

A RESOLUTION

23-524

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 22, 2020

To declare the existence of an emergency with respect to the need to amend section 14-307 of the District of Columbia Official Code to prohibit sexual assault counselors from disclosing confidential information acquired from a client in a professional capacity without consent of the client or their legal representative; and to amend the Sexual Assault Victims' Rights Amendment Act of 2019 to extend the applicability date for certain provisions from October 1, 2020 to January 1, 2021.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sexual Assault Victims' Rights Clarification Emergency Declaration Resolution of 2020".

Sec. 2. (a) On November 5, 2019, the Council passed the Sexual Assault Victims' Rights Amendment Act of 2019, effective March 3, 2020 (D.C. Law 23-57; 67 DCR 3072) ("law").

(b) To account for the time needed to train individuals to serve as sexual assault counselors, sexual assault victim advocates, and sexual assault youth victim advocates to implement the law, the law's provisions expanding the right to these trained individuals were subject to an applicability clause that delayed their applicability until October 1, 2020.

(c) On March 11, 2020, the Mayor declared a public health emergency in the District of Columbia through Mayor's Order 2020-045.

(d) As a result of the public health emergency, many of the organizations that had expressed interest in providing adult and youth advocacy services under the law faced difficulties expanding their services.

(e) To ensure the organizations have enough time to train additional individuals to serve as sexual assault counselors, sexual assault victim advocates, and sexual assault youth victim advocates, there exists a need to amend the law's applicability date to extend the applicability of sections related to the right to these trained individuals from October 1, 2020 to January 1, 2021.

(f) Furthermore, there exists a need to amend section 14-307 of the District of Columbia Official Code to clarify that sexual assault counselors are not permitted to disclose confidential information acquired from a client in a professional capacity without the consent of the client or their legal representative. This is a technical change that was omitted in the law.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Sexual Assault Victims' Rights Clarification Emergency Amendment Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.