



Councilmember Charles Allen

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, due to congressional review, the Data-Sharing and Information Coordination Amendment Act of 2010 to allow the disclosure of health and human services information to aid in the development of the report on the root causes of youth crime and the prevalence of adverse childhood experiences among justice-involved youth; to amend the District of Columbia Mental Health Information Act of 1978 to allow the disclosure of mental health information when necessary to conduct an analysis of the root causes of youth crime and the prevalence of adverse childhood experiences among justice-involved youth; to amend the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001 to extend the deadline for submission of the analysis of the root causes of youth crime and prevalence of adverse childhood experiences report to March 31, 2020, and to require that certain District agencies provide the Criminal Justice Coordinating Council with information necessary to complete the report; and to amend An Act To establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes to clarify that amendments to section 3c of the act apply to all proceedings pending in any District of Columbia court that were initiated under that section, regardless of when those proceedings were initiated.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Criminal Justice Coordinating Council Information Sharing Congressional Review Emergency Amendment Act of 2020”.

Sec. 2. Section 102(a) of the Data-Sharing and Information Coordination Amendment Act of 2010, effective December 4, 2010 (D.C. Law 18-273; D.C. Official Code § 7-242(a)), is amended as follows:

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

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

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

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

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

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

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

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

53 “(4) To meet the requirements of section 1505(b-3) of the Criminal Justice
54 Coordinating Council for the District of Columbia Establishment Act of 2001, effective October
55 3, 2001 (D.C. Law 14-28; D.C. Official Code § 22-4234(b-3)).”.

56 Sec. 4. Section 1505 of the Criminal Justice Coordinating Council for the District of
57 Columbia Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official
58 Code § 22-4234), is amended as follows:

59 (a) Subsection (b-3) is amended by striking the phrase “On October 1, 2018” and inserting
60 the phrase “On March 31, 2020” in its place.

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

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

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

68 “(A) Demographic information, including:

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

70 “(ii) Sex;

71 “(iii) Gender;

72 “(iv) Race; and

73 “(v) Ethnicity;

74 “(B) Enrollment data, including:

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

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

77 “(iii) Whether the school or campus is an elementary school, middle
78 school, or high school;

79 “(iv) Whether the school or campus is a public school, public charter
80 school, or private school;

81 “(v) The student’s grade level;

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

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

84 “(viii) Whether the student is one year older, or more, than the
85 expected age for the grade in which the student is enrolled;
86 “(C) Attendance data;
87 “(D) Performance data, including:
88 “(i) Student performance on any District-wide assessments; and
89 “(ii) Grade advancement for students enrolled; and
90 “(E) Discipline data, including:
91 “(i) Total number of in-school suspensions, out-of-school
92 suspensions, involuntary dismissals, emergency removals, disciplinary unenrollment, voluntary
93 withdrawals or transfers, referrals to law enforcement, school-based arrests, or, for students with
94 disabilities, changes in placement, experienced by the student during each school year;
95 “(ii) Total number of days excluded from school;
96 “(iii) Whether the student was referred to an alternative education
97 setting for the duration of a suspension, and whether the student attended the alternative education
98 setting;
99 “(iv) Whether the student was subject to a disciplinary unenrollment
100 during the school year;
101 “(v) Whether the student voluntarily withdrew or voluntarily
102 transferred from the school during the school year;
103 “(vi) Whether the student was subject to referral to law enforcement;
104 “(vii) Whether the student was subject to school-related arrest; and
105 “(viii) A description of the misconduct that led to or reasoning
106 behind each suspension, involuntary dismissal, emergency removal, disciplinary unenrollment,

107 voluntary withdrawal or transfer, referral to law enforcement, school-based arrest and, for students
108 with disabilities, change in placement;

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

111 “(A) Demographic information, including:

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

113 “(ii) Sex;

114 “(iii) Gender;

115 “(iv) Race; and

116 “(v) Ethnicity;

117 “(B) Enrollment data, including:

118 “(i) Eligibility start date;

119 “(ii) Eligibility end date; and

120 “(iii) Eligibility basis;

121 “(C) Claims data with mental, behavioral, and neurodevelopmental disorder
122 diagnoses or substance abuse diagnoses; and

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

124 “(3) For the Department of Human Services, enrollment data for households
125 participating in the District’s Temporary Assistance for Needy Families (“TANF”) program,
126 including:

127 “(A) The name, address, and date of birth for each household member for
128 individuals between the ages of 10 and 18; and

129 “(B) Household income information; and

130 “(4) For the Child and Family Services Agency, the following information for
131 individuals between the ages of 10 and 18:

132 “(A) Demographic information, including:

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

134 “(ii) Sex;

135 “(iii) Gender;

136 “(iv) Race; and

137 “(v) Ethnicity;

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

139 “(i) Allegations made against the individual’s parents, guardians, or
140 other custodians;

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

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

143 “(iv) Whether the individual was removed from the home or another
144 location;

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

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

147 “(C) Family assessment data related to alleged child abuse or neglect,
148 including:

149 “(i) Allegations made against the individual’s parents, guardians, or
150 other custodians;

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

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

153 “(iv) Whether the family assessment resulted in the determination
154 that the family needs services or resulted in a referral for investigation; and

155 “(v) The reason the family assessment was closed.”.

156 Sec. 5. Section 3c of An Act To establish a Board of Indeterminate Sentence and Parole
157 for the District of Columbia and to determine its functions, and for other purposes, effective April
158 4, 2017 (D.C. Law 21-238; D.C. Official Code § 24-403.03), is amended by adding a new
159 subsection (f) to read as follows:

160 “(f) Any amendments to this section shall apply to all proceedings initiated under this
161 section, including any appeals thereof, in any District of Columbia court, including proceedings
162 that are pending as of the effective date of the Criminal Justice Coordinating Council Information
163 Sharing Emergency Amendment Act of 2019, effective July 24, 2019 (D.C. Act 23-106; 66 DCR
164 9754), regardless of when those proceedings were initiated.”.

165 Sec. 6. Fiscal impact statement.

166 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
167 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
168 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

169 Sec. 7. Effective date.

170 This act shall take effect following approval by the Mayor (or in the event of veto by the
171 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
172 90 days, as provided for emergency acts of the Council of the District of Columbia in section
173 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
174 D.C. Official Code § 1-204.12(a)).