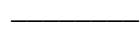
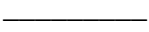


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A BILL



IN THE COUNCIL OF THE DISTRICT OF COLUMBIA



To amend An Act To create a Department of Corrections in the District of Columbia to require that, in the event of exigent and unusual circumstances, all incarcerated individuals released from the Central Detention Facility between the hours of 10 p.m. and 7 a.m. are certified by the warden of that facility to have been provided transportation, housing, and other specified requirements to ensure the inmate’s safe release and the safety of the surrounding community.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Safe Release of Inmates Amendment Act of 2010”.

Sec. 2. Section 2(b) of An Act To create a Department of Corrections in the District of Columbia, approved June 27, 1946 (60 Stat. 320; D.C. Official Code § 24-211.02(b)), is amended by adding new paragraphs (7) and (8) to read as follows:

“(7) If exigent and unusual circumstances exist requiring the release of an inmate during the hours prohibited under paragraph (6) of this subsection, the Department of Corrections shall:

“(A) Prior to release, verify that: 1

“(i) The inmate has a residence or other housing in the District that 2
the inmate is able to access and the inmate has agreed, in writing, to access the residence or 3
housing at the time of the inmate’s release; or 4

“(ii) A shelter is able and willing to receive the inmate at the time 5
of the inmate’s release and the inmate has agreed, in writing, to access the shelter at the time of 6
the inmate’s release; 7

“(B) Provide the inmate with the clothing that the inmate wore upon 8
intake to the Central Detention Facility or, if this clothing is not available, other clothing 9
provided by the Department of Corrections; provided, that the clothing is: 10

“(i) Appropriate for the weather; 11

“(ii) Not a jumpsuit; and 12

“(iii) Typical of street clothing worn by citizens in public and not 13
ill-fitting; 14

“(C) Obtain written verification from the Central Detention Facility’s 15
healthcare provider (“provider”) that, upon release, the inmate has a 7-day supply of all 16
prescription medications the inmate is to continue taking upon release from custody and that the 17
inmate has received release counseling, if medically recommended, from the provider within the 18
preceding 7 days; 19

“(D) Have provided, within the 7 days prior to release, release counseling to the inmate, if the inmate is a sentenced inmate, on access to benefits and services available in the District to facilitate reentry;

“(E) Ensure that the inmate has transportation immediately available upon the inmate’s release from the Central Detention Facility to transport the inmate to the housing identified in subparagraph (A) of this paragraph by:

“(i) A member of the Department of Corrections transportation unit;

“(ii) A taxi, at the Department of Corrections’ expense; or

“(iii) A friend or family member.

“(F) Provide the inmate with the option of remaining within a Department of Corrections facility until release at 7 a.m.; and

“(G) Prior to the inmate’s release, require that the warden of the Central Detention Facility certify, in writing, that the requirements of this paragraph have been met.

“(8) The Department of Corrections shall provide to the Council, on a quarterly basis, a list of all inmates who have been released between the hours of 10 p.m. and 7 a.m. The list shall include the following information for each:

“(A) The exigent and unusual circumstances that resulted in the inmate being released between 10 p.m. and 7 a.m.;

“(B) The custody status of the inmate prior to release (e.g. pre-trial detention; sentenced misdemeanor, etc.);

“(C) The reason for the inmate’s release (e.g. completion of sentence,
court order, etc.);

“(D) The date and time the Department of Corrections received the release
order from the court or other authority; and

“(E) The date and time of the release.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal
impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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