


Councilmember Brianne K. Nadeau

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5 A PROPOSED RESOLUTION
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8 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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12 To declare the existence of an emergency with respect to the need to amend the
13 Prevention of Child Abuse and Neglect Act of 1977 to broaden the definitions of
14 neglected child and abused to include a victim of sex trafficking or severe forms
15 of trafficking in persons.
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17 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That
18 this resolution may be cited as the “Child Neglect and Sex Trafficking Emergency
19 Declaration Resolution of 2018”.

20 Sec. 2. (a) The Child Abuse and Prevention Treatment Act, approved January 31,
21 1974 (88 Stat. 5; 42 U.S.C. § 5101 et seq.) (“CAPTA”), provides federal funds to states
22 and the District for child protective service programs.

23 (b) Section 802 of the Justice for Victims of Trafficking Act of 2015, approved
24 May 29, 2015 (129 Stat. 263, codified in scattered cites in the U.S. Code), amended
25 CAPTA by requiring that child welfare agencies consider a child who is a victim of sex
26 trafficking or a victim of a severe form of trafficking in persons as a victim of “child
27 neglect” and “sexual abuse” as a condition of receiving CAPTA funds.

28 (c) For the District to be eligible for CAPTA funds, it must enact legislation by
29 May 29, 2017 that amends the definitions of a “neglected child” and “abused” in section
30 102 of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23,
31 1977 (D.C. Law 2–22; D.C. Official Code § 4-1301.02), to include sex trafficking and

1 severe forms of trafficking as defined in section 103(10) and (9)(A) of the Trafficking
2 Victims Protection Act of 2000, approved October 28, 2000 (114 Stat. 164; 22 U.S.C. §
3 7102(10) and (9)(A)).

4 (d) Emergency legislation is necessary to ensure that the District of Columbia
5 maintains compliance with the federal requirements and continues to be eligible for
6 CAPTA funding.

7 Sec. 3. The Council of the District of Columbia determines that the circumstances
8 enumerated in section 2 constitute emergency circumstances making it necessary that the
9 Child Neglect and Sex Trafficking Emergency Amendment Act of 2018 be adopted after
10 a single reading.

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