Councilmember Brianne K. Nadeau

Councilmember Trayon White, Sr.

Councilmember David Grosso

Councilmember Anita Bonds

Councilmember Robert C. White, Jr.

Councilmember Kenyan R. McDuffie

Councilmember Mary M. Cheh

Councilmember Charles Allen

Councilmember Brandon T. Todd

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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

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

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

"Sec. 105a. Juvenile Services Program.

41 "(a) The Juvenile Services Program of the Public Defender Service for the District of
42 Columbia ("JSP-PDS") shall have access to youth in accordance with this section.
43 (b) The JSP-PDS shall have access to youth in order to provide free legal services to
44 youth including:
45 "(1) Assistance contacting attorneys and others involved in the youths' court
46 cases;
47 "(2) Representation of youth in disciplinary hearings;
48 "(3) Representation of youth in any proceeding at which the Department seeks to
49 place a youth at a more secure level of placement;
50 "(4) Legal rights orientations for new residents; and
51 "(5) Assistance filing complaints relating to conditions of confinement.
52 "(c) The Department shall:
53 "(1) Provide the JSP-PDS with dedicated office space at the Youth Services
54 Center, the New Beginnings Youth Development Center, and any similar future secured facility
55 operated by the Department;
56 "(2) Provide youth and personnel of the JSP-PDS with confidential access to each
57 other, which shall include confidential telephone calls, written correspondence, and in-person
58 communications; and
59 "(3) Provide the JSP-PDS personnel with reasonable access, as necessary, to the
60 housing units or other areas of Department facilities where youth are confined; provided, that the
61 Department retains the authority to temporarily restrict or deny access previously granted, at any
62 time, due to institutional needs.

63 "(d) The dedicated office space required pursuant to subsection (c)(1) of this section shall
64 include:
65 "(1) Space for confidential meetings between youth and the JSP-PDS personnel;
66 and
67 "(2) Connections and electricity for telephones and the JSP-PDS operated and
68 managed computers.
69 "(e) The JSP-PDS personnel may not use electronic equipment such as cell phones and
70 computers within Department housing units unless otherwise permitted by the Department or by
71 court order.
72 Sec. 4. Fiscal impact statement.
73 The Council adopts the fiscal impact statement in the committee report as the fiscal
74 impact statement required by section 4a of the General legislative Procedures Act of 1975,
75 approved October 16, 2006 (120 Stat. 2038; D. C. Official Code § 1-301.47a).
76 Sect. 5. Effective date.
77 This act shall take effect following approval by the Mayor (or in the event of veto by the
78 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
79 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
80 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the district of
81 Columbia Register.