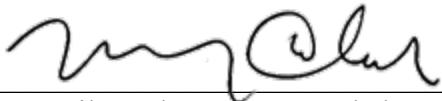
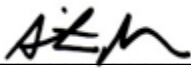


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2 Councilmember Mary M. Cheh



Councilmember Robert C. White, Jr.

4 

5 Councilmember Anita Bonds



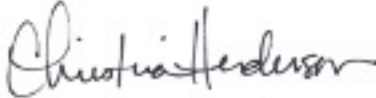
Councilmember Brianne K. Nadeau

7 

8 Councilmember Charles Allen



Councilmember Brooke Pinto

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12 Councilmember Christina Henderson

20
21 A BILL

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23 _____
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26 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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30
31 To amend Section 16-2316 of the District of Columbia Code to make a statement made by a
32 person under 18 years of age to a law enforcement officer or any individual working at
33 the direction of or as an agent of a law enforcement officer during a custodial
34 interrogation inadmissible unless given a reasonable opportunity to confer with an
35 attorney; and to amend Section 23-526 of the District of Columbia Code to prohibit
36 consent searches if the subject of the search is under 18 years of age.

37
38 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
39 act may be cited as the “Youth Rights Amendment Act of 2021”.

40 Sec. 2. Section 16-2316(b) of the District of Columbia Code is amended as follows:

41 (a) The current language is designated as paragraph (1).

42 (b) A new paragraph (2) is added to read as follows:

43 “(2) A statement made by a person under 18 years of age to a law enforcement
44 officer or any individual working at the direction of or as an agent of a law enforcement officer
45 during a custodial interrogation shall be inadmissible for any purpose, including impeachment, in
46 a factfinding hearing, in a dispositional hearing, in a transfer hearing pursuant to Section 16-2307
47 of the District of Columbia Official Code, or in a commitment proceeding under Chapter 5 of
48 Title 21 of the District of Columbia Official Code, unless the person under 18 years of age prior
49 to making any statements sought to be admitted:

50 “(A) Is advised by a law enforcement officer in a developmentally
51 appropriate manner using plain and simple language delivered in a calm demeanor, at a
52 minimum, that the person has the right to remain silent, that any statement made can be used
53 against them, and that the person has a right to consult with an attorney, and that if the person
54 cannot afford an attorney, one will be appointed for them;

55 “(B) Is given a reasonable opportunity to confer privately and
56 confidentially with an attorney; and

57 “(C) Through an attorney, knowingly, intelligently, and voluntarily waives
58 their right to remain silent.”.

59 Sec. 3. Section 23-526 of the District of Columbia Code is amended by adding new
60 subsections (b-1) and (b-2) to read as follows:

61 “(b-1) Evidence obtained in the course of the search based solely on the subject’s consent
62 to that search and not executed pursuant to a warrant or conducted pursuant to an applicable
63 exception to the warrant requirement shall be inadmissible in any criminal or delinquency
64 proceedings if the subject of the search is under 18 years of age.

65 “(b-2) The requirements of subsection (b-1) of this section shall apply whether or not the
66 age of the person searched was known at the time the of the search.”.

67 Sec. 4. Fiscal impact statement.

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

71 Sec. 5. Effective date.

72 This act shall take effect following approval by the Mayor (or in the event of veto by the
73 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
74 90 days, as provided for emergency acts of the Council of the District of Columbia in section
75 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
76 D.C. Official Code § 1-204.12(a)).