

CITIZEN REVIEW PANEL

DC ST § 4-1303.51

§ 4-1303.51. Establishment of the Citizen Review Panel; purposes; duties.

DC ST § 4-1303.51

District of Columbia Official Code 2001 Edition [Currentness](#)
Division I. Government of District.

Title 4. Public Care Systems. (Refs & Annos)

Chapter 13. Child Abuse and Neglect.

Subchapter I. Prevention of Child Abuse and Neglect.

Part C-Ii. Citizen Review Panel.

→§ 4-1303.51. Establishment of the Citizen Review Panel; purposes; duties.

(a) There is hereby established the Citizen Review Panel, whose purpose is to serve as an external, independent oversight body for the District's child welfare system, evaluating the strengths and weaknesses of District government agencies involved in child protection as well as neighborhood-based services provided by vendors.

(b) The Panel shall examine the policies, practices, and procedures of the Agency and any other District government agency that provides services to children at risk of abuse and neglect, or to children under the care of the Agency, including, as appropriate, the review of specific child cases. Based on this examination, the Panel shall evaluate the extent to which agencies serving children at risk of abuse or neglect, or children under the care of the Agency, are effectively discharging their child protection responsibilities in accordance with:

(1) The State plan required by section 106(b) of the Child Abuse Prevention and Treatment Act, approved April 25, 1988 (102 Stat. 110; 42 U.S.C. § 5106A(b));

(2) The child protection standards set forth in section 106(b) of the Child Abuse Prevention and Treatment Act, approved April 25, 1988 (102 Stat. 110; 42 U.S.C. § 5106A(b)); and

(3) Any other criteria that the Panel deems important to ensure the protection of children.

(c) The Panel shall solicit public outreach and comment in order to assess the impact of

CITIZEN REVIEW PANEL

current policies, practices, and procedures of the child welfare system on children and families in the District of Columbia.

(d)(1) The Panel shall submit a report, no later than April 30th of each year, to the Mayor, Council, and Agency, summarizing the Panel's activities and findings during the prior calendar year, containing recommendations on how to improve child welfare services and outcomes in the District of Columbia, and providing information on the progress the District government is making in implementing the recommendations of the Panel.

(2) The Agency shall make the annual report available to the public by providing access to it on its Internet site.

(3) Not later than 6 months after the Panel publishes the annual report, the Agency shall provide a written response that describes whether or how the Agency, in coordination with other government agencies, will implement the Panel's recommendations in order to make measurable progress in improving the child welfare system.

CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title IIIB, § 351, as added Apr. 12, 2005, D.C. Law 15-341, § 2(m), 52 DCR 2315.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

Law 15-341, the "Child in Need of Protection Amendment Act of 2004", was introduced in Council and assigned Bill No. 15-389 which was referred to the Committee on Judiciary and the Committee on Human Services. The Bill was adopted on first and second readings on December 7, 2004, and December 21, 2004, respectively. Signed by the Mayor on January 19, 2005, it was assigned Act No. 15-758 and transmitted to both Houses of Congress for its review. D.C. Law 15-341 became effective on April 12, 2005.

DC CODE § 4-1303.51

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[Docs In Sequence](#) [Table of Contents](#)

CITIZEN REVIEW PANEL

DC ST § 4-1303.52
§ 4-1303.52. Panel membership.

DC ST § 4-1303.52

District of Columbia Official Code 2001 Edition [Currentness](#)
Division I. Government of District.

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Part C-Ii. Citizen Review Panel.

➔ **§ 4-1303.52. Panel membership.**

(a) The Panel shall be comprised of 15 members to be appointed as follows:

- (1) Eight members shall be appointed by the Mayor, and
- (2) Seven members shall be appointed by the Council by resolution.

(b)(1) Panel members shall be residents of the District.

- (2) None of the members shall be employed by the District government.
- (3) No more than 2 members appointed by the Mayor, and no more than 2 members appointed by the Council, shall serve as an officer, director, partner, employee, consultant, or contractor with an organization that provides services to the Agency.

(c) In making their appointments, the Mayor and Council shall establish a Panel that is broadly representative of the community and includes members who have expertise in the prevention and treatment of child abuse and neglect. The Mayor and Council shall seek to include a diversity of professional backgrounds on the panel, such as children's attorneys, child advocates, parents, foster parents, and other consumer representatives, social workers, educators, and health and mental health professionals who are familiar with the child welfare system.

(d) The Mayor's initial 8 appointments shall include 3 members appointed to 3- year terms that begin on April 12, 2005, 3 members appointed to 2-year terms that begin on

CITIZEN REVIEW PANEL

April 12, 2005, and 2 members appointed to one year terms that begin on April 12, 2005. All subsequent appointments by the Mayor shall be for 3-year terms.

(e) The Council's initial 7 appointments shall include 3 members appointed to 3-year terms that begin on April 12, 2005, 2 members appointed to 2-year terms that begin on April 12, 2005, and 2 members appointed to one-year terms that begin on April 12, 2005. All subsequent appointments by the Council shall be for 3-year terms.

(f)(1) Vacancies in membership shall be filled in the same manner in which the original appointment was made, with the newly appointed member serving the unexpired term of his or her predecessor.

(2) Members may be reappointed to the Panel.

(g) The Mayor shall designate the Chairperson of the Panel and the Council shall designate the Vice Chairperson of the Panel.

CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title IIIB, § 352, as added Apr. 12, 2005, D.C. Law 15-341, § 2(m), 52 DCR 2315.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

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Current through March 18, 2008

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[Docs In Sequence](#) [Table of Contents](#)

CITIZEN REVIEW PANEL

DC ST § 4-1303.53
§ 4-1303.53. Panel procedures: meetings: staff support.

DC ST § 4-1303.53

District of Columbia Official Code 2001 Edition [Currentness](#)
Division I. Government of District.

Title 4. Public Care Systems. (Refs & Annos)

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Part C-Ii. Citizen Review Panel.

→§ 4-1303.53. Panel procedures: meetings: staff support.

(a)(1) A quorum shall consist of 8 members and the Panel shall develop written bylaws, with the approval of a majority of Panel members, to establish other procedural requirements it considers necessary, including the designation of additional officers.

(2) The Panel may establish such committees as it considers necessary, according to rules set forth in the bylaws.

(3) The Panel may establish written protocols to guide its work in evaluating the policies, practices, procedures, and performance of the child welfare system.

(b)(1) The Panel shall meet not less than once every 3 months, in appropriate meeting space provided by the Agency, at no cost.

(2) Panel meetings shall be open to the public, except that the Panel shall meet in closed session when it is reviewing specific child cases.

(3) Any resolution, rule, act, regulation, or other official action is effective only if it is taken, made, or enacted at an open meeting as defined in § 1-207.42.

(c)(1) The Panel shall receive staff support from one or more employees of the Agency, as designated by the Director of the Agency.

(2) The Agency shall include in its annual performance-based budget submission to the Mayor and Council, beginning in Fiscal Year 2007, an activity-level line item for the Panel, which will include personal services and non-personal services funding.

CITIZEN REVIEW PANEL

CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title IIIB, § 353, as added Apr. 12, 2005, D.C. Law 15-341, § 2(m), 52 DCR 2315.)

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DC CODE § 4-1303.53

Current through March 18, 2008

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[Docs In Sequence](#) [Table of Contents](#)

CITIZEN REVIEW PANEL

DC ST § 4-1303.54
§ 4-1303.54. Access to information and confidentiality.

DC ST § 4-1303.54

District of Columbia Official Code 2001 Edition [Currentness](#)
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Part C-Ii. Citizen Review Panel.

→§ 4-1303.54. Access to information and confidentiality.

(a) The Panel shall have access to data on children and families maintained by District government agencies, including the Agency, the Department of Human Services, the Department of Health, the Department of Mental Health, the Metropolitan Police Department, the Office of the Chief Medical Examiner, and the D.C. Public Schools. The Panel shall also have access to data kept by any private agency or organization that provides or arranges for services or out-of-home placements for children residing in the District of Columbia.

(b) For the purposes of specific case review, the Panel shall have access to:

- (1) Police investigative data;
- (2) Autopsy records and other medical examiner investigative data;
- (3) Hospital, public health, or other medical records of the child;
- (4) Hospital and other medical records of the child's parent that relate to prenatal care;
- (5) Records created by human or social service agencies, including the Agency, that provided or provide services to the child or family; and
- (6) Personnel data related to an employee's performance in discharging child protection responsibilities.

(c)(1) All information and records generated by the Panel, including statistical

CITIZEN REVIEW PANEL

compilations and reports, and all information and records acquired by, and in the possession of, the Panel are confidential.

(2) Panel information and records may be disclosed only as necessary to carry out the Panel's duties and purposes.

(3) Statistical compilations and reports of the Panel that contain information that would reveal the identity of any person, other than a person who has consented to be identified, are not public records or information.

(4) Each person attending a Panel meeting shall sign a confidentiality agreement at the beginning of each meeting of the Panel.

(d) Findings and recommendations on the child welfare system required by § 4-1303.51(d) shall be available to the public on request.

(e) Except as permitted by this section, information and records of the Panel shall not be disclosed voluntarily, pursuant to a subpoena, in response to a request for discovery in any adjudicative proceeding, or in response to a request made under subchapter II of Chapter 5 of Title 2, nor shall it be introduced into evidence in any administrative, civil, or criminal proceeding.

(f)(1) Whoever discloses, receives, makes use of, or knowingly permits the use of information in violation of this section shall be subject to a fine of not more than \$1,000.

(2) Violations of this section shall be prosecuted by the Attorney General, or his or her designee, in the name of the District of Columbia.

(3)(A) The Mayor may remove any of his or her appointees from the Panel for violating this section.

(B) The Council may remove, by resolution, any of its appointees from the Panel for violating this section.

CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title IIIB, § 354, as added Apr. 12, 2005, D.C. Law 15-341, § 2(m), 52 DCR 2315.)

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CITIZEN REVIEW PANEL

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DC CODE § 4-1303.54

Current through March 18, 2008

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[Docs In Sequence](#) [Table of Contents](#)

CITIZEN REVIEW PANEL

DC ST § 4-1303.55
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DC ST § 4-1303.55

District of Columbia Official Code 2001 Edition [Currentness](#)
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Part C-Ii. Citizen Review Panel.

➔ **§ 4-1303.55. Conflict of interest.**

Panel members shall be subject to the conflict of interest and disclosure requirements established by §§ 1-1106.01 and 1-1106.02. Any member affiliated with an organization providing services to children or families, as an officer, director, partner, employee, consultant, or contractor, shall recuse himself or herself from any discussion of specific cases that involve the organization, and shall also recuse himself or herself from any discussion of findings or recommendations that involve the organization.

CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title IIIB, § 355, as added Apr. 12, 2005, D.C. Law 15-341, § 2(m), 52 DCR 2315.)

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CITIZEN REVIEW PANEL

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[Docs In Sequence](#) [Table of Contents](#)