

March 7, 2024

The Honorable Mike Johnson
Speaker of the House
United States House of Representatives
Washington, DC 20515

The Honorable Hakeem Jeffries
Democratic Leader
United States House of Representatives
Washington, DC 20515

Dear Speaker Johnson and Leader Jeffries:

On behalf of the undersigned national, state, and local organizations representing youth justice experts, judges, human rights advocates, community-based organizations, researchers, youth and families with justice involvement, and other stakeholders committed to safe, healthy, and strong communities, **we write to express our opposition to the DC CRIMES Act (H.R. 7530), which would undermine the Home Rule Act by barring the District of Columbia from amending its sentencing laws. The DC CRIMES Act would also roll back key young adult sentencing reforms, undermining known best practice and making the residents of the District of Columbia less safe.** Despite the wealth of “research on the age-crime curve [that] supports the need for specialized justice responses for emerging adulthood,”ⁱ the DC CRIMES Act eliminates proven effective options for local response to young people over 18 and it completely supplants the will of voters by taking away the ability of local, elected officials to pass any new sentencing laws.

The DC Council just passed a sweeping crime omnibus, the Secure DC Act. The Secure DC Act raises sentences, expands criminal liability, and addresses carjacking and retail theft among many other local safety concerns. It has been the subject of robust local debate and community feedback. While many local progressive groups have been critical of components of the Secure DC Act, it illustrates that the Council is more than willing to legislate on public safety matters. Like every other jurisdiction, DC’s criminal code should reflect the voices and perspectives of its residents, not Congress. The unfunded federal mandate in the bill requiring DC to create a public website on juvenile crime statistics demonstrates the disconnect between members of Congress and awareness of local efforts. The DC Criminal Justice Coordinating Council already has public dashboards and analysis available as required under DC law.ⁱⁱ

DC’s revised Youth Rehabilitation Act of 2018 (YRA) created options for the legal system to more effectively respond to young people ages 18-25. It is not a national outlier. A national scan of policy and practice by the Emerging Adult Justice Project of the Columbia University Justice Lab identified six statesⁱⁱⁱ – Alabama, Florida, Michigan, New York, South Carolina, and Vermont – that have also passed “youthful offender” laws to improve safety and outcomes for young people ages 18 to 26. Like the laws passed in other states, YRA represents a pivotal step in a nationwide effort to develop innovative sentencing structures that recognize the distinctive traits of emerging adults and the value in tailored responses and interventions that reduce racial disparities and decrease the likelihood of future criminal justice system involvement. These flexible, hybrid systems are consistent with the rehabilitative focus of the juvenile justice system and the accountability measures associated with the adult system.

The DC CRIMES Act would harm public safety by eliminating judicial discretion in sentencing, increasing the likelihood of recidivism for emerging adults. In 2018, when YRA was passed, seven states – California, Illinois, Massachusetts, Nebraska, New Mexico, New York, and Texas – had jurisdictions operating emerging adult courts. While this model is still relatively new, anecdotally, judges are seeing a difference.^{iv} Studies have associated hybrid systems with improved public safety, often demonstrating lower rates of recidivism among impacted youth charged with weapons or violent offenses. An analysis by the DC Criminal Justice Coordinating Council found that discretionary sentencing under YRA was significantly associated with fewer rearrests among young people ages 22 to 24.^v Moreover, individuals whose convictions were “set aside” (sealed) under YRA were likely to have a lower number of rearrests and reconvictions than persons whose convictions were not sealed. By implementing record protection measures, hybrid systems mitigate the collateral consequences of a criminal record, enhance employment prospects, foster positive community engagement among emerging adults, and reduce incarceration rates.

The DC CRIMES Act would impair the District’s ability to respond rapidly and effectively to emergent needs for sentencing changes. Relying on Congress, with its already significant legislative burden, to pass all changes to sentencing laws and guidelines would impair the District’s ability to ever change its sentencing laws and guidelines in a timely manner. Instead of supporting existing reform efforts, the DC CRIMES Act ties the hands of local officials and residents who know best how to address criminal justice policies in their community and deserve the right to determine their own laws. We urge you to reject this overreaching effort that does nothing to improve safety and simply attacks home rule and local democratic processes. If you have any questions or need more information, please contact the co-chair of the Act4JJ Coalition, Lisette Burton at Lburton@togetherthevoice.org.

Sincerely,

National Organizations

Act4JJ Coalition
Alliance of Baptists
American Civil Liberties Union
Association of Children's Residential & Community Services (ACRC)
Boys Town
Coalition for Juvenile Justice
Criminal and Correctional Reform Consultants
DC VOTE
Devereux Advanced Behavioral Health
Halim A. Flowers Studios LLC
Human Rights for Kids
Justice Policy Institute
NETWORK Lobby for Catholic Social Justice
National Juvenile Justice and Delinquency Prevention Coalition (NJDPC)
Nexus Family Healing
Teaching Family Association
The Sentencing Project
The Taifa Group

Vera Institute of Justice
Youth First Justice Collaborative
Youth Villages

State & Local Organizations

ACLU of the District of Columbia
ANC Single Member District 4B06
Black Lives Matter DC
DC Action
DC Fiscal Policy Institute
DC Jobs With Justice
DC Statehood Green Party
Free Minds Book Club & Writing Workshop
Georgetown Juvenile Justice Initiative
Harriet's Wildest Dreams
Hillcrest Educational Centers, Inc.
Home for Little Wanderers
Hope Village for Children, Inc.
Lad Lake, Inc.
Long Live GoGo
MCHS Family of Services
Neighbors for Justice
Neighbors United for DC Statehood
Open City Advocates
Sayers and Neil Meyerhoff Center for Families, Children and the Courts
St Anne's Family Services
Sycamores
Tanager
Third Act DC
Thrive under 25
Youth Leaders in Action

Cc: The Honorable James Comer, Chairman, U.S. House Committee on Oversight; The Honorable Jaime Raskin, Ranking Member, U.S. House Committee on Oversight; The Honorable Eleanor Holmes Norton, Congresswoman, District of Columbia

ⁱ Deal, T., et al. (2022) "Meeting the Needs of Emerging Adults in the Justice System." *Trends in State Courts* 2022. Washington, DC: National Center for State Courts. Retrieved from: https://www.ncsc.org/_data/assets/pdf_file/0033/79647/NCSC-2022-Trends-article-meeting-the-needs-of-emerging-adults-in-the-justice-system.pdf.

ⁱⁱ See DC Public Safety and Justice Reports, <https://dcjsat.net/PPSEAA.html>.

ⁱⁱⁱ Siringil Perker, S. and Chester, L. (2023) *Time for Change: A National Scan and Analysis of Hybrid Justice Systems for Emerging Adults*. New York, NY: Columbia University. Retrieved from: <https://www.eajustice.org/hybrid-systems>.

^{iv} Weissman, L. (2023) “Emerging Adult Justice: Using Science to Rehabilitate Vulnerable Offenders Before Their 25th Birthday.” *The Judges Journal*. Washington, DC: American Bar Association. Retrieved from: https://www.americanbar.org/groups/judicial/publications/judges_journal/2023/winter/emerging-adult-justice-using-science-rehabilitate-vulnerable-offenders-their-25th-birthday/.

^v Park, R. (2022) *Analysis of the Youth Rehabilitation Amendment Act of 2018*. Criminal Justice Coordinating Council of the District of Columbia. Retrieved from: <https://cjcc.dc.gov/sites/default/files/dc/sites/cjcc/CJCC%20-%20Analysis%20of%20the%20Youth%20Rehabilitation%20Act%20of%202018%20%28October%202022%29.pdf>