

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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 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) ("bill").

(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, the bill's provisions expanding the right to sexual assault counselors, sexual assault victim advocates, and sexual assault youth victim advocates were subject to an applicability clause that delayed the effective date of those provisions 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.

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

37 (e) To ensure the organizations have enough time to train additional individuals to serve
38 as sexual assault counselors, sexual assault victim advocates, and sexual assault youth victim
39 advocates, there exists a need to amend section 9(a) of the Sexual Assault Victims Rights
40 Amendment Act of 2019 (D.C. Law 23-57; D.C. Official Code § 4-507 *et seq.*) to extend the
41 applicability date of sections related to rights to a sexual assault counselor, sexual assault advocate,
42 and sexual assault youth advocate, from October 1, 2020 to January 1, 2021.

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

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

50 Sec. 4. This resolution shall take effect immediately.