

**DISTRICT OF COLUMBIA**  
**OFFICIAL CODE**

**TITLE 24.**  
**PRISONERS AND THEIR TREATMENT.**

**CHAPTER 3.**  
**PROBATION.**

**2001 Edition**

# DISTRICT OF COLUMBIA OFFICIAL CODE

## CHAPTER 3. PROBATION.

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## CHAPTER 3. PROBATION.

### **§ 24-301. PROBATION SYSTEM; PROBATION OFFICERS; APPOINTMENT.[REPEALED]**

(Oct. 21, 1998, 112 Stat. 2425, Pub. L. 105-274, § 6(c)(2)(A).)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 24-101.

##### *Effective Dates*

Pub.L. 105-274, § 10, Oct. 21, 1998, 112 Stat. 2429, provides:

"SEC. 10. EFFECTIVE DATE.

"Except as otherwise specifically provided, this Act and the amendments made by this Act shall take effect as if included in the enactment of title XI of the Balanced Budget Act of 1997."

### **§ 24-302. WHEN PROBATION MAY BE GRANTED; STATEMENT TO PROBATIONERS; RULES AND REGULATIONS.[REPEALED]**

(Dec. 23, 1963, 77 Stat. 626, Pub. L. 88-241, § 21.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 24-102.

### **§ 24-303. INVESTIGATIONS AND REPORTS.**

The probation officers shall carefully investigate all cases referred to them by the court, and make recommendations to the court to enable it to decide whether the defendant ought to be placed under probation, and shall report to the court, from time to time as may be required by it, touching all cases in their care, to the end that the court may be at all times fully informed of the circumstances and conduct of probationers.

(June 25, 1910, 36 Stat. 864, ch. 433, § 3.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 24-103.

1973 Ed., § 24-103.

### **§ 24-304. DISCHARGE FROM OR CONTINUANCE OF PROBATION; MODIFICATION OR REVOCATION OF ORDER.**

(a) Upon the expiration of the term fixed for such probation, the probation officer shall report that fact to the court, with a statement of the conduct of the probationer while on probation, and the court may thereupon discharge the probationer from further supervision, or may extend the probation, as shall seem advisable. At any time during the probationary term the court may modify the terms and conditions of the order of probation, or may terminate such probation, when in the opinion of the court the ends of justice shall require, and when the probation is so terminated the court shall enter an order discharging the probationer from serving the imposed penalty; or the court may revoke the order of probation and cause the rearrest of

the probationer and impose a sentence and require him to serve the sentence or pay the fine originally imposed, or both, as the case may be, or any lesser sentence. If imposition of sentence was suspended, the court may impose any sentence which might have been imposed. If probation is revoked, the time of probation shall not be taken into account to diminish the time for which he was originally sentenced.

(b) If a person violates a condition of probation by using a controlled substance or by failing to comply with prescribed treatment for the use of a controlled substance, the court may order, in addition to or in lieu of the actions and sanctions authorized in subsection (a) of this section, the temporary placement of the person in custody, when in the opinion of the court such action is necessary for treatment or to assure compliance with conditions of probation.

(June 25, 1910, 36 Stat. 865, ch. 433, § 4; Mar. 10, 1983, D.C. Law 4-202, § 4, 30 DCR 173; Oct. 10, 1998, D.C. Law 12-165, § 4, 45 DCR 2980.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 24-104.

1973 Ed., § 24-104.

##### *Legislative History of Laws*

Law 4-202, the "District of Columbia Sentencing Improvement Act of 1982," was introduced in Council and assigned Bill No. 4-120, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on November 16, 1982, and December 14, 1982, respectively. Signed by the Mayor on December 28, 1982, it was assigned Act No. 4-286 and transmitted to both Houses of Congress for its review.

Law 12-165, the "Truth in Sentencing Amendment Act of 1998," was introduced in Council and assigned Bill No. 12-523, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on March 17, 1998, and April 7, 1998, respectively. Signed by the Mayor on April 23, 1998, it was assigned Act No. 12-343 and transmitted to both Houses of Congress for its review. D.C. Law 12-165 became effective on October 10, 1998.

## **§ 24-305. OFFICE AND SUPPLIES FOR PROBATION OFFICERS; EXPENSES.[REPEALED]**

(June 25, 1910, 36 Stat. 865, ch. 433, § 5; Mar. 4, 1919, 40 Stat. 1325, ch. 122; 1973 Ed., § 24-105; Oct. 21, 1998, 112 Stat. 2425, Pub. L. 105-274, § 6(c)(2)(B).)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 24-105.

1973 Ed., § 24-105.

##### *Effective Dates*

Pub.L. 105-274, § 10, Oct. 21, 1998, 112 Stat. 2429, provides:

"SEC. 10. EFFECTIVE DATE.

"Except as otherwise specifically provided, this Act and the amendments made by this Act shall take effect as if included in the enactment of title XI of the Balanced Budget Act of 1997."

## **§ 24-306. PSYCHIATRIC SERVICES.**

The Mayor shall appoint a qualified psychiatrist and a qualified psychologist whose services shall be available to the following officers to assist them in carrying out their duties:

- (1) In criminal cases, the judges and probation officers of the United States District Court for the District of Columbia and the judges and Director of Social Services of the Superior Court of the District of Columbia;
- (2) The judges and such personnel assigned to the Family Division of the Superior Court as the Chief Judge may designate;
- (3) Such officers of the Department of Corrections as the Director thereof shall designate; and
- (4) The Board of Parole of the District.

(June 29, 1953, 67 Stat. 105, ch. 159, § 405; Aug. 16, 1954, 68 Stat. 730, ch. 737, § 1; July 8, 1963, 77 Stat.

77, Pub. L. 88-60, § 1; July 29, 1970, 84 Stat. 577, Pub. L. 91-358, title I, § 159(d); June 3, 1997, D.C. Law 11-275, § 15, 44 DCR 1408.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 24-106.

1973 Ed., § 24-106.

##### *Legislative History of Laws*

Law 11-275, the "Second Criminal Code Technical Amendments Act of 1996," was introduced in Council and assigned Bill No. 11-909, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on November 7, 1996, and December 3, 1996, respectively. Signed by the Mayor on December 24, 1996, it was assigned Act No. 11-520 and transmitted to both Houses of Congress for its review. D.C. Law 11-275 became effective on June 3, 1997.

##### *Change in Government*

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.