


COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, PL 93-198 (the Act), the Council of the District of Columbia adopted Bill No. 1-91 on November 4, 1975 and November 18, 1975, respectively. Following the Mayor's signature on December 4, 1975, this legislation was assigned Act No. 1-71, published in the December 12, 1975, edition of the D.C. Register, and transmitted to both Houses of Congress for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has expired and, therefore, cites the following legislation as D.C. Law 1-51, effective March 12, 1976.


STERLING TUCKER
Chairman to the Council

In the Council of the District of Columbia

March 12, 1976

To authorize the District of Columbia to enter into the
Interstate parole and Probation Compact.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF
COLUMBIA,

That this act may be cited as the "Interstate Parole and
Probation Compact Act".

Sec. 2. The Mayor of the District of Columbia is hereby
authorized to execute a compact on behalf of the District of
Columbia with any of the States legally joining therein in
the form substantially as follows:

"A COMPACT

Entered into by and among the contracting states,
signatories hereto, with the consent of the
Congress of the United States of America, granted
by the Act of May 24, 1949 (4 U.S.C. §112) given to
states (including the Commonwealth of Puerto Rico,
the Virgin Islands, Guam, and the District of
Columbia) to enter into compacts for cooperative
effort and mutual assistance in the prevention of
crime and in the enforcement of their respective
criminal laws and policies.

"THE CONTRACTING STATES SOLEMNLY AGREE That:

"(1) It shall be competent for the duly constituted judicial and administrative authorities of a state party to this compact (herein called 'sending state'), to permit any person convicted of an offense within such state and placed on probation or released on parole to reside in any other state party to this compact (herein called 'receiving state'), while on probation or parole, if

"(a) Such person is in fact a resident of or has his family residing within the receiving state and can obtain employment there;

"(b) Though not a resident of the receiving state and not having his family residing there, the receiving state consents to such person's being sent there.

"Before granting such permission, opportunity shall be granted to the receiving state to investigate the home and prospective employment of such person. A resident of the receiving state, within the meaning of this section, is one who has been an actual inhabitant of such state continuously for more than one year prior to his coming to the sending state and has not resided within the sending state more than six continuous months immediately preceding the commission of the offense for which he has been convicted.

"(2) Each receiving state will assume the duties of visitation of and supervision over probationers or parolees of any sending state and in the exercise of those duties will

be governed by the same standards that prevail for its own probationers and parolees.

"(3) Duly accredited officers of a sending state may at all times enter a receiving state and there apprehend and retake any person on probation or parole. For that purpose no formalities will be required other than establishing the authority of the officer and the identity of the person to be retaken. All legal requirements to obtain extradition of fugitives from justice are hereby expressly waived on the part of the states party hereto, as to such persons. The decision of the sending state to retake a person on probation or parole shall be conclusive upon and not reviewable within the receiving state: PROVIDED, however, That if at the time when a state seeks to retake a probationer or parolee there should be pending against him within the receiving state any criminal charge, or he should be suspected of having committed within such a state a criminal offense, he shall not be retaken without the consent of the receiving state until discharged from prosecution or from imprisonment for such offense.

"(4) The duly accredited officers of the sending state will be permitted to transport prisoners being retaken through any and all states parties to this compact, without interference.

"(5) The Governor of each state may designate an officer who, acting jointly with like officers of other contracting states, if and when appointed, shall promulgate

such rules and regulations as may be deemed necessary to more effectively carry out the terms of this compact.

"(6) This compact shall become operative immediately upon its execution by any state as between it and any other state or states so executing. When executed it shall have the full force and effect of law within such state, the form of execution to be in accordance with the laws of the executing state.

"(7) This compact shall continue in force and remain binding upon each executing state until renounced by it. The duties and obligations hereunder of a renouncing state shall continue as to parolees or probationers residing therein at the time of withdrawal until retaken or finally discharged by the sending state. Renunciation of this compact shall be by the same authority which executed it, by sending six months' notice in writing of its intention to withdraw from the compact to the other states party hereto."

Sec. 3. As used in this act, the term "state" means any of the several states of the United States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and the District of Columbia, and the term "Governor" means the chief executive officer of any such jurisdiction.

Sec. 4. If any section or provision of this act is held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the remaining sections or provisions of this act.

Sec. 5. This act shall take effect at the end of the period provided for Congressional Review of acts of the Council of the District of Columbia in subsection (c) of Section 602 of the District of Columbia Self-Government and Governmental Reorganization Act.

Considered in Council 11-4-75

First vote 11-4-75

RECORD OF COUNCIL VOTE

COUNCIL MEMBER	YES	NO	P.R.	A.B.	R.A.	COUNCIL MEMBER	YES	NO	P.R.	A.B.	R.A.	COUNCIL MEMBER	YES	NO	P.R.	A.B.	R.A.
TUCKER	X					DIXON	X					SPAULDING	X				
MOORE, D.	X					HARDY	X					WILSON	X				
BARRY	X					HOBSON	X					WINTER	X				
CLARKE	X					MOORE, J.	X										
COATES	X					SHACKLETON	X										

X—Indicates Vote P. R.—Present A. B.—Absent R. A.—Readopted

Robert Williams
(Secretary of the Council)

Final vote in Council 11-18-75

RECORD OF COUNCIL VOTE

COUNCIL MEMBER	YES	NO	P.R.	A.B.	R.A.	COUNCIL MEMBER	YES	NO	P.R.	A.B.	R.A.	COUNCIL MEMBER	YES	NO	P.R.	A.B.	R.A.
TUCKER	X					DIXON	X					SPAULDING	X				
MOORE, D.				X		HARDY	X					WILSON	X				
BARRY	X					HOBSON	X					WINTER	X				
CLARKE	X					MOORE, J.	X										
COATES	X					SHACKLETON	X										

X—Indicates Vote P. R.—Present A. B.—Absent R. A.—Readopted

Robert Williams
(Secretary of the Council)

Presented to the Mayor 11-19-75

Mayor's action:

approve: ✓ 4 DEC 1975

disapprove: _____

Robert Williams
(Secretary of the Council)

Robert Williams
(Mayor's Signature) 4 DEC 1975

Enacted without Mayor's signature _____

(Secretary of the Council)

Reconsidered by Council _____

Vote _____

RECORD OF COUNCIL VOTE																					
COUNCIL MEMBER						YES	NO	P.R.	A.B.	R.A.	COUNCIL MEMBER						YES	NO	P.R.	A.B.	R.A.
X—Indicates Vote						P. R.—Present			A. B.—Absent			R. A.—Readopted									

 (Secretary of the Council)

Presented to the President _____

 (Secretary of the Council)

Sustain Mayor's veto _____

Not Sustain Mayor's veto _____

 (President of the U.S.)

Submitted to the Congress _____

 (Secretary of the Council)

Senate action _____
 resolution number _____

House action _____
 resolution number _____

 (Secretary of the Senate)

 (Clerk of the House)

Enacted without Congressional action _____

 (Secretary of the Council)