by striking the phrase “the Chief of Police for” and inserting in its place the phrase “the Mayor, the City Administrator, the Council, the Chief of Police, and the SART for” in its place.

(B) Subparagraph (B) is amended by striking the phrase “of Police shall” and inserting the phrase “of Police and the SART shall” in its place.

(c) Section 213(a) (D.C. Official Code § 4-561.13(a)) is amended as follows:

(1) Paragraph (4) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (5)(F) is amended by striking the period and inserting the phrase “; and” in its place.

(3) A new paragraph (6) is added to read as follows:

“(6) After reviewing the feedback and recommendations from the Case Review Subcommittee and national best practices, establish minimum standards of care for entities participating in the continuum of services for sexual assault victims, in consultation with the independent expert consultant.”.

Sec. 104. An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, approved November 6, 1966 (80 Stat. 1354; D.C. Official Code § 4-1321.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 4-1321.02) is amended to read as follows:

“Sec. 2. Mandatory reporters.

“(a) For the purposes of this section, the term “mandatory reporter” means any of the following:

“(1) An employee, agent, or contractor of the Child and Family Services Agency;

“(2) A physician;

“(3) A psychologist;

“(4) A medical examiner;

“(5) A dentist;

“(6) A chiropractor;

“(7) A registered nurse;

“(8) A licensed practical nurse;

“(9) An individual involved in the care and treatment of patients;

“(10) A law-enforcement officer;

“(11) A humane officer of any agency charged with the enforcement of animal cruelty laws;

“(12) A school official;

“(13) A teacher;

“(14) An athletic coach;

“(15) An employee of the Department of Parks and Recreation;

“(16) A public housing resident manager;

“(17) A social services worker;

“(18) A day care worker; and

“(19) A mental health professional, as that term is defined in section 101 of the District of Columbia Mental Health Information Act of 1978, effective March 3, 1979 (D.C. Law 2-136; D.C. Official Code § 7-1201.01(11)).

“(b)(1) Notwithstanding D.C. Official Code § 14-307, mandatory reporters shall, if they know or have reasonable cause to believe that a:

“(A) Child they know in their professional capacity for which they have been designated as a mandatory reporter has been or is in immediate danger of being abused, as that term is defined in section 102(1)(A) of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.02(1)(A)), or is a neglected child, as that term is defined in section 102(15B) of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.02(15B)), make a report to the Child and Family Services Agency or the Metropolitan Police Department as described in section 3;

“(B) Child ages 5 through 13 years of age they know in their professional capacity for which they have been designated as a mandatory reporter has 10 or more days of unexcused absences within a school year, as that term is defined in section 1 of Article I of An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes, approved February 4, 1925 (43 Stat. 806; D.C. Official Code § 38-201(4)), make a report to the Child and Family Services Agency as described in section 3;

“(C) Child they know in their professional capacity for which they have been designated as a mandatory reporter has been, or is in immediate danger of being, the victim of sexual abuse or attempted sexual abuse prohibited by the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3001 *et seq.*), or was assisted, supported, caused, encouraged, commanded, enabled, induced, facilitated, or permitted to become a prostitute, as that term is defined in section 2 of the Control of Prostitution and Sale of Controlled Substances in Public Places Criminal Control Act of 1981, effective December 10, 1981 (D.C. Law 4-57; D.C. Official Code § 22-2701.01(3)), make a report to the Child and Family Services Agency or the Metropolitan Police Department as described in section 3; or

“(D) Child they know in their professional capacity for which they have been designated as a mandatory reporter has an injury caused by a bullet, knife, or other sharp object which has been caused by other than accidental means, make a report to the Child and Family Services Agency or the Metropolitan Police Department as described in section 3.

“(2) Notwithstanding any other law, mandatory reporters shall not be required to report when:

“(A) Employed or supervised by a lawyer who is providing representation in a criminal, civil, including family law, or delinquency matter, and the basis for the belief arises solely in the course of that representation; or

“(B) Employed or supervised by a lawyer with whom a prospective client is seeking representation in a criminal, civil, including family law, or delinquency matter, and the basis for the belief arises solely in the course of seeking that representation.

“(3) This section shall not apply to the following individuals while acting in their capacity as a counselor:

“(A) Domestic violence counselor, as that term is defined in D.C. Official Code § 14–310(a)(2);

“(B) Human trafficking counselor, as that term is defined in D.C. Official Code § 14–311(a)(2); or

“(C) Sexual assault counselor, as that term is defined in D.C. Official Code § 14–312(a)(2).

“(4) Whenever a mandatory reporter is required to report in their capacity as an employee, agent, or contractor of a hospital, school, social agency, or similar institution, the mandatory reporter shall also immediately notify the person in charge of the institution or their designated agent who shall subsequently make a report; except, that notifying the person in charge of the institution or their designated agent shall not relieve the mandatory reporter who was originally required to report from their duty under subsection (b) of this section.

“(c) In addition to the requirements of subsection (b) of this section, the following mandatory reporters shall make a report to the Child and Family Services Agency as described in section 3 if they have reasonable cause to believe that a child is abused as a result of inadequate care, control, or subsistence in the home environment due to exposure to drug-related activity:

“(1) Health professionals licensed pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*); and

“(2) Law enforcement officers and humane officers of any agency charged with the enforcement of animal cruelty laws, except an undercover officer whose identity or investigation might be jeopardized.

“(d) A health professional licensed pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), who in their own professional capacity knows that a child under 12 months of age is diagnosed as having a Fetal Alcohol Spectrum Disorder, shall immediately report or have a report made to the Child and Family Services Agency.

“(e) A person who violates this section shall not be prosecuted under Title II-A of the Anti-Sexual Abuse Act of 1994, effective June 8, 2013 (D.C. Law 19-315; D.C. Official Code § 22-3020.51 *et seq.*).

“(f) The Metropolitan Police Department shall immediately report or have a report made to the Child and Family Services Agency of any knowledge, information, or suspicion of a child engaging in or offering to engage in a sexual act, as that term is defined in section 101(8) of the Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3001(8)), or sexual contact, as that term is defined in section 101(9) of the Anti-Sexual Abuse

Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3001(9)), in return for receiving anything of value.”.

(b) A new section 8 is added to read as follows:

“Sec. 8. Training for mandatory reporters.

“(a) By December 31, 2023, the Office of the Attorney General (“OAG”) shall, in consultation with the Child and Family Services Agency (“CFSA”), develop and approve a training curriculum explaining the reporting requirements of this act, which shall include:

“(1) The purpose of the mandatory reporting requirements;

“(2) The dynamics surrounding abuse, neglect, and other forms of child victimizations that must be reported;

“(3) The impact of racial bias on the mandatory reporting and child welfare systems; and

“(4) The legal duties imposed on mandatory reporters, including:

“(A) How to make a report, the contents of the report, and the process after a report is filed;

“(B) The legal protections provided to mandatory reporters; and

“(C) The penalty for failing to make a report.

“(b) All mandatory reporters shall complete a training based upon the curriculum required by subsection (a) of this section which shall be conducted by OAG, CFSA, or a third party.”.

Sec. 105. Section 101(11)(E) of the District of Columbia Mental Health Information Act of 1978, effective March 3, 1979 (D.C. Law 2-136; D.C. Official Code § 7-1201.01(11)(E)), is amended by striking the phrase “A rape crisis or sexual abuse counselor who has undergone at least 40 hours of training and is” and inserting the phrase “A sexual assault counselor, as that term is defined in D.C. Official Code § 23-1907(10), who is” in its place.

Sec. 106. Section 203 of the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2502.03), is amended as follows:

(a) Subsection (a)(6)(B) is amended to read as follows:

“(B) Subparagraph (A) of this paragraph shall not apply if:

“(i) For applicants disqualified as a result of a voluntary admission, commitment, incapacity determination, or adjudication that occurred in the District, the Superior Court of the District of Columbia has granted the applicant relief pursuant to subsection (f) of this section, unless the applicant, since the court granted the applicant relief pursuant to subsection (f) of this section, is again disqualified under subparagraph (A) of this paragraph; and

“(ii) For applicants disqualified as a result of a voluntary admission, commitment, incapacity determination, or adjudication that occurred in another jurisdiction, the court or commission of competent jurisdiction has granted the applicant relief, unless the applicant, since the court or commission granted the applicant relief, is again disqualified under subparagraph (A) of this paragraph.”.

(b) Subsection (f)(1) is amended by striking the phrase “, or” and inserting the phrase “, 18 U.S.C. § 922(d)(4), or” in its place.

Sec. 107. Chapter 3 of Title 14 of the District of Columbia Official Code is amended as follows:

(a) Section 14-307 is amended to read as follows:

“§ 14-307. Confidential information.

“(a) For the purposes of this section, the term:

“(1) “Health care benefit program” means any public or private plan or contract under which a medical benefit, item, or service is or may be provided to an individual, and includes an individual or entity who provides a medical benefit, item, or service for which payment may be made under the plan or contract.

“(2) “Injury” includes:

“(A) Physical damage to the body;

“(B) A sexual act prohibited by Chapter 30 of Title 22; and

“(C) Sexual contact prohibited by Chapter 30 of Title 22.

“(b) In the Federal courts in the District of Columbia and District of Columbia courts, the following individuals shall not be permitted, without the written consent of their client or of the client’s legal representative, to disclose any confidential information that the individual has acquired in attending the client in a professional capacity and that was necessary to enable the individual to act in that capacity, whether the information was obtained from the client, the client’s family, or the person or persons in charge of the client:

“(1) Physicians;

“(2) Surgeons;

“(3) Mental health professionals, as that term is defined in § 7-1201.01(11);

“(4) Domestic violence counselors, as that term is defined in § 14-310(a)(2);

“(5) Human trafficking counselors, as that term is defined in § 14-311(a)(2);

“(6) Sexual assault counselors, as that term is defined in § 23-1907(10);

“(7) HVIP members, as that term is defined in § 14-313(a)(4); and

“(8) Crime victim counselors, as that term is defined in § 14-314(a)(4).

“(c) This section shall not apply to evidence:

“(1) In a grand jury, criminal, delinquency, family, or domestic violence proceeding, where:

“(A) A person is targeted for or charged with causing the death of or injuring a human being, or with attempting or threatening to kill or injure a human being, or a report has been filed with the police pursuant to § 7-2601; and

“(B) The disclosure is required in the interests of justice;

“(2) Related to the mental competency or sanity of an accused in criminal trials where the accused raises the defense of insanity or where the court is required under prevailing law to raise the defense sua sponte, or in the pre-trial or post-trial proceedings involving a

criminal case where a question arises concerning the mental condition of an accused or convicted person;

“(3) Related to the mental competency or sanity of a child alleged to be delinquent, neglected, or in need of supervision in any proceeding before the Family Division of the Superior Court;

“(4) In a grand jury, criminal, delinquency, or civil proceeding where a person is alleged to have defrauded:

“(A) The District of Columbia or federal government in relation to receiving or providing services under the District of Columbia medical assistance program authorized by title 19 of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq.*);

“(B) A health care benefit program; or

“(C) An elderly person or vulnerable adult, as those terms are defined in § 22-932(3) and (5)); or

“(5) In a criminal or delinquency proceeding where:

“(A) A person is charged with an impaired driving offense resulting in the death of or injury to another human being; and

“(B) The disclosure is required in the interest of justice.

“(d)(1) Before finding that the disclosure of confidential information is required in the interest of justice, as provided in subsection (c)(1)(B) and (5)(B) of this section, the court shall:

“(A) Serve the victim with notice of the potential disclosure of confidential information; and

“(B) Provide the victim with 14 days from the date of service to object to the disclosure of confidential information and provide an explanation for why the disclosure is not in the interest of justice.

“(2) When determining whether the disclosure of confidential information is required in the interest of justice, as provided in subsection (c)(1)(B) and (5)(B) of this section, the court shall consider the rights of crime victims under § 23-1901 and 18 U.S.C. 3771.

“(e) If the victim’s ability to object pursuant to subsection (d)(1)(B) of this section is diminished because of minority, mental impairment, medical incapacity, or some other reason, the court:

“(1)(A) Shall provide notice to the victim’s parent, guardian, or custodian; or

“(B) May appoint an attorney to receive the notice on the victim’s behalf; and

“(2) Shall provide the victim’s parent, guardian, or custodian, or an attorney acting on the victim’s behalf, with 14 days from the date of service to object to the disclosure of confidential information and provide an explanation for why the disclosure is not in the interest of justice.”.

(b) Section 14-310 is amended as follows:

(1) Subsection (b) is amended by adding a new paragraph (4) to read as follows:

“(4) Notwithstanding any other law, domestic violence counselors shall report to the Metropolitan Police Department or the Child and Family Services Agency any crime disclosed in a confidential communication if the domestic violence counselor has actual knowledge that the crime disclosed to the domestic violence counselor involves:

“(A) A victim under the age of 13;

“(B) A perpetrator or alleged perpetrator with whom the victim has a significant relationship, as that term is defined in § 22-3001(10); or

“(C) A perpetrator or alleged perpetrator who is more than 4 years older than the victim.”.

(2) Subsection (c)(1) is amended by striking the phrase “under 12 years” and inserting the phrase “under 13 years” in its place.

(c) Section 14-311 is amended as follows:

(1) Subsection (b) is amended by adding a new paragraph (4) to read as follows:

“(4) Notwithstanding any other law, human trafficking counselors shall report to the Metropolitan Police Department or the Child and Family Services Agency any crime disclosed in a confidential communication if the human trafficking counselor has actual knowledge that the crime disclosed to the human trafficking counselor involves:

“(A) A victim under the age of 13;

“(B) A perpetrator or alleged perpetrator with whom the victim has a significant relationship, as that term is defined in § 22-3001(10); or

“(C) A perpetrator or alleged perpetrator who is more than 4 years older than the victim.”.

(2) Subsection (c)(1) is amended by striking the phrase “under 12 years” and inserting the phrase “under 13 years” in its place.

(d) Section 14-312 is amended as follows:

(1) Subsection (b) is amended as follows:

(A) Paragraph (4) is repealed.

(B) Paragraph (5) is amended by striking the phrase “Notwithstanding § 4-1321.02, sexual assault counselors shall be exempt from mandatory reporting of any crime disclosed in a confidential communication unless the” and inserting the phrase “Notwithstanding any other law, sexual assault counselors shall report to the Metropolitan Police Department or the Child and Family Services Agency any crime disclosed in a confidential communication if the” in its place.

(2) Subsection (c)(1) is amended by striking the phrase “subsection, when a sexual assault victim has” and inserting the phrase “subsection, when a sexual assault victim who is under 13 years of age has” in its place.

(e) New sections 14-313 and 14-314 are added to read as follows:

“§ 14-313. Hospital-based violence intervention programs.

“(a) For the purposes of this section, the term:

“(1) “Confidential communication” means information exchanged between a victim and a HVIP member during the course of the HVIP member providing counseling,

support, and assistance to a victim, including all records kept by the HVIP member and the hospital-based violence intervention program concerning the victim and services provided to the victim.

“(2) “Hospital” means a facility that provides 24-hour inpatient care, including diagnostic, therapeutic, and other health-related services, for a variety of physical or mental conditions, and may, in addition, provide outpatient services, particularly emergency care, from which a hospital-based violence intervention program operates.

“(3) “Hospital-based violence intervention program” means a non-governmental program that:

“(A) Provides counseling, case management, and social services to victims at, or in conjunction with, a hospital to prevent retaliatory violence; and

“(B) Participates in, or is a member of, a coordinating body for similar programs, such as Project CHANGE or the Health Alliance for Violence Intervention.

“(4) “HVIP member” means an employee, contractor, or volunteer of a hospital-based violence intervention program.

“(5) “Victim” means a person who suffered an intentionally inflicted gunshot or stabbing wound.

“(b)(1) An HVIP member shall not disclose a confidential communication except:

“(A) As required by statute or by a court of law;

“(B) As voluntarily authorized in writing by the victim;

“(C) To other individuals employed at the hospital-based violence intervention program and third-party providers when, and to the extent necessary, to facilitate the delivery of services to the victim;

“(D) To the Metropolitan Police Department or other law enforcement agencies, to the extent necessary to protect the victim or another individual from a substantial risk of imminent and serious physical injury;

“(E) To compile statistical or anecdotal information, without personal identifying information, for research or public information purposes; or

“(F) For any confidential communications relevant to a claim or defense if the victim files a lawsuit against a hospital-based violence intervention program or HVIP members.

“(2) Unless the disclosure is public, confidential communications disclosed pursuant to paragraph (1) of this subsection shall not be further disclosed by the recipient except as authorized in paragraph (1) of this subsection.

“(3) The confidentiality of a confidential communication shall not be waived by the presence of, or disclosure to, a:

“(A) Sign language or foreign language interpreter, who shall be subject to the limitations and exceptions set forth in paragraph (1) of this subsection and the same privileges set forth in subsection (c) of this section;

“(B) Third party participating in group counseling with the victim; or

“(C) Third party with the consent of the victim where reasonably necessary to accomplish the purpose for which the HVIP member is consulted.

“(c)(1) Except as provided in paragraph (2) of this subsection, when a victim is under 13 years of age, has been adjudicated incompetent by a court of competent jurisdiction for the purpose of asserting or waiving the privilege established by this section, or is deceased, the victim’s parent, guardian, or personal representative may assert or waive the privilege.

“(2) If the parent, guardian, or personal representative of a victim described in paragraph (1) of this subsection has been charged with an intrafamily offense or has had a protection order or a neglect petition entered against the parent, guardian, or personal representative at the request of or on behalf of the victim, or otherwise has interests adverse to those of the victim with respect to the assertion or waiver of the privilege, the court shall appoint an attorney for purposes of asserting or waiving the privilege.

“(d) The assertion of any privilege under this section is not admissible in evidence.

“§ 14-314. Crime victim counselors.

“(a) For the purposes of this section, the term:

“(1) “Confidential communication” means information exchanged between a victim and a crime victim counselor during the course of the advocate providing counseling, support, and assistance to a victim, including all records kept by the crime victim counselor and the crime victim counselor program concerning the victim and services provided to the victim.

“(2) “Crime” means the following criminal offenses:

“(A) Assault with intent to kill, rob, or poison, or to commit first degree sexual abuse, second degree sexual abuse or child sexual abuse, as provided in § 22-401;

“(B) Assault with intent to commit mayhem or with dangerous weapon, as provided in § 22-402;

“(C) Aggravated assault, as provided in § 22-404.01;

“(D) Murder in the first degree, as provided in § 22-2101;

“(E) Murder in the second degree, as provided in § 22-2103; and

“(F) Murder of a law enforcement officer, as provided in § 22-2106.

“(3) “Crime victim counselor program” means a nonprofit, non-governmental organization that supports, counsels, and assists victims of crime.

“(4) “Crime victim counselor” means an employee, contractor, or volunteer of a crime victim counselor program who:

“(A) Is rendering support, counseling, or assistance to a victim;

“(B) Has undergone at least 40 hours of training related to crime victim counseling that includes instruction on:

“(i) The dynamics and history of violent crime;

“(ii) Trauma resulting from violent crime;

“(iii) Responding to the specific needs of youth victims of violent crime;

“(iv) Trauma-informed care, crisis intervention, personal safety, and risk management;

“(v) Cultural humility; and

“(vi) Services available to victims of violent crime; and

“(C) Is supervised by an individual who has a minimum of:

“(i) Five years of experience rendering support, counseling, or assistance to victims of violent crime; or

“(ii) Three years of experience rendering support, counseling, or assistance victims of violent crime and an advanced degree in a related field.

“(5) “Victim” means a person against whom a crime has been committed or attempted to be committed.

“(b)(1) A crime victim counselor shall not disclose a confidential communication except:

“(A) As required by statute or by a court of law;

“(B) As voluntarily authorized in writing by the victim;

“(C) To other individuals employed at the crime victim counselor program and third-party providers when, and to the extent necessary, to facilitate the delivery of services to the victim;

“(D) To the Metropolitan Police Department or other law enforcement agencies, to the extent necessary to protect the victim or another individual from a substantial risk of imminent and serious physical injury;

“(E) To compile statistical or anecdotal information, without personal identifying information, for research or public information purposes; or

“(F) For any confidential communications relevant to a claim or defense if the victim files a lawsuit against a crime victim counselor program or its members.

“(2) Unless the disclosure is public, confidential communications disclosed pursuant to paragraph (1) of this subsection shall not be further disclosed by the recipient except as authorized in paragraph (1) of this subsection.

“(3) The confidentiality of a confidential communication shall not be waived by the presence of, or disclosure to, a:

“(A) Sign language or foreign language interpreter, who shall be subject to the limitations and exceptions set forth in paragraph (1) of this subsection and the same privileges set forth in subsection (c) of this section;

“(B) Third party participating in group counseling with the victim; or

“(C) Third party with the consent of the victim where reasonably necessary to accomplish the purpose for which the crime victim counselor is consulted.

“(c)(1) Except as provided in paragraph (2) of this subsection, when a victim is under 13 years of age, has been adjudicated incompetent by a court of competent jurisdiction for the purpose of asserting or waiving the privilege established by this section, or is deceased, the victim’s parent, guardian, or personal representative may assert or waive the privilege.

“(2) If the parent, guardian, or personal representative of a victim described in paragraph (1) of this subsection has been charged with an intrafamily offense or has had a protection order or a neglect petition entered against him or her at the request of or on behalf of the victim, or otherwise has interests adverse to those of the victim with respect to the assertion

or waiver of the privilege, the court shall appoint an attorney for purposes of asserting or waiving the privilege.

“(d) The assertion of any privilege under this section is not admissible in evidence.”.

Sec. 108. Chapter 10 of Title 16 of the District of Columbia Official Code is amended as follows:

(a) Section 16-1003(d) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “, or legal custodian” and inserting the phrase “, legal custodian, or physical custodian” in its place.

(2) Paragraph (2)(A) is amended by striking the phrase “, legal custody” and inserting the phrase “, legal custody, physical custody” in its place.

(b) Section 16-1005(a-1)(3) is amended to read as follows:

“(3) In a case in which an individual described in § 16-1003(d)(2)(A) petitioned on behalf of a minor petitioner 13 years of age or older, the court shall consider the expressed wishes of the minor petitioner in deciding whether to issue an order pursuant to this section and in determining the contents of such an order.”.

Sec. 109. The Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Official Code § 22-3001 *et seq.*), is amended as follows:

(a) Section 212 (D.C. Official Code § 22-3013) is amended to read as follows:

“Sec. 212. First degree sexual abuse of a ward, patient, client, arrestee, detainee, or prisoner.

“Any staff member, employee, contract employee, consultant, or volunteer of a law enforcement agency or at a hospital, treatment facility, law enforcement facility, detention or correctional facility, group home, or other institution; anyone who is an ambulance driver or attendant, bus driver or attendant, or person who participates in the transportation of a ward, patient, client, arrestee, detainee, or prisoner to and from such institutions; or any official custodian of a ward, patient, client, arrestee, detainee, or prisoner, who engages in a sexual act with a ward, patient, client, arrestee, detainee, or prisoner, or causes a ward, patient, client, arrestee, detainee, or prisoner to engage in or submit to a sexual act shall be fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or incarcerated for no more than 10 years, or both.”.

(b) Section 213 (D.C. Official Code § 22-3014) is amended to read as follows:

“Sec. 213. Second degree sexual abuse of a ward, patient, client, arrestee, detainee, or prisoner.

“Any staff member, employee, contract employee, consultant, or volunteer of a law enforcement agency or at a hospital, treatment facility, law enforcement facility, detention or correctional facility, group home, or other institution; anyone who is an ambulance driver or attendant, bus driver or attendant, or person who participates in the transportation of a ward, patient, client, arrestee, detainee, or prisoner to and from such institutions; or any official

custodian of a ward, patient, client, arrestee, detainee, or prisoner, who engages in a sexual contact with a ward, patient, client, arrestee, detainee, or prisoner, or causes a ward, patient, client, arrestee, detainee, or prisoner, to engage in or submit to a sexual contact shall be fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or incarcerated for no more than 5 years, or both.”.

(c) Section 252 (D.C. Official Code § 22–3020.52) is amended as follows:

(1) Subsection (c)(3) is amended to read as follows:

“(3) Domestic violence counselors, as that term is defined in D.C. Official Code § 14–310(a)(2), human trafficking counselors, as that term is defined in D.C. Official Code § 14–311(a)(2), and sexual assault counselor, as that term is defined in D.C. Official Code § 14–312(a)(2), shall be exempt from reporting pursuant to subsection (a) of this section any crime disclosed in a confidential communication, as that term is defined in D.C. Official Code § 14–310(a)(1), § 14–311(a)(1), or § 14–312(a)(1), respectively.”.

(2) Subsection (d) is amended by striking the phrase “in section 2(b) of An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, approved November 6, 1966 (80 Stat. 1354; D.C. Official Code § 4-1321.02(b))” and inserting the phrase “in section 2(a) of An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, approved November 6, 1966 (80 Stat. 1354; D.C. Official Code § 4-1321.02(a))” in its place.

Sec. 110. Title 23 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended as follows:

(1) A new section heading is added to read as follows:

“23-1329a. Violation of a post-conviction stay away condition of release.”.

(2) New section headings are added to read as follows:

“23-1904a. Right to member of a hospital-based violence intervention program.

“23-1904b. Task Force on Hospital-Based Violence Intervention Programs.

“23-1904c. Hospital-Based Violence Intervention Policy and Training Pilot.”.

(3) A new section heading is added to read as follows:

“23-1912. Limitations on law enforcement actions against sexual assault victims seeking medical treatment.”.

(b) Section 23-581(a)(2) is amended by adding a new subparagraph (G) to read as follows:

“(G) Intentionally violating a condition of release that the person stay away from, or have no contact with, an individual or location as described in § 23-1329a.”.

(c) A new section 23-1329a is added to read as follows:

“23-1329a. Violation of a post-conviction stay away condition of release.

“(a) It is unlawful for a person on supervised release, probation, or parole to intentionally violate any condition of release that the person stay away from, or have no contact with, an individual or location.

“(b) Whoever violates this section shall, if the condition of release was imposed as part of supervised release, probation, or parole for a:

“(1) Misdemeanor offense, be fined no more than the amount set forth in § 22-3571.01, or incarcerated for no more than 180 days, or both; or

“(2) Felony offense, be fined no more than the amount set forth in § 22-3571.01, or incarcerated for no more than 5 years, or both.”.

(d) New sections 23-1904a, 23-1904b, and 23-1904c are added to read as follows:

“§ 23-1904a. Right to member of a hospital-based violence intervention program.

“(a) For the purposes of §§ 23-1904a, 23-1904b, and 23-1904c, the term:

“(1) “Hospital” means a facility that provides 24-hour inpatient care, including diagnostic, therapeutic, and other health-related services, for a variety of physical or mental conditions, and may, in addition, provide outpatient services, particularly emergency care, from which a hospital-based violence intervention program operates.

“(2) “Hospital-based violence intervention program” means a non-governmental program that:

“(A) Provides counseling, case management, and social services to victims at, or in conjunction with, a hospital to prevent retaliatory violence; and

“(B) Participates in, or is a member of, a coordinating body for similar programs, such as Project CHANGE or the Health Alliance for Violence Intervention.

“(3) “HVIP member” means an employee, contractor, or volunteer of a hospital-based violence intervention program.

“(4) “Victim” means a person who has suffered an intentionally inflicted gunshot or stabbing wound.

“(b)(1) A HVIP member shall, if the victim consents, have the right to remain physically present with a victim at any:

“(A) Forensic medical, evidentiary, or physical examination at the hospital; or

“(B) Interview with law enforcement at the hospital.

“(2) A victim may at any time revoke their consent to have a HVIP member present at the setting described in paragraph (1) of this subsection.

“23-1904b. Task Force on Hospital-Based Violence Intervention Programs.

“(a) Beginning October 1, 2022, the Office of Victim Services and Justice Grants shall establish a Task Force on Hospital-Based Violence Intervention Programs (“Task Force”) to study nationally recognized best practices and develop recommendations for:

“(1) Improving service delivery and outcomes for victims served by hospital-based violence intervention programs;

“(2) Promoting collaboration between hospital-based violence intervention programs, hospital staff, medical providers, and other victims’ assistance programs;

“(3) Evaluating whether to extend the right to a HVIP member:

“(A) To include other victimizations; and

“(B) Beyond forensic medical, evidentiary, or physical examinations at the hospital or interviews with law enforcement at the hospital.

“(b) The Task Force shall include:

“(1) Representatives from the following entities:

“(A) The Metropolitan Police Department;

“(B) The Office of the Attorney General;

“(C) The Office of Victim Services and Justice Grants;

“(D) The Office of Neighborhood Safety and Engagement;

“(E) The Office of Gun Violence Prevention;

“(F) Three hospitals that operate hospital-based violence intervention programs in the District, including one children’s or pediatric hospital;

“(G) A professional organization, standards organization, or coordinating body that focuses on improving outcomes for patients served by hospital-based violence intervention programs, such as Project CHANGE or the Health Alliance for Violence Intervention; and

“(H) A District-based victim services provider; and

“(2) Three current or former District residents who have had personal experience with a hospital-based violence intervention program.

“(c)(1) The Task Force shall hold its initial meeting by March 31, 2023, and shall hold quarterly meetings thereafter.

“(2) A chairperson, who shall not be a representative of a District agency, shall be elected by a majority vote of the Task Force members at the initial meeting.

“(3) No District agency or non-governmental entity shall have more than one representative on the Task Force.

“(4) The Task Force shall establish its own procedures and requirements with respect to the place and manner in which it will conduct its meetings.

“(d) By December 31, 2023, the Task Force shall submit a report to the Mayor and Council that:

“(1) Analyzes outcomes for patients served by hospital-based violence intervention programs and proposes policies that should be adopted by hospitals or District agencies to improve patient outcomes; and

“(2) Determines whether a need exists to expand the right to a HVIP member as described in subsection (a)(3) of this section.

“23-1904c. Hospital-based violence intervention policy and training pilot.

“(a) The Office of Victim Services and Justice Grants shall, in Fiscal Years 2023 and 2024, issue grants for a pilot program (“pilot program”) to develop evidence-based policies, protocols, and training for hospital staff, medical providers, and law enforcement to guide their interactions when operating as part of a hospital-based violence intervention program.

“(b) The pilot program shall be conducted by a District-based entity with experience and expertise in academic research, police practices, civil and constitutional rights and laws, developing and implementing police and community safety policies and training, and training or educating Metropolitan Police Department officers.

“(c) The pilot program shall include:

“(1) Designing and testing outcome measures for patients, hospital staff, medical providers, and law enforcement in order to improve patient health, increase the effectiveness of violence intervention programs, and improve efficiency and coordination for hospital staff, medical providers, community-based organizations, and law enforcement;

“(2) Soliciting input from law enforcement agencies, hospital staff, medical providers, and hospital-based violence intervention programs;

“(3) Developing and delivering policies and training for hospital staff, medical providers, and law enforcement;

“(4) Evaluating and revising the impact of policies, protocols, and training on outcomes; and

“(5) Issuing a report by September 30, 2024, that shall be presented at a public meeting of the Task Force on Hospital-Based Violence Intervention Programs.

“(d) Any entity conducting the pilot program shall be considered a hospital-based violence intervention program for the purposes of determining whether confidential communications can be disclosed as described in § 14-313(b)(1).”.

(c) Section 23-1911 is amended to read as follows:

“23-1911. Cause of action; remedies.

“(a) An individual whose rights under this subchapter were violated may bring a civil action in the Superior Court for the District of Columbia against the District agencies responsible for the violation.

“(b) Remedies in actions brought pursuant to subsection (a) of this section shall be limited to injunctive relief and shall not include money damages.”.

(d) A new section 23-1912 is added to read as follows:

“23-1912. Limitations on law enforcement actions against sexual assault victims seeking medical treatment.

“(a) A sexual assault victim, when the sexual assault victim is seeking emergency medical treatment or medical forensic care related to a sexual assault, or a victim, as that term is defined in § 23-1904a(a)(4), when the victim is seeking emergency medical treatment or medical forensic care at a hospital related to an intentionally inflicted gunshot or stab wound, shall not be subject to a custodial arrest by a law enforcement officer unless a warrant for the sexual assault victim’s arrest or the victim’s arrest has been issued by a competent court of jurisdiction for the commission of a:

“(1) Dangerous crime, as that term is defined in § 23-1331(3); or

“(2) Crime of violence, as that term is defined in § 23-1331(4).

“(b) A law enforcement officer who is prohibited from making a custodial arrest under subsection (a) of this section may issue a field arrest form to the sexual assault victim or victim

in lieu of making a custodial arrest; provided, that the issuance of a field arrest form does not at that time pose health or safety risks to the sexual assault victim or victim.”.

Sec. 111. An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes, approved February 4, 1925 (43 Stat. 806; D.C. Official Code § 38-201 *et seq.*), is amended as follows:

(a) Section 2(i)(B) of Article II (D.C. Official Code § 38-203(i)(B)) is amended by striking the phrase “to section 2(a-1) or (a-2) of An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, approved November 6, 1966 (80 Stat. 1354; D.C. Official Code § 4-1321.02(a-1) and (a-2))” and inserting the phrase “to section 2(b)(1)(B) of An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, approved November 6, 1966 (80 Stat. 1354; D.C. Official Code § 4-1321.02(b)(1)(B))” in its place.

(b) Section 7(c)(1)(A) of Article II (D.C. Official Code § 38-208(c)(1)(A)) is amended by striking the phrase “to section 2(a-1) of An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, approved November 6, 1966 (80 Stat. 1354; D.C. Official Code § 4-1321.02(a-1))” and inserting the phrase “to section 2(b)(1)(B) of An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, approved November 6, 1966 (80 Stat. 1354; D.C. Official Code § 4-1321.02(b)(1)(B))” in its place.

TITLE II. OFFICE OF VICTIM SERVICES AND JUSTICE GRANTS

Sec. 201. Office of Victim Services and Justice Grants.

(a)(1) There is established, as a subordinate agency, the Office of Victim Services and Justice Grants (“OVSJG”) within the District of Columbia government.

(2) OVSJG shall be led by an Executive Director, who shall be appointed by the Mayor and report to the Deputy Mayor for Public Safety and Justice.

(3) The Executive Director shall coordinate, hire, and supervise all staff as needed to achieve OVSJG’s mission.

(b) OVSJG shall be composed, at a minimum, of the following programs:

(1) The Victim Services Administration, which shall:

(A) Disburse grant funds to community-based organizations and other entities to support victims and survivors of crime and to better coordinate systems of care; and

(B) Disburse grant funds to entities operating or evaluating a hospital-based violence intervention program, as defined in D.C. Official Code § 14-313(a)(3);

(2) The Justice Grants Administration, which shall disburse grant funds to:

(A) Community-based organizations and other entities to support returning citizens, justice-involved individuals, and other vulnerable populations; and

(B) Support initiatives to improve coordination within the criminal and juvenile justice system, including data collection, research and analysis, information sharing, and compliance monitoring;

(3) The Access to Justice Initiative, established pursuant to section 201(a) of the Fiscal Year 2011 Budget Support Act of 2010, effective September 24, 2010 (D.C. Law 18-223; D.C. Official Code § 4-1702.01(a)), which shall disburse grant funds to community-based organizations and other entities to support the provision of legal services to low-income and underserved District residents; and

(4) The Truancy Reduction Program, which shall disburse grant funds to community-based organizations and other entities to reduce truancy and chronic absenteeism among students in the District.

(c) OVSJG shall:

(1) Serve as the state administering agency for the following federal funds:

(A) The Edward Byrne Memorial Justice Assistance Grant Program funds, authorized by section 501 of the Omnibus Crime Control and Safe Streets Act of 1968, approved January 5, 2006 (119 Stat. 3095; 34 U.S.C. § 10152);

(B) Residential Substance Abuse Treatment for State Prisoners funds, authorized by section 1901 of the Omnibus Crime Control and Safe Streets Act of 1968, approved September 13, 1994 (108 Stat. 1898; 34 U.S.C. § 10421);

(C) Title II Formula Grants Program funds, authorized by section 221 of the Juvenile Justice and Delinquency Prevention Act of 1974, approved September 7, 1974 (88 Stat. 1118; 34 U.S.C. § 11131);

(D) Paul Coverdell Forensic Sciences Improvement Grants funds, authorized by section 2801 of the Omnibus Crime Control and Safe Streets Act of 1968, approved December 21, 2000 (114 Stat. 2788; 34 U.S.C. § 10561);

(E) The Crime Victims Fund, authorized by the Victims of Crime Act of 1984, approved October 12, 1984 (98 Stat. 2170; 34 U.S.C. § 20101 *et seq.*); and

(F) Grants to Combat Violent Crimes Against Women funds, authorized by section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968, approved September 13, 1994 (108 Stat. 1910; 34 U.S.C. § 10441);

(2) Monitor the District's compliance with the following federal laws and any expenditure of associated federal funds:

(A) Prison Rape Elimination Act of 2003, approved September 4, 2003 (117 Stat. 972; 34 U.S.C. § 30301 *et seq.*); and

(B) Sex Offender Registration and Notification Act, approved July 27, 2006 (120 Stat. 590; 34 U.S.C. § 20901 *et seq.*);

(3) Administer and make disbursements from the following local funds:

(A) The Crime Victims Assistance Fund, established by section 16a of the Victims of Violent Crime Compensation Act of 1996, effective October 1, 2002 (D.C. Law 14-190; D.C. Official Code § 4-515.01);

(B) Shelter and Transitional Housing for Victims of Domestic Violence Fund, established by section 3013 of the Crime Victims Assistance Fund and Shelter and Transitional Housing for Victims of Domestic Violence Fund Amendment Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 4-521); and

(C) Community-based Violence Reduction Fund, established by section 3014 of the Community-based Violence Reduction Fund, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 1-325.121);

(4) Provide administrative support to:

(A) The Juvenile Justice Advisory Group, as described in Mayor's Order 2009-13, dated February 9, 2009;

(B) Domestic Violence Fatality Review Board, established by D.C. Official Code § 16-1052(a); and

(C) The Sexual Assault Response Team, established by section 212(a) of the Sexual Assault Victims' Rights Amendment Act of 2014, effective November 20, 2014 (D.C. Law 20-139; D.C. Official Code § 4-561.12(a)); and

(5) Be the sole agency responsible for carrying out the provisions of the Juvenile Justice and Delinquency Prevention Act of 1974, approved September 7, 1974 (88 Stat. 1118; 34 U.S.C. § 11131 *et seq.*) ("JJDP Act"), and the sole agency responsible for supervising the preparation and administration of the state plan pursuant to section 223(a) of the JJDP Act.

Sec. 202. Batterer intervention program.

(a) The Office of Victim Services and Justice Grants ("OVSJG") shall, by December 31, 2023, in coordination with the Domestic Violence Fatality Review Board, established pursuant to D.C. Official Code § 16-1052(a), fund a voluntary, peer-led batterer intervention program:

(1) Participation in which shall not be mandated by the Superior Court of the District of Columbia;

(2) That uses a public health approach to reduce a future risk of violence; and

(3) That is informed by best practices.

(b) OVSJG shall, by December 31, 2023, after consultation with the Superior Court of the District of Columbia and the Domestic Violence Fatality Review Board, create a domestic violence questionnaire and service referral resource for use in Family Court proceedings.

TITLE III. APPLICABILITY; FISCAL IMPACT STATEMENT; EFFECTIVE DATE.

Sec. 301. Applicability.

(a) Section 103(c), the amendatory sections 23-1904(b) and, with respect to Fiscal Year 2024, 23-1904(c), within section 110(d), section 201, and section 202 shall apply upon the date of inclusion of their fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of the provisions identified in subsection (a) of this section.

Sec. 302. Fiscal impact statement.

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

Sec. 303. 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 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