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A BILL

23-127

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA



To amend the District of Columbia Mental Health Information Act of 1978 to authorize mental health professionals to disclose mental health information when necessary to request an extreme risk protection order and to require the disclosure of mental health information to the Office of Attorney General in response to a court order; to amend the Firearms Control Regulations Act of 1975 to prohibit the issuance of a firearm registration certificate to the subject of an extreme risk protection order, to require the Superior Court for the District of Columbia, for good cause shown, to issue such orders as may be necessary to obtain mental health records and other relevant information for the purposes of petitions for relief from disqualifications from firearm registration, to authorize the Mayor to issue rules, subject to Council review, to implement the provisions of the Firearms Control Regulations Act of 1975, to clarify that the Office of Attorney General may intervene and represent the interests of the District of Columbia with respect to petitions for extreme risk protection orders or provide individual legal representation, upon request, to a petitioner, to broaden the court’s ability to place records related to extreme risk protection orders under seal, to establish procedures for computing periods of time relating to an extreme risk protection order, to provide for the use of calendar days instead of business days for timelines related to extreme risk protection orders, to require that the court consider the unlawful or reckless use, display, or brandishing of any weapon by the respondent in determining whether to issue an extreme risk protection order, to require that the initial hearing for a petition for a final extreme risk protection order be held within 14 days after the petition was filed, to require the Superior Court for the District of Columbia, for good cause shown, to issue such orders as may be necessary to obtain mental health records and other relevant information for the purposes of petitions for an extreme risk protection order, to modify the duration of ex parte extreme risk protection orders, to establish procedures for the issuance and execution of search warrants accompanying extreme risk protection orders, to add the Office of Attorney General and the Superior Court for the District of Columbia to the list of entities that shall receive information from the Metropolitan Police Department related to extreme risk protection orders; to require the Mayor or the Mayor’s designee to submit information about extreme risk protection orders to the National Instant Criminal Background Check System for the purposes of firearm purchaser background checks, to

41 establish the Extreme Risk Protection Order Implementation Working Group, provide for  
42 its membership, and specify its duties, to prohibit the issuance of a registration certificate  
43 for ghost guns, and to prohibit the sale or transfer of ghost guns; to amend An Act To  
44 control the possession, sale, transfer, and use of pistols and other dangerous weapons in  
45 the District of Columbia, to provide penalties, to prescribe rules of evidence, and for  
46 other purposes, to prohibit the possession of ghost guns; to amend section 14-307(b)(4) of  
47 the District of Columbia Official Code to create an exception from client confidentiality  
48 requirements for evidence in a grand jury, criminal, delinquency, or civil proceeding  
49 where a person is alleged to have committed the offense of financial exploitation of a  
50 vulnerable adult or elderly person; to amend the Criminal Abuse and Neglect of  
51 Vulnerable Adults Act of 2000 to expand the Attorney General’s civil enforcement  
52 authority in cases of financial exploitation of a vulnerable adult or elderly person; to  
53 amend section 14-307 of the District of Columbia Official Code to prohibit sexual assault  
54 counselors from disclosing confidential information acquired from a client in a  
55 professional capacity without consent of the client or their legal representative; to amend  
56 the Sexual Assault Victims’ Rights Amendment Act of 2019 to extend the applicability  
57 date for certain provisions; to amend the Department of Forensic Sciences Establishment  
58 Act of 2011 to permit the Department of Forensic Sciences to provide public health  
59 laboratory services to District residents, District and other government agencies,  
60 hospitals, academic institutions, non-profit organizations, and other health-related  
61 entities; to amend An Act To establish a Board of Indeterminate Sentence and Parole for  
62 the District of Columbia and to determine its functions, and for other purposes, to allow  
63 individuals who have served at least 15 years in prison, and have committed D.C. Code  
64 offenses on or after their 18th birthday, but before their 25th birthday, to apply to the  
65 Superior Court for sentence modification, to waive District residency requirements for  
66 District government workforce development programs for resentenced individuals, and to  
67 provide a grant for survivors of violent crime; to amend the Establishment of the Office  
68 of the Chief Medical Examiner Act of 2000 to require the Office of the Chief Medical  
69 Examiner to investigate all maternal mortalities occurring in the District; to amend the  
70 District of Columbia Government Comprehensive Merit Personnel Act of 1978 to  
71 authorize the Mayor to promote Assistant Fire Chiefs from the ranks of Deputy Fire  
72 Chief and Battalion Fire Chief in the Fire and Emergency Medical Services Department,  
73 to promote Deputy Fire Chiefs from the ranks of Battalion Fire Chief, and to promote  
74 Battalion Fire Chiefs from the ranks of Captain, and to return persons in those ranks to  
75 the immediate previous civil service rank or to the rank of Captain; to amend An Act to  
76 classify the officers and members of the fire department of the District of Columbia, and  
77 for other purposes to make a conforming change; to amend the Data-Sharing and  
78 Information Coordination Amendment Act of 2010 to allow the disclosure of health and  
79 human services information to aid in the development of a report on the root causes of  
80 youth crime and the prevalence of adverse childhood experiences among justice-involved

81 youth; to amend the District of Columbia Mental Health Information Act of 1978 to  
 82 allow the disclosure of mental health information when necessary for the report; to  
 83 amend the Criminal Justice Coordinating Council for the District of Columbia  
 84 Establishment Act of 2001 to extend the deadline for submission of the report, and to  
 85 require that certain District agencies provide the Criminal Justice Coordinating Council  
 86 with information necessary to complete the report; to amend the Homeland Security, Risk  
 87 Reduction, and Preparedness Amendment Act of 2006 to create a quorum requirement  
 88 for the Comprehensive Homicide Elimination Strategy Task Force and extend its report  
 89 submission deadline; to amend the Department of Health Functions Clarification Act of  
 90 2001 to require the Department of Health to conduct a minimum of three inspections of  
 91 the environmental conditions at the Correctional Treatment Facility annually; to amend  
 92 An Act To create a Department of Corrections in the District of Columbia to require the  
 93 Department of Corrections to work with the Office of the Attorney General, the Office of  
 94 the United States Attorney for the District of Columbia, and the Office of Victim  
 95 Services and Justice Grants to engage representatives of advocacy and legal services  
 96 organizations for crime survivors’ rights in the District to explore potential enhancements  
 97 to the process for inmate release notifications to crime survivors; to amend the District of  
 98 Columbia Good Time Credits Act of 1986 to provide the Department of Corrections with  
 99 discretion to award good time credits, consistent with public safety; to amend An Act To  
 100 establish a Board of Indeterminate Sentence and Parole for the District of Columbia and  
 101 to determine its functions, and for other purposes, to provide for the retroactive accrual of  
 102 good time credits for D.C. Code felony offenses committed before August 5, 2000, and to  
 103 allow for motions for compassionate release for individuals convicted of D.C. Code  
 104 felony offenses; to amend the Motor Vehicle Safety Responsibility Act of the District of  
 105 Columbia to provide for alternative service of process on District residents who were the  
 106 owners or operators of motor vehicles at the time such vehicles were involved in a  
 107 collision on any public highway of the District; to amend the Office of Administrative  
 108 Hearings Establishment Act of 2001 to make a conforming change; and to amend the Act  
 109 to Regulate Public Conduct on Public Passenger Vehicles to provide that certain  
 110 violations of the act shall be punishable by civil fines and adjudicated by the Office of  
 111 Administrative Hearings, and to authorize Metro Transit Police Department officers to  
 112 issue notices of infractions for alleged civil violations.

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138 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this

139 act may be cited as the "Omnibus Public Safety and Justice Amendment Act of 2020".

140

141 **TITLE I. FIREARMS SAFETY OMNIBUS CLARIFICATION**

142 Sec. 101. Title IV of the District of Columbia Mental Health Information Act of 1978,

143 effective March 3, 1979 (D.C. Law 2-136; D.C. Official Code § 7-1204.01 *et seq.*), is amended as

144 follows:

145 (a) Section 402 (D.C. Official Code § 7-1204.02) is amended to read as follows:

146 “Sec. 402. Civil commitment proceedings; extreme risk protection orders.

147 “Mental health information may be disclosed by a mental health professional when and to  
148 the extent necessary to:

149 “(1) Initiate or seek civil commitment proceedings under D.C. Official Code § 21-  
150 541; or

151 “(2) Request an extreme risk protection order under Title X of the Firearms Control  
152 Regulations Act of 1975, effective May 10, 2019 (D.C. Law 22-314; D.C. Official Code § 7-  
153 2510.01 *et seq.*)”.

154 (b) Section 403 (D.C. Official Code § 7–1204.03) is amended by adding a new subsection  
155 (c) to read as follows:

156 “(c) Mental health information shall be disclosed to the Office of the Attorney General for  
157 the District of Columbia in response to a court order issued pursuant to section 203(f)(3)(A)(i) of  
158 the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C.  
159 Official Code § 7-2502.03(f)(3)(A)(i)) (“Firearms Act”) or section 1003(d)(2) of the Firearms  
160 Act.”.

161 Sec. 102. The Firearms Control Regulations Act of 1975, effective September 24, 1976  
162 (D.C. Law 1-85; D.C. Official Code § 7–2501.01 *et seq.*), is amended as follows:

163 (a) Section 203 (D.C. Official Code § 7-2502.03) is amended as follows:

164 (1) Subsection (a)(15) is amended to read as follows:

165 “(15) Is not the subject of an ex parte extreme risk protection order issued pursuant  
166 to section 1004 or a final extreme risk protection order issued pursuant to section 1003 or renewed  
167 pursuant to section 1006.”.

168 (2) Subsection (f)(3) is amended as follows:

169 (A) Subparagraph (A) is amended to read as follows:

170 “(A)(i) Upon receipt of a petition filed under paragraph (1) of this  
171 subsection, and for good cause shown, the court shall issue such orders as may be necessary to  
172 obtain any mental health records and other information relevant for the purposes of the petition.  
173 The order shall require the disclosure of records to the Office of the Attorney General so that the  
174 Office of the Attorney General can conduct a search of the petitioner’s mental health records and  
175 report its findings to the court as required by subparagraph (B) of this paragraph.

176 “(ii) The court shall order the Office of the Attorney General to file  
177 a response to the petition. Within 60 days after the court’s order for a response, the Office of the  
178 Attorney General shall file a response indicating whether the Office of the Attorney General  
179 supports or opposes the petition.

180 “(iii) The court may, for good cause shown, extend in 30-day  
181 increments the date by which the Office of Attorney General must file its response under sub-  
182 subparagraph (ii) of this subparagraph.”.

183 (B) Subparagraph (B) is amended by striking the phrase “criminal history”  
184 and inserting the phrase “criminal history and firearms eligibility” in its place.

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185 (b) Section 705(b) (D.C. Official Code § 7–2507.05(b)) is amended by striking the phrase  
186 “the United States Attorney and the Corporation Counsel for the District whether” and inserting  
187 the phrase “the United States Attorney’s Office and the Office of Attorney General whether” in its  
188 place.

189 (c) Section 712 (D.C. Official Code § 7–2507.11) is amended to read as follows:

190 “Sec. 712. The Mayor, pursuant to Title I of the District of Columbia Administrative  
191 Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*),  
192 may issue rules to implement the provisions of this act. The proposed rules shall be submitted to  
193 the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days  
194 of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or  
195 in part, by resolution within the 45-day review period, the proposed rules shall be deemed  
196 approved.”.

197 (d) Section 1001(2)(A) (D.C. Official Code § 7-2510.01(2)(A)) is amended by striking the  
198 phrase “relationship rendering the application of this title appropriate” and inserting the word  
199 “relationship” in its place.

200 (e) Section 1002 (D.C. Official Code § 7-2510.02) is amended as follows:

201 (1) Subsection (a) is amended as follows:

202 (A) Paragraph (3) is amended by striking the semicolon and inserting the  
203 phrase “; and” in its place.

204 (B) Paragraph (4) is repealed.

205 (2) Subsection (c) is amended to read as follows:

206 “(c)(1) The Office of the Attorney General may:

207 “(A) Intervene in the case and represent the interests of the District of  
208 Columbia; or

209 “(B) At the request of the petitioner, provide individual legal representation  
210 to the petitioner in proceedings under this title.

211 “(2) If the Office of the Attorney General intervenes in a case under paragraph  
212 (1)(A) of this subsection, the intervention shall continue until:

213 “(A) The court denies the petition for a final extreme risk protection order  
214 pursuant to section 1003;

215 “(B) The court terminates a final extreme risk protection order pursuant to  
216 section 1008; or

217 “(C) The Office of the Attorney General withdraws from the intervention.”.

218 (3) Subsection (d) is amended to read as follows:

219 “(d) The court may place any record or part of a proceeding related to the issuance, renewal,  
220 or termination of an extreme risk protection order under seal for good cause shown.”.

221 (4) A new subsection (e) is added to read as follows:

222 “(e) When computing a time period specified in this title, or in an order issued under this  
223 title:

224 “(1) Stated in days or a longer unit of time:



225 “(A) Exclude the day of the event that triggers the time period;

226 “(B) Count every day, including intermediate Saturdays, Sundays and legal  
227 holidays; and

228 “(C) Include the last day of the time period, but if the last day of the time  
229 period specified falls on a Saturday, Sunday, a legal holiday, or a day on which weather or other  
230 conditions cause the court to be closed, the time period specified shall continue to run until the end  
231 of the next day that is not a Saturday, Sunday, legal holiday, or a day on which weather or other  
232 conditions cause the court to be closed.

233 “(2) Stated in hours:

234 “(A) Begin counting immediately on the occurrence of the event that  
235 triggers the time period;

236 “(B) Count every hour, including hours during intermediate Saturdays,  
237 Sundays, and legal holidays; and

238 “(C) If the time period would end on a Saturday, Sunday, legal holiday, or  
239 a day on which weather or other conditions cause the court to be closed, the time period shall  
240 continue to run until the same time on the next day that is not a Saturday, Sunday, legal holiday,  
241 or a day on which weather or other conditions cause the court to be closed.”.

242 (f) Section 1003 (D.C. Official Code § 7-2510.03) is amended as follows:

243 (1) Subsection (a)(2) is amended to read as follows:

244                   “(2) The initial hearing shall be held within 14 days after the date the petition was  
245 filed.”.

246                   (2) Subsection (b) is amended as follows:

247                           (A) Paragraph (1) is amended by striking the phrase “5 business days” and  
248 inserting the phrase “7 days” in its place.

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

250                           “(3) If the respondent is unable to be personally served after the court has set a new  
251 hearing date and required new attempts at service pursuant to paragraph (2) of this subsection, the  
252 court may dismiss the petition without prejudice.”.

253                   (3) Subsection (d) is amended to read as follows:

254                           “(d) Upon receipt of a petition filed under section 1002, and for good cause shown, the  
255 court shall issue such orders as may be necessary to obtain any mental health records and other  
256 information relevant for the purposes of the petition. The order shall require the disclosure of  
257 records to the Office of the Attorney General so that it can conduct a search of the respondent’s  
258 mental health records and report its findings to the court as required by this subsection. Before the  
259 hearing for a final extreme risk protection order, the court shall order that the Office of the Attorney  
260 General:

261                           “(1) Conduct a reasonable search of all available records to determine whether the  
262 respondent owns any firearms or ammunition;

263                   “(2) Conduct a reasonable search of all available records of the respondent’s mental  
264 health;

265                   “(3) Perform a national criminal history and firearms eligibility background check  
266 on the respondent; and

267                   “(4) Submit its findings under this subsection to the court.”.

268                   (4) The lead-in language for subsection (e) is amended by striking the phrase  
269 “consider all relevant evidence,” and inserting the phrase “consider any exhibits, affidavits,  
270 supporting documents, and all other relevant evidence,” in its place.

271                   (5) Subsection (h)(6) is amended by striking the phrase “connected with a petition  
272 filed under this title” and inserting the phrase “connected with this title” in its place.

273                   (g) Section 1004 (D.C. Official Code § 7-2510.04) is amended as follows:

274                   (1) Subsection (c) is amended as follows:

275                   (A) The lead-in language for subsection (c) is amended by striking the  
276 phrase “consider all relevant evidence,” and inserting the phrase “consider any exhibits, affidavits,  
277 supporting documents, and all other relevant evidence,” in its place.

278                   (B) Paragraph (4) is amended by striking the phrase “firearm by” and  
279 inserting the phrase “firearm or other weapon by” in its place.

280                   (2) Subsection (f) is amended by striking the phrase “to section” and inserting the  
281 phrase “to this section” in its place.

282                   (3) Subsection (g) is amended as follows:

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

284 “(3) The date and time the order will expire;”.

285 (B) Paragraph (7) is amended to read as follows:

286 “(7) The procedures for the surrender of firearms, ammunition, registration  
287 certificates, licenses to carry a concealed pistol, or dealer’s licenses in the respondent’s possession,  
288 control, or ownership pursuant to section 1007; and”.

289 (4) Subsection (h) is amended to read as follows:

290 “(h) An ex parte extreme risk protection order issued pursuant to this section shall remain  
291 in effect for an initial period not to exceed 14 days. The court may extend an ex parte extreme risk  
292 protection order in additional 14-day increments for good cause shown.”.

293 (h) Section 1005 (D.C. Official Code § 7-2510.05) is amended as follows:

294 (1) Subsection (a) is amended as follows:

295 (A) Paragraph (2) is amended by striking the phrase “next business day”  
296 and inserting the phrase “next day” in its place.

297 (B) Paragraph (3) is amended by striking the phrase “5 business days” and  
298 inserting the phrase “7 days” in its place.

299 (C) Paragraph (4) is amended by striking the phrase “one business day” and  
300 inserting the phrase “24 hours” in its place.

301 (2) Subsection (b) is amended by striking the phrase “order was addedsued” and  
302 inserting the phrase “order was issued” in its place.

303 (i) Section 1006 (D.C. Official Code § 7-2510.06) is amended as follows:

304 (1) Subsection (c) is amended by striking the phrase “15 business days” and  
305 inserting the phrase “21 days” in its place.

306 (2) Subsection (d)(4) is amended by striking the phrase “firearm by” and inserting  
307 the phrase “firearm or other weapon by” in its place.

308 (j) Section 1007(a) (D.C. Official Code § 7-2510.07(a)) is repealed.

309 (k) New sections 1007a, 1007b, 1007c, and 1007d are added to read as follows:

310 “Sec. 1007a. Nature and issuance of search warrants.

311 “(a) If the court issues a final extreme risk protection order pursuant to section 1003, issues  
312 an ex parte extreme risk protection order pursuant to section 1004, or renews a final extreme risk  
313 protection order pursuant to section 1006, the court may issue an accompanying search warrant.  
314 The search warrant may authorize a search to be conducted anywhere in the District of Columbia  
315 and shall be executed pursuant to its terms.

316 “(b) A search warrant issued under this section may direct a search of any or all of the  
317 following:

318 “(1) One or more designated or described places or premises;

319 “(2) One or more designated or described vehicles;

320 “(3) One or more designated or described physical objects; or

321 “(4) The respondent.

322           “(c) The search warrant shall authorize the search for, and seizure of, any firearms,  
323 ammunition, registration certificates, licenses to carry a concealed pistol, or dealer’s licenses that  
324 the respondent is prohibited from having possession or control of, purchasing, or receiving  
325 pursuant to the terms of an extreme risk protection order issued or renewed under this title.

326           “(d) A search warrant issued under section 1007a may be addressed to a specific law  
327 enforcement officer or to any classification of officers of the Metropolitan Police Department of  
328 the District of Columbia or other agency authorized to make arrests or execute process in the  
329 District of Columbia.

330           “(e) A search warrant issued under section 1007a shall contain:

331                   “(1) The name of the issuing court, the name and signature of the issuing judge, and  
332 the date of issuance;

333                   “(2) If the search warrant is addressed to a specific officer, the name of that officer,  
334 otherwise, the classifications of officers to whom the warrant is addressed;

335                   “(3) A designation of the premises, vehicles, objects, or persons to be searched,  
336 sufficient for certainty of identification;

337                   “(4) A description of the property whose seizure is the object of the search warrant;

338                   “(5) A direction that the search warrant be executed between 6 a.m. and 9:00 p.m.  
339 or, where the court has found cause therefor, including one of the grounds set forth in section  
340 1007b(c), an authorization for execution at any time of day or night; and

341           “(6) A direction that the search warrant and an inventory of any property seized  
342 pursuant thereto be returned to the court within 72 hours after its execution.

343           “Sec. 1007b. Time of execution of search warrants.

344           “(a) A search warrant issued under section 1007a shall not be executed after the expiration  
345 of the extreme risk protection order it accompanies, or after 10 days from the date the warrant was  
346 issued, whichever is earlier.

347           “(b) The search warrant shall be returned to the court after its execution or expiration in  
348 accordance with section 1007a(e)(6).

349           “(c) A search warrant issued under section 1007a may be executed on any day of the week  
350 and, in the absence of express authorization in the warrant pursuant to subsection (c) of this section,  
351 shall be executed only between 6 a.m. and 9:00 p.m.

352           “(d) If the court finds that there is probable cause to believe that the search warrant cannot  
353 be executed between 6 a.m. and 9:00 p.m., the property sought is likely to be removed or destroyed  
354 if not seized forthwith, or the property sought is not likely to be found except at certain times or in  
355 certain circumstances, the court may include in the search warrant an authorization for execution  
356 at any time of day or night.

357           “Sec. 1007c. Execution of search warrants.

358           “(a) An officer executing a search warrant issued under section 1007a directing a search of  
359 a dwelling house or other building or a vehicle shall execute that search warrant in accordance  
360 with 18 U.S.C. § 3109.

**ENGROSSED ORIGINAL**

361           “(b) An officer executing a search warrant issued under section 1007a directing a search of  
362 a person shall give, or make reasonable effort to give, notice of his identity and purpose to the  
363 person, and, if such person thereafter resists or refuses to permit the search, such person shall be  
364 subject to arrest by such officer pursuant to D.C. Official Code § 23-581(a) for violation of section  
365 432a of the Revised Statutes of the District of Columbia (D.C. Official Code § 22-405.01), or other  
366 applicable provision of law.

367           “(c)(1) An officer or agent executing a search warrant issued under section 1007a shall  
368 write and subscribe an inventory setting forth the time of the execution of the search warrant and  
369 the property seized under it.

370           “(2) If the search is of a person, a copy of the search warrant and of the return shall  
371 be given to that person.

372           “(3) If the search is of a place, vehicle, or object, a copy of the search warrant and  
373 of the return shall be given to the owner thereof or, if the owner is not present, to an occupant,  
374 custodian, or other person present. If no person is present, the officer shall post a copy of the  
375 warrant and of the return upon the premises, vehicle, or object searched.

376           “(d) A copy of the search warrant shall be filed with the court on the next court day after  
377 its execution, together with a copy of the return.

378           “(e) An officer executing a search warrant issued under section 1007a directing a search of  
379 premises or a vehicle may search any person therein to the extent reasonably necessary to:



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380                   “(1) Protect himself or others from the use of any weapon which may be concealed  
381 upon the person; or

382                   “(2) Find property enumerated in the warrant which may be concealed upon the  
383 person.

384                   “Sec. 1007d. Disposition of property.

385                   “(a) A law enforcement officer or a designated civilian employee of the Metropolitan  
386 Police Department who seizes property in the execution of a search warrant issued under section  
387 1007a shall cause it to be safely kept until the property is returned to:

388                   “(1) The respondent, upon the expiration of the extreme risk protection order that  
389 the search warrant accompanied; or

390                   “(2) A lawful owner, other than the respondent, claiming title to the property  
391 pursuant to section 1007(d).

392                   “(b) Nothing in subsection (a) of this section shall be construed to require the Metropolitan  
393 Police Department to release property seized pursuant to a warrant to a person who did not legally  
394 possess the property at the time it was taken.

395                   “(c) No property seized shall be released or destroyed except in accordance with law and  
396 upon order of a court or of the United States Attorney for the District of Columbia or the Office of  
397 the Attorney General.”.

398                   (l) Section 1008 (D.C. Official Code § 7-2510.08) is amended as follows:

399                   (1) Subsection (a) is amended by striking the phrase “order in in effect” and  
400 inserting the phrase “order is in effect” in its place.

401                   (2) Subsection (c)(4) is amended by striking the phrase “firearm by” and inserting  
402 “firearm or other weapon by” in its place.

403                   (3) Subsection (f) is amended as follows:

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

405                                       (i) Strike the phrase “upon the petitioner” and insert the phrase  
406 “upon the petitioner and respondent” in its place.

407                                       (ii) A new paragraph (1A) is added to read as follows:

408                                       “(1A) If the petitioner or respondent was personally served in court when the  
409 motion to terminate an extreme risk protection order was granted, the personal service requirement  
410 of paragraph (1) of this subsection shall be waived with respect to the party served in court.”.

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

412                                       (i) Strike the phrase “next business day” and insert the phrase “next  
413 day” in its place.

414                                       (ii) Strike the phrase “the respondent” and insert the phrase “the  
415 petitioner” in its place.

416                               (C) Paragraph (3) is amended by striking the phrase “5 business days” and  
417 inserting the phrase “7 days” in its place.

418 (D) Paragraph (4) is amended by striking the phrase “one business day” and  
419 inserting the phrase “24 hours” in its place.

420 (m) Section 1010 (D.C. Official Code § 7-2510.10) is amended as follows:

421 (1) Subsection (a)(2) is amended by striking the phrase “available to any” and  
422 inserting the phrase “available to the Superior Court for the District of Columbia, the Office of the  
423 Attorney General, and any” in its place.

424 (2) Subsection (b) is amended by striking the phrase “Superior Court of the District  
425 of Columbia” and inserting the phrase “Mayor, or the Mayor’s designee,” in its place.

426 (n) A new section 1013 is added to read as follows:

427 “Sec. 1013. Extreme Risk Protection Order Implementation Working Group.

428 “(a) There is established an Extreme Risk Protection Order Implementation Working  
429 Group (“Working Group”), which shall be composed of the following individuals:

430 “(1) District government members, or their designees:

431 “(A) The Chairperson of the Council’s Committee on the Judiciary and  
432 Public Safety;

433 “(B) The Deputy Mayor for Public Safety and Justice;

434 “(C) The Deputy Mayor for Health and Human Services;

435 “(D) The Attorney General for the District of Columbia;

436 “(E) The Chief of the Metropolitan Police Department;

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437                   “(F) The Gun Violence Prevention Director in the Office of the City  
438 Administrator;  
439                   “(G) The Executive Director of the Office of Neighborhood Safety and  
440 Engagement;  
441                   “(H) The Director of the Department of Youth Rehabilitation Services;  
442                   “(I) The Chief Medical Examiner;  
443                   “(J) The Director of the Department of Forensic Sciences;  
444                   “(K) The Director of the Office of Victim Services and Justice Grants;  
445                   “(L) The Executive Director of the Criminal Justice Coordinating Council;  
446 and  
447                   “(M) The Director of the Department of Behavioral Health; and  
448                   “(2) Community members and organizations, or their designees:  
449                   “(A) Everytown for Gun Safety;  
450                   “(B) Moms Demand Action for Gun Sense in America, D.C. Chapter;  
451                   “(C) The Giffords Law Center to Prevent Gun Violence;  
452                   “(D) The Coalition to Stop Gun Violence;  
453                   “(E) Brady: United Against Gun Violence;  
454                   “(F) The D.C. Appleseed Center for Law & Justice;  
455                   “(G) The D.C. Coalition Against Domestic Violence;  
456                   “(H) The D.C. Behavioral Health Association;

457 “(I) The Council for Court Excellence;

458 “(J) The American Foundation for Suicide Prevention, National Capital  
459 Area Chapter; and

460 “(K) One representative from each of the District’s violence interruption  
461 contractors with the Office of Neighborhood Safety and Engagement and the Office of the  
462 Attorney General’s Cure the Streets program.

463 “(b) The Working Group may also request the participation of other subject matter experts,  
464 as well as designees of the following:

465 “(1) The Chief Judge of the Superior Court of the District of Columbia; and

466 “(2) The United States Attorney for the District of Columbia.

467 “(c) The Chairperson of the Council’s Committee on the Judiciary and Public Safety and  
468 the Deputy Mayor for Public Safety and Justice shall serve as the co-chairs of the Working Group.

469 “(d) The duties of the Working Group shall include:

470 “(1) Improving public awareness of extreme risk protection orders;

471 “(2) Improving the coordination of District and federal agencies regarding the  
472 filing, adjudication, and execution of extreme risk protection orders;

473 “(3) Facilitating the education of behavioral and mental health professionals about  
474 extreme risk protection orders;

475 “(4) Advancing the development of District government policies and procedures to  
476 govern extreme risk protection orders, such as written directives of the Metropolitan Police  
477 Department; and

478 “(5) Reviewing and incorporating best practices from other jurisdictions  
479 concerning extreme risk protection order laws, policies, and procedures.

480 “(e) This section shall expire on January 1, 2023.”.

481 **TITLE II. GHOST GUNS PROHIBITION**

482 Sec. 201. The Firearms Control Regulations Act of 1975, effective September 24, 1976  
483 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*), is amended as follows:

484 (a) Section 101 (D.C. Official Code § 7-2501.01) is amended as follows:

485 (1) Paragraph (9B) is designated as paragraph (9C).

486 (2) A new paragraph (9B) is added to read as follows:

487 “(9B) “Ghost gun”:

488 “(A) Means:

489 “(i) A firearm that, after the removal of all parts other than a  
490 receiver, is not as detectable as the Security Exemplar, by walk-through metal detectors calibrated  
491 and operated to detect the Security Exemplar; or

492 “(ii) Any major component of a firearm which, when subjected to  
493 inspection by the types of detection devices commonly used at secure public buildings and transit  
494 stations, does not generate an image that accurately depicts the shape of the component; and

495 “(B) Includes an unfinished frame or receiver.”.

496 (3) A new paragraph (12B) is added to read as follows:

497 “(12B) “Receiver” means the part of a firearm that provides the action or housing  
498 for the hammer, bolt, or breechblock and firing mechanism.”.

499 (4) A new paragraph (15A) is added to read as follows:

500 “(15A) “Security Exemplar” means an object, to be fabricated at the direction of  
501 the Mayor, that is:

502 “(A) Constructed of 3.7 ounces of material type 17-4 PH stainless steel in a  
503 shape resembling a handgun; and

504 “(B) Suitable for testing and calibrating metal detectors.”.

505 (5) A new paragraph (17B) is added to read as follows:

506 “(17B)(A) “Unfinished frame or receiver”:

507 “(i) Means a frame or receiver of a firearm, that is not yet a  
508 component part of a firearm, but which may without the expenditure of substantial time and effort  
509 be readily made into an operable frame or receiver through milling, drilling, or other means; and

510 “(ii) Includes any manufactured object, any incompletely  
511 manufactured component part of a firearm, or any combination thereof that is not a functional  
512 frame or receiver but is designed, manufactured, assembled, marketed, or intended to be used for  
513 that purpose, and can be readily made into a functional frame or receiver.

514 “(B) For the purposes of this paragraph, the term:

515                   “(i) “Manufacture” means to fabricate, make, form, produce or  
516 construct, by manual labor or by machinery; and

517                   “(ii) “Assemble” means to fit together component parts.”.

518           (b) Section 202(a) (D.C. Official Code § 7-2502.02(a)) is amended as follows:

519                   (1) Paragraph (6) is amended by striking the phrase “; or” and inserting a semicolon  
520 in its place.

521                   (2) Paragraph (7) is amended by striking the period and inserting the phrase “; or”  
522 in its place.

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

524                   “(8) Ghost gun.”.

525           (c) Section 501 (D.C. Official Code § 7-2505.01) is amended by striking the phrase  
526 “destructive device” and inserting the phrase “destructive device, ghost gun, unfinished frame or  
527 receiver,” in its place.

528           Sec. 202. An Act To control the possession, sale, transfer, and use of pistols and other  
529 dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence,  
530 and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4501 *et seq.*),  
531 is amended as follows:

532                   (a) Section 1 (D.C. Official Code § 22-4501) is amended by adding a new paragraph (2B)  
533 to read as follows:



534                   “(2B) “Ghost gun” shall have the same meaning as provided in section 101(9B) of  
535 the Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C.  
536 Official Code § 7-2501.01(9B)).”.

537                   (b) Section 14(a) (D.C. Official Code § 22-4514(a)) is amended by striking the phrase  
538 “bump stock, knuckles” both times it appears and inserting the phrase “bump stock, ghost gun,  
539 knuckles” in its place.

540 **TITLE III. FINANCIAL EXPLOITATION OF VULNERABLE ADULTS AND THE**  
541 **ELDERLY**

542                   Sec. 301. Section 14-307(b)(4) of the District of Columbia Official Code is amended by  
543 striking the phrase “or where a person is alleged to have defrauded a health care benefit program”  
544 and inserting the phrase “where a person is alleged to have defrauded a health care benefit program,  
545 or where a person is alleged to have violated section 203a of the Criminal Abuse and Neglect of  
546 Vulnerable Adults Act of 2000, effective November 23, 2016 (D.C. Law 21-166; D.C. Official  
547 Code § 22-933.01)” in its place.

548                   Sec. 302. The Criminal Abuse and Neglect of Vulnerable Adults Act of 2000, effective  
549 June 8, 2001 (D.C. Law 13-301; D.C. Official Code § 22-931 *et seq.*), is amended as follows:

550                   (a) Section 201 (D.C. Official Code § 22-931) is amended by striking the phrase “Criminal  
551 Abuse, Neglect” and inserting the phrase “Abuse, Neglect” in its place.

552                   (b) Section 202 (D.C. Official Code § 22-932) is amended by adding a new paragraph (3A)  
553 to read as follows:

554           “(3A) “Undue influence” means mental, emotional, or physical coercion that  
555 overcomes the free will or judgment of a vulnerable adult or elderly person and causes the  
556 vulnerable adult or elderly person to act in a manner that is inconsistent with the vulnerable adult  
557 or elderly person’s financial, emotional, mental, or physical well-being.”.

558           (c) Section 203a(c) (D.C. Official Code § 22-933.01(c)) is repealed.

559           (d) Section 207 (D.C. Official Code § 22-937) is amended to read as follows:

560           “Sec. 207. Civil penalties for financial exploitation of a vulnerable adult or elderly person.

561           “(a) Notwithstanding any other provision of law, if the Attorney General has reason to  
562 believe that any person has violated, or intends to violate, section 203a(a), the Attorney General  
563 may bring a civil action in the Court, in the name of the District, to seek any of the following:

564                   “(1) A temporary or permanent injunction;

565                   “(2) Restitution of money or property;

566                   “(3) The cost of the action, including reasonable attorney’s fees;

567                   “(4)(A) Revocation of all permits, licenses, registrations, or certifications issued by  
568 the District authorizing the person to provide services to vulnerable adults or elderly persons.

569                   “(B) Such a revocation shall be effective upon the issuance of the Court’s  
570 judgment, and the person shall not be entitled to a hearing with the relevant licensing board or  
571 agency;

572                   “(5) Civil penalties of not more than \$10,000 per violation; and

573                   “(6) Any other relief the Court deems just.

574 “(b) In an action under this section:

575 “(1) A related criminal proceeding need not have been initiated, nor judgment  
576 secured, prior to bringing the action;

577 “(2) The Attorney General shall not be required to prove damages; and

578 “(3) The burden of proof shall be by a preponderance of the evidence.”.

579 **TITLE IV. SEXUAL ASSAULT VICTIMS’ RIGHTS**

580 Sec. 401. Section 14-307 of the District of Columbia Official Code is amended as follows:

581 (a) The section heading is amended to read as follows:

582 “§ 14-307. Confidential information.”.

583 (b) Subsection (a) is amended by striking the phrase “sexual assault victim advocate as  
584 defined in § 14-312(a)(7)” and inserting the phrase “sexual assault counselor as defined in § 23-  
585 1907(10)” in its place.

586 Sec. 402. Section 9(a) of the Sexual Assault Victims’ Rights Amendment Act of 2019,  
587 effective March 3, 2020 (D.C. Law 23-57; 67 DCR 3072), is amended by striking the date “October  
588 1, 2020” and inserting the date “January 1, 2021” in its place.

589 **TITLE V. DEPARTMENT OF FORENSIC SCIENCES SERVICES AND FEES**

590 **CLARIFICATION**

591 Sec. 501. The Department of Forensic Sciences Establishment Act of 2011, effective  
592 August 17, 2011 (D.C. Law 19-18; D.C. Official Code § 5-1501.01 *et seq.*), is amended as follows:

593 (a) Section 2 (D.C. Official Code § 5-1501.01) is amended by adding a new paragraph (6)  
594 to read as follows:

595 “(6) “Public health laboratory services” means monitoring and detecting health  
596 threats, including:

597 “(A) Testing samples in a wide variety of materials for toxins, infectious  
598 organisms, and other threats to public health;

599 “(B) Clinical diagnostic testing;

600 “(C) Disease surveillance;

601 “(D) Emergency response support;

602 “(E) Applied research; and

603 “(F) Laboratory training.”.

604 (b) Section 3(b) (D.C. Official Code § 5-1501.02(b)) is amended as follows:

605 (1) The lead-in language is amended by striking the phrase “forensic science  
606 services” and inserting the phrase “forensic science services and public health laboratory services”  
607 in its place.

608 (2) Paragraph (2) is amended by striking the phrase “focus on unbiased science and  
609 transparency” and inserting the phrase “focus on the delivery of unbiased science and an emphasis  
610 on promoting transparency in operations” in its place.

611 (3) Paragraph (3) is amended by striking the phrase “public safety” and inserting  
612 the phrase “public safety and the fair and balanced administration of justice” in its place.

613 (c) Section 5 (D.C. Official Code § 5-1501.04) is amended as follows:

614 (1) Subsection (a)(4) is amended by striking the phrase “forensic science services”  
615 and inserting the phrase “forensic science services and public health laboratory services” in its  
616 place.

617 (2) Subsection (d) is amended by striking the phrase “agency mission” and inserting  
618 the phrase “Department’s mission” in its place.

619 (d) Section 6(a)(1) (D.C. Official Code § 5-1501.05(a)(1)) is amended by striking the  
620 phrase “agency’s mission” and inserting the phrase “Department’s mission” in its place.

621 (e) Section 7 (D.C. Official Code § 5-1501.06) is amended as follows:

622 (1) Subsection (b) is amended by striking the phrase “these forensic science  
623 services” and inserting the phrase “the forensic science services described in subsection (a) of this  
624 section” in its place.

625 (2) New subsections (c-1), (c-2), and (c-3) are added to read as follows:

626 “(c-1) The Department shall provide public health laboratory services for the District of  
627 Columbia, which may include:

628 “(1) Disease prevention, control, and surveillance testing;

629 “(2) Emergency preparedness testing;

630 “(3) Food surveillance and testing; and

631 “(4) Reference and specialized testing.

632           “(c-2) The Department shall provide public health laboratory services upon request to  
633 District agencies.

634           “(c-3) The Department also may provide public health laboratory services to other  
635 government agencies, hospitals, academic institutions, non-profit organizations, and other health-  
636 related entities.”.

637           (f) Section 7a(b)(2) (D.C. Official Code § 5-1501.06a(b)(2)) is amended by striking the  
638 phrase “forensic science services” and inserting the phrase “forensic science services and public  
639 health laboratory services” in its place.

640           (g) Section 11 (D.C. Official Code § 5-1501.10) is amended as follows:

641                   (1) Subsection (a) is amended by striking the phrase “forensic science services” and  
642 inserting the phrase “forensic science services or public health laboratory services” in its place.

643                   (2) Paragraph (b)(1) is amended by striking the phrase “Director and the” and  
644 inserting the phrase “Director. The” in its place.

645           (h) Section 13 (D.C. Official Code § 5-1501.12) is amended as follows:

646                   (1) Paragraph (1) is amended by striking the phrase “forensic science services” and  
647 inserting the phrase “forensic science services or public health laboratory services” in its place.

648                   (2) Paragraph (4)(A) is amended by striking the phrase “forensic science services”  
649 and inserting the phrase “forensic science services and public health laboratory services” in its  
650 place.

651                   (3) Paragraph (5) is amended by striking the phrase “Department or forensic  
652 science” and inserting the phrase “Department, forensic sciences services, or public health  
653 laboratory services” in its place.

654                   (i) Section 14(a)(11) (D.C. Official Code § 5-1501.13(a)(11)) is amended by striking the  
655 phrase “forensic science services” and inserting the phrase “forensic science services or public  
656 health laboratory services” in its place.

657                   (j) Section 15 (D.C. Official Code § 5-1501.14) is amended as follows:

658                   (1) Paragraph (1)(A) is amended by striking the phrase “forensic science services”  
659 and inserting the phrase “forensic science services or public health laboratory services” in its place.

660                   (2) Paragraph (2) is amended by striking the phrase “Department or forensic  
661 science” and inserting the phrase “Department, forensic science services, or public health  
662 laboratory services” in its place.

663                   (k) Section 16(a)(1)(A) (D.C. Official Code § 5-1501.15(a)(1)(A)) is amended by striking  
664 the phrase “environmental testing services” and inserting the phrase “forensic science services and  
665 public health laboratory services” in its place.

666                   **TITLE VI. COMPREHENSIVE YOUTH JUSTICE AMENDMENT**

667                   Sec. 601. Section 3c of An Act To establish a Board of Indeterminate Sentence and Parole  
668 for the District of Columbia and to determine its functions, and for other purposes, effective April  
669 4, 2017 (D.C. Law 21-238; D.C. Official Code § 24-403.03), is amended as follows:

670 (a) The section heading is amended by striking the phrase “18 years” and inserting the  
671 phrase “25 years” in its place.

672 (b) The lead-in language of subsection (a) is amended by striking the phrase “18th  
673 birthday” and inserting the phrase “25th birthday” in its place.

674 (c) Subsection (b) is amended as follows:

675 (1) Paragraph (1) is amended by striking the phrase “his or her 18th” and inserting  
676 the phrase “the defendant’s 25th” in its place.

677 (2) Paragraph (2) is amended by striking the phrase “evidence.” and inserting the  
678 phrase “evidence. The court may consider any records related to the underlying offense.” in its  
679 place.

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

681 “(3)(A) Except as provided in subparagraph (B) of this paragraph, the defendant  
682 shall be present at any hearing conducted under this section unless the defendant waives the right  
683 to be present. Any proceeding under this section may occur by video conferencing, and the  
684 requirement of a defendant's presence is satisfied by participation in the video teleconference.

685 “(B) During a period of time for which the Mayor has declared a public  
686 health emergency pursuant to section 5a of the District of Columbia Public Emergency Act of  
687 1980, effective October 17, 2002 (D.C. Law 14-194; D.C. Official Code § 7-2304.01), a defendant  
688 in the custody of the Bureau of Prisons, who committed the offense for which the defendant has  
689 filed the application for sentence modification after the defendant’s 18th birthday but before the



690 defendant's 25th birthday, may not petition the court to return to the Department of Corrections  
691 for a proceeding under this section.”.

692 (d) Subsection (c) is amended as follows:

693 (1) Paragraph (3) is amended by striking the phrase “he or she has been confined  
694 and” and inserting the phrase “the defendant has been confined, and” in its place.

695 (2) Paragraph (9) is amended by striking the phrase “extent an adult” and inserting  
696 the phrase “extent another person” in its place.

697 (3) Paragraph (10) is amended as follows:

698 (A) Strike the phrase “juveniles as compared to that of adults” and insert  
699 the phrase “juveniles and persons under age 25, as compared to that of older adults” in its place.

700 (B) Strike the phrase “crime;” and insert the phrase “crime, and the  
701 defendant's personal circumstances that support an aging out of crime;” in its place.

702 (e) New subsections (f), (g), (h), and (i) are added to read as follows:

703 “(f) The version of this section that was effective from May 10, 2019, to the effective date  
704 of the Omnibus Public Safety and Justice Amendment Act of 2020, as approved by the Committee  
705 on the Judiciary and Public Safety on November 23, 2020 (Committee print of Bill 23-127), shall  
706 apply to all proceedings initiated under this section in any District of Columbia court, including  
707 any appeals thereof, by defendants who were eligible under this section prior to the effective date  
708 of the Omnibus Public Safety and Justice Amendment Act of 2020, as approved by the Committee  
709 on the Judiciary and Public Safety on November 23, 2020 (Committee print of Bill 23-127), and

710 shall apply to all proceedings under this section in any District of Columbia court, including any  
711 appeals thereof, that were pending prior to the effective date of the Omnibus Public Safety and  
712 Justice Amendment Act of 2020, as approved by the Committee on the Judiciary and Public Safety  
713 on November 23, 2020 (Committee print of Bill 23-127).

714 “(g) In considering applications filed by defendants for offenses committed after the  
715 defendant’s 18th birthday, the court shall endeavor to prioritize consideration of the applications  
716 of defendants who have been incarcerated the longest; except, that the inability to identify those  
717 defendants shall not delay the court acting on other applications under this section.

718 “(h) Notwithstanding any other law, if a District government workforce development  
719 program requires District residency as a condition of program eligibility, the residency requirement  
720 shall be waived for defendants resentenced pursuant to this section.

721 “(i) Beginning in Fiscal Year 2022, the Office of Victim Services and Justice Grants shall,  
722 on an annual basis, issue a grant of \$200,000 to an organization that provides advocacy, case,  
723 management, and legal services, for the purpose of developing and offering restorative justice  
724 practices for survivors of violent crimes who seek such practices, such as for survivors impacted  
725 by post-conviction litigation.”.

726 **TITLE VII. INVESTIGATING MATERNAL MORTALITIES**

727 Sec. 701. Section 2906 of the Establishment of the Office of the Chief Medical Examiner  
728 Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-1405), is  
729 amended as follows:

730 (a) Subsection (b) is amended as follows:

731 (1) Paragraph (11) is amended by striking the phrase “; and” and inserting a  
732 semicolon in its place.

733 (2) Paragraph (12) is amended by striking the period and inserting the phrase “;  
734 and” in its place.

735 (3) A new paragraph (13) is added to read as follows:

736 “(13) All maternal mortalities.”.

737 (b) A new subsection (b-1) is added to read as follows:

738 “(b-1) For the purposes of subsection (b) of this section, the term:

739 “(1) “Maternal mortalities” means pregnancy-associated deaths and pregnancy-  
740 related deaths, as those terms are defined in section 2(4) and (5) of the Maternal Mortality Review  
741 Committee Establishment Act of 2018, effective June 5, 2018 (D.C. Law 22-111; D.C. Official  
742 Code § 7-671.01(4) and (5)), and deaths resulting from severe maternal morbidity.

743 “(2) “Severe maternal morbidity” means one of the following outcomes of labor  
744 and delivery that results in short-term or long-term consequences to a woman’s health:

745 “(A) Acute myocardial infarction;

746 “(B) Acute renal failure;

747 “(C) Adult respiratory distress syndrome;

748 “(D) Air and thrombotic embolism;

749 “(E) Amniotic fluid embolism;

- 750 “(F) Anesthesia complications;
- 751 “(G) Aneurysm;
- 752 “(H) Blood products transfusion;
- 753 “(I) Cardiac arrest/ventricular fibrillation;
- 754 “(J) Conversion of cardiac rhythm;
- 755 “(K) Disseminated intravascular coagulation;
- 756 “(L) Eclampsia;
- 757 “(M) Heart failure/arrest during surgery or procedure;
- 758 “(N) Hysterectomy;
- 759 “(O) Puerperal cerebrovascular disorders;
- 760 “(P) Pulmonary edema/acute heart failure;
- 761 “(Q) Sepsis;
- 762 “(R) Shock;
- 763 “(S) Sickle cell disease with crisis;
- 764 “(T) Temporary tracheostomy; or
- 765 “(U) Ventilation.”.

766 **TITLE VIII. FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT**  
767 **COMMAND STAFF**

**ENGROSSED ORIGINAL**

768           Sec. 801. Section 801(d-3) of the District of Columbia Government Comprehensive Merit  
769 Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-  
770 608.01(d-3)), is amended as follows:

771           (a) Paragraph (1) is amended by striking the phrase “Battalion Fire Chief and Deputy Fire  
772 Chief” and inserting the phrase “Assistant Fire Chief, Deputy Fire Chief, and Battalion Fire Chief”  
773 in its place.

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

775                   “(3) Members of the Fire and Emergency Medical Services Department appointed  
776 pursuant to this subsection shall be returned to the immediate previous civil service rank, or to the  
777 rank of Captain, when the Mayor so determines.”.

778           Sec. 802. Section 2(b) of An Act to classify the officers and members of the fire department  
779 of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C.  
780 Official Code § 5-402(b), is amended as follows:

781           (a) Paragraph (1) is amended by striking the phrase “Battalion Fire Chief and Deputy Fire  
782 Chief” and inserting the phrase “Assistant Fire Chief, Deputy Fire Chief, and Battalion Fire Chief”  
783 in its place.

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

785                   “(3) Members of the Fire and Emergency Medical Services Department appointed  
786 pursuant to this subsection shall be returned to the immediate previous civil service rank, or to the  
787 rank of Captain, when the Mayor so determines.”.

788 **TITLE IX. CRIMINAL JUSTICE COORDINATING COUNCIL AMENDMENTS**

789           Sec. 901. Section 102(a) of the Data-Sharing and Information Coordination Amendment  
790 Act of 2010, effective December 4, 2010 (D.C. Law 18-273; D.C. Official Code § 7-242(a)), is  
791 amended as follows:

792           (a) Paragraph (3)(K) is amended by striking the phrase “; and” and inserting a semicolon  
793 in its place.

794           (b) Paragraph (4)(B) is amended by striking the period and inserting the phrase “; and” in  
795 its place.

796           (c) A new paragraph (5) is added to read as follows:

797                   “(5) To aid in the development of the report required by section 1505(b-3) of the  
798 Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001,  
799 effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 22-4234(b-3)).”.

800           Sec. 902. Section 302 of the District of Columbia Mental Health Information Act of 1978,  
801 effective March 3, 1979 (D.C. Law 2-136; D.C. Official Code § 7-1203.02), is amended as follows:

802           (a) Paragraph (2) is amended by striking the phrase “; or” and inserting a semicolon in its  
803 place.

804           (b) Paragraph (3) is amended by striking the period and inserting the phrase “; or” in its  
805 place.

806           (c) A new paragraph (4) is added to read as follows:

807           “(4) To meet the requirements of section 1505(b-3) of the Criminal Justice  
808 Coordinating Council for the District of Columbia Establishment Act of 2001, effective October  
809 3, 2001 (D.C. Law 14-28; D.C. Official Code § 22-4234(b-3)).”.

810           Sec. 903. Section 1505 of the Criminal Justice Coordinating Council for the District of  
811 Columbia Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official  
812 Code § 22-4234), is amended as follows:

813           (a) Subsection (b-3) is amended by striking the phrase “On October 1, 2018” and inserting  
814 the phrase “On October 1, 2020” in its place.

815           (b) A new subsection (b-4) is added to read as follows:

816           “(b-4) Upon request by the CJCC, and to aid in the development of the report required by  
817 subsection (b-3) of this section, the following agencies shall provide, or cause to be provided, the  
818 information listed below to the CJCC, including any associated personally identifying information:

819           “(1) For the Office of the State Superintendent of Education, the following  
820 information for each student enrolled in a District of Columbia Public School or a District of  
821 Columbia public charter school for the preceding 2 completed academic years:

822                   “(A) Demographic information, including:

823                           “(i) Name, address, and date of birth;

824                           “(ii) Sex;

825                           “(iii) Gender;

826                           “(iv) Race; and

827                           “(v) Ethnicity;

828                           “(B) Enrollment data, including:

829                           “(i) The school or campus attended by each student;

830                           “(ii) The location of the school or campus;

831                           “(iii) Whether the school or campus is an elementary school, middle

832 school, or high school;

833                           “(iv) Whether the school or campus is a public school, public charter

834 school, or private school;

835                           “(v) The student’s grade level;

836                           “(vi) Whether the student receives special education services;

837                           “(vii) Whether the student is identified as homeless; and

838                           “(viii) Whether the student is one year older, or more, than the

839 expected age for the grade in which the student is enrolled;

840                           “(C) Attendance data;

841                           “(D) Performance data, including:

842                           “(i) Student performance on any District-wide assessments; and

843                           “(ii) Grade advancement for students enrolled; and

844                           “(E) Discipline data, including:

845                           “(i) Total number of in-school suspensions, out-of-school

846 suspensions, involuntary dismissals, emergency removals, disciplinary unenrollment, voluntary



847 withdrawals or transfers, referrals to law enforcement, school-based arrests, or, for students with  
848 disabilities, changes in placement, experienced by the student during each school year;

849 “(ii) Total number of days excluded from school;

850 “(iii) Whether the student was referred to an alternative education  
851 setting for the duration of a suspension, and whether the student attended the alternative education  
852 setting;

853 “(iv) Whether the student was subject to a disciplinary unenrollment  
854 during the school year;

855 “(v) Whether the student voluntarily withdrew or voluntarily  
856 transferred from the school during the school year;

857 “(vi) Whether the student was subject to referral to law enforcement;

858 “(vii) Whether the student was subject to school-related arrest; and

859 “(viii) A description of the misconduct that led to or reasoning  
860 behind each suspension, involuntary dismissal, emergency removal, disciplinary unenrollment,  
861 voluntary withdrawal or transfer, referral to law enforcement, school-based arrest and, for students  
862 with disabilities, change in placement;

863 “(2) For the Department of Health Care Finance, the following information for  
864 individuals between the ages of 10 and 18:

865 “(A) Demographic information, including:

866 “(i) Name, address, and date of birth;

867                           “(ii) Sex;

868                           “(iii) Gender;

869                           “(iv) Race; and

870                           “(v) Ethnicity;

871                   “(B) Enrollment data, including;

872                           “(i) Eligibility start date;

873                           “(ii) Eligibility end date; and

874                           “(iii) Eligibility basis;

875                   “(C) Claims data with mental, behavioral, and neurodevelopmental disorder

876 diagnoses or substance abuse diagnoses; and

877                   “(D) Claims data with mental health or substance abuse procedures;

878                   “(3) For the Department of Human Services, enrollment data for households

879 participating in the District’s Temporary Assistance for Needy Families (“TANF”) program,

880 including:

881                           “(A) The name, address, and date of birth for each household member for

882 individuals between the ages of 10 and 18; and

883                           “(B) Household income information; and

884                   “(4) For the Child and Family Services Agency, the following information for

885 individuals between the ages of 10 and 18:

886                           “(A) Demographic information, including:

887 “(i) Name, address, and date of birth;

888 “(ii) Sex;

889 “(iii) Gender;

890 “(iv) Race; and

891 “(v) Ethnicity;

892 “(B) Investigation data related to alleged child abuse or neglect, including:

893 “(i) Allegations made against the individual’s parents, guardians, or

894 other custodians;

895 “(ii) Whether the allegations were substantiated or inconclusive;

896 “(iii) The date the investigation was completed or suspended;

897 “(iv) Whether the individual was removed from the home or another

898 location;

899 “(v) The reason for the removal; and

900 “(vi) The date of the removal; and

901 “(C) Family assessment data related to alleged child abuse or neglect,

902 including:

903 “(i) Allegations made against the individual’s parents, guardians, or

904 other custodians;

905 “(ii) The date the family assessment was initiated;

906 “(iii) The date the family assessment was completed;

907                   “(iv) Whether the family assessment resulted in the determination  
908 that the family needs services or resulted in a referral for investigation; and  
909                   “(v) The reason the family assessment was closed.”.

910 **TITLE X. QUORUM AND REPORTING CLARIFICATION**

911           Sec. 1001. Section 501 of the Homeland Security, Risk Reduction, and Preparedness  
912 Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-262; D.C. Official Code § 22-  
913 4251), is amended as follows:

914           (a) Subsection (b)(1) is amended by striking the phrase “following entities” and inserting  
915 the phrase “following entities, of which one-third shall constitute a quorum” in its place.

916           (b) Subsection (c) is amended by striking the phrase “June 1, 2019” and inserting the phrase  
917 “June 1, 2021” in its place.

918 **TITLE XI. CORRECTIONAL TREATMENT FACILITY HEALTH INSPECTIONS**  
919 **EXPANSION**

920           Sec. 1101. Section 4902(a-1)(1) of the Department of Health Functions Clarification Act  
921 of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 7-731(a-1)(1)), is  
922 amended by striking the phrase “Central Detention Facility” and inserting the phrase “Central  
923 Detention Facility and Correctional Treatment Facility” in its place.

924 **TITLE XII. GOOD TIME CREDITS REFORM AND LOCAL COMPASSIONATE**  
925 **RELEASE**

**ENGROSSED ORIGINAL**

926           Sec. 1201. Section 2(b) of An Act To create a Department of Corrections in the District of  
927 Columbia, approved June 27, 1946 (60 Stat. 320; D.C. Official Code § 24-211.02(b)), is amended  
928 as follows:

929           (a) Paragraph (5) is amended by striking the phrase “; and” and inserting a semicolon in its  
930 place.

931           (b) Paragraph (9) is amended by striking the period and inserting the phrase “; and” in its  
932 place.

933           (c) A new paragraph (10) is added to read as follows:

934                   “(10) By October 1, 2021, work with the Office of the Attorney General, the Office  
935 of the United States Attorney for the District of Columbia, and the Office of Victim Services and  
936 Justice Grants to engage representatives of advocacy and legal services organizations for crime  
937 survivors’ rights in the District to explore potential enhancements to the process for inmate release  
938 notifications to crime survivors.”.

939           Sec. 1202. Section 3c(c) of the District of Columbia Good Time Credits Act of 1986,  
940 effective May 17, 2011 (D.C. Law 18-732; D.C. Official Code § 24-221.01c(c)), is amended by  
941 striking the phrase “this section combined” and inserting the phrase “this section combined; except  
942 that the Department of Corrections shall have discretion to award additional credits beyond the  
943 limits described in this subsection, including pursuant to section 3 and this section, consistent with  
944 public safety.”.

945           Sec. 1203. An Act To establish a Board of Indeterminate Sentence and Parole for the  
946 District of Columbia and to determine its functions, and for other purposes, approved July 15, 1932  
947 (47 Stat. 696; D.C. Official Code § 24-403 *et seq.*), is amended as follows:

948           (a) A new section 3a-1 is added to read as follows:

949           “Sec. 3a-1. Good time credit for felony offenses committed before August 5, 2000.

950           “(a)(1) Notwithstanding any other provision of law, a defendant who is serving a term of  
951 imprisonment for an offense committed between June 22, 1994, and August 4, 2000, shall be  
952 retroactively awarded good time credit toward the service of the defendant’s sentence of up to 54  
953 days, or more if consistent with 18 U.S.C. § 3624(b), for each year of the defendant’s sentence  
954 imposed by the court, subject to determination by the Bureau of Prisons that during those years  
955 the defendant has met the conditions provided in 18 U.S.C. § 3624(b).

956           “(2) An award of good time credit pursuant to paragraph (1) of this subsection shall  
957 apply to the minimum and maximum term of incarceration, including the mandatory minimum;  
958 except, that in the event of a maximum term of life, only the minimum term shall receive good  
959 time.

960           “(b)(1) Notwithstanding any other provision of law, a defendant who is serving a term of  
961 imprisonment for an offense committed before June 22, 1994, shall be retroactively awarded good  
962 time credit toward the service of the defendant’s sentence of up to 54 days, or more if consistent  
963 with 18 U.S.C. § 3624(b), for each year of the defendant’s sentence imposed by the court, subject

964 to determination by the Bureau of Prisons that during those years the defendant has met the  
965 conditions provided in 18 U.S.C. § 3624(b).

966 “(2) An award of good time credit pursuant to paragraph (1) of this subsection:

967 “(A) Shall apply to any mandatory minimum term of incarceration; and

968 “(B) Is not intended to modify how the defendant is awarded good time

969 credit toward any portion of the sentence other than the mandatory minimum.”.

970 (b) A new section 3d is added to read as follows:

971 “Sec. 3d. Motions for compassionate release for individuals convicted of felony offenses.

972 “(a) Notwithstanding any other provision of law, the court shall modify a term of

973 imprisonment imposed upon a defendant if it determines the defendant is not a danger to the safety

974 of any other person or the community, pursuant to the factors to be considered in 18 U.S.C. §§

975 3142(g) and 3553(a) and evidence of the defendant's rehabilitation while incarcerated, and:

976 “(1) The defendant has a terminal illness, which means a disease or condition with

977 an end-of-life trajectory;

978 “(2) The defendant is 60 years of age or older and has served at least 20 years in

979 prison; or

980 “(3) Other extraordinary and compelling reasons warrant such a modification,

981 including:

982 “(A) A debilitating medical condition involving an incurable illness, or a

983 debilitating injury from which the defendant will not recover;

984 “(B) Elderly age, defined as a defendant who:

985 “(i) Is 60 years of age or older;

986 “(ii) Has served the lesser of 15 years or 75% of the defendant’s

987 sentence; and

988 “(iii) Suffers from a chronic or serious medical condition related to

989 the aging process or that causes an acute vulnerability to severe medical complications or death as

990 a result of COVID-19;

991 “(C) Death or incapacitation of the family member caregiver of the

992 defendant’s children; or

993 “(D) Incapacitation of a spouse or a domestic partner when the defendant

994 would be the only available caregiver for the spouse or domestic partner.

995 “(b) Motions brought pursuant to this section may be brought by the United States

996 Attorney’s Office for the District of Columbia, the Bureau of Prisons, the United States Parole

997 Commission, or the defendant.

998 “(c) Although a hearing is not required, to provide for timely review of a motion made

999 pursuant to this section and at the request of counsel for the defendant, the court may waive the

1000 appearance of a defendant currently held in the custody of the Bureau of Prisons.

1001 “(d) For the purposes of this section, the term “COVID-19” means the disease caused by

1002 the novel 2019 coronavirus SARS-CoV-2.”.

1003 **TITLE XIII. ALTERNATIVE SERVICE OF PROCESS**



1004           Sec. 1301. The Motor Vehicle Safety Responsibility Act of the District of Columbia,  
1005 approved May 25, 1954 (68 Stat. 120; D.C. Official Code § 50-1301.01 *et seq.*), is amended by  
1006 adding a new section 7a to read as follows:

1007           “Sec. 7a. Service of process on District residents.

1008           “(a) Service of process may be made pursuant to the rules of the Superior Court on a  
1009 defendant who is a resident and who was the owner or operator of a motor vehicle at the time such  
1010 vehicle was involved in a collision on any public highway of the District.

1011           “(b) When proof is made by affidavit that good faith efforts to serve a defendant pursuant  
1012 to subsection (a) of this section have not succeeded, the court may order any other means of service  
1013 that it deems appropriate in the circumstances and reasonably calculated to give actual notice,  
1014 including by ordering that service be made upon the liability carrier to the defendant, the attorney  
1015 the liability carrier retained, or the claims adjuster assigned to the claim. Such service shall be of  
1016 the same legal force and validity as if served upon the defendant personally in the District.

1017           “(c) Notice of service made pursuant to subsection (b) of this section shall include a copy  
1018 of the summons and complaint and shall be sent by certified mail without return receipt requested  
1019 by the plaintiff, or the plaintiff’s attorney, to the defendant at the defendant’s last known address.  
1020 The plaintiff has a duty to exercise due diligence in the investigation of the last known address of  
1021 the defendant.

1022           “(d) The methods of service provided in this section are in addition to any other means of  
1023 service that may be provided by statute or rule for obtaining jurisdiction over a defendant.

1024           “(e) For the purposes of this section, the term “resident” shall include any person who is a  
1025 resident of the District at the time of the collision or who was not a resident of the District at the  
1026 time of the collision but subsequently became a resident of the District and is a resident of the  
1027 District at the time process is sought to be served on the person as a result of such collision.”.

1028   **TITLE XIV. OFFICE OF ADMINISTRATIVE HEARINGS JURISDICTION**  
1029           **CONFORMING AMENDMENT**

1030           Sec. 1401. Section 6 of the Office of Administrative Hearings Establishment Act of 2001,  
1031 effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03), is amended by adding  
1032 a new subsection (b-26) to read as follows:

1033           “(b-26) This act shall apply to all adjudicated cases involving a civil violation penalized  
1034 under section 5(a) of the Act to Regulate Public Conduct on Public Passenger Vehicles, effective  
1035 September 23, 1975 (D.C. Law 1-18; D.C. Official Code § 35-254(a)).”.

1036           Sec. 1402. Section 5(a) of the Act to Regulate Public Conduct on Public Passenger  
1037 Vehicles, effective September 23, 1975 (D.C. Law 1-18; D.C. Official Code § 35-254(a)), is  
1038 amended to read as follows:

1039           “(a)(1) Except as provided in subsection (b)(1) of this section, a violation of section 2(b)  
1040 or section 3 shall be punishable by a civil fine of not more than \$50.

1041           “(2)(A) Violations penalized under this subsection shall be adjudicated by the  
1042 Office of Administrative Hearings in accordance with Title II of the Marijuana Possession  
1043 Decriminalization Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C.

1044 Official Code § 48-1211 *et seq.*); provided, that a person issued a notice of infraction shall not be  
1045 assessed any additional penalties other than the civil fine for the violation, including the penalties  
1046 described in sections 202(e) and 203(d) of the Marijuana Possession Decriminalization  
1047 Amendment Act of 2014, effective July 17, 2014 (D.C. Law 20-126; D.C. Official Code §§ 48-  
1048 1212(e) and 48-1213(d)).

1049 “(B) The Office of Administrative Hearings, pursuant to Title I of the  
1050 District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204;  
1051 D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this paragraph.

1052 “(3) Individuals authorized to issue notices of infractions for the violations  
1053 penalized under this subsection include any police officer with authority to make arrests within the  
1054 District, including members of the Metro Transit Police Department.”.

1055 **TITLE XV. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE**

1056 Sec. 1501. Applicability.

1057 (a) The amendatory subsection (i) in section 601(e), and section 1101, of this act shall apply  
1058 upon the date of inclusion of their fiscal effect in an approved budget and financial plan.

1059 (b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in  
1060 an approved budget and financial plan, and provide notice to the Budget Director of the Council  
1061 of the certification.

1062 (c)(1) The Budget Director shall cause the notice of the certification to be published in the  
1063 District of Columbia Register.

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1064                   (2) The date of publication of the notice of the certification shall not affect the  
1065 applicability of the provisions identified in subsection (a) of this section.

1066                   Sec. 1502. Fiscal impact statement.

1067                   The Council adopts the fiscal impact statement in the committee report as the fiscal impact  
1068 statement required by section 4a of the General Legislative Procedures Act of 1975, approved  
1069 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

1070                   Sec. 1503. Effective date.

1071                   This act shall take effect following approval by the Mayor (or in the event of veto by the  
1072 Mayor, action by the Council to override the veto), a 60-day period of congressional review as  
1073 provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24,  
1074 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of  
1075 Columbia Register.