

June 22, 2023

The Honorable Muriel Bowser  
Mayor, District of Columbia  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

Council of the District of Columbia  
John A. Wilson Building  
1350 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

## ***Re: Local and National Organizations Oppose Safer Stronger DC Amendment Act of 2023***

Dear Mayor Bowser and D.C. Councilmembers:

We, the undersigned civil rights, criminal justice reform, youth justice, democracy, philanthropic leaders and organizations, many with offices and staff in Washington, D.C. and who share a commitment to ending mass incarceration, are writing to you today out of concern about the Safer Stronger DC Amendment Act (SSDC), which is scheduled for a hearing before the D.C. Council. We oppose this bill as currently written because evidence and history has shown that we cannot incarcerate our way to public safety. In fact, making our criminal justice systems harsher and subjecting more people to pretrial incarceration and excessively long sentences has multi-generational destructive and destabilizing effects on communities without effectively reducing violence.

D.C.'s criminal justice system already has some of the worst racial disparities and highest rates of incarceration in the country. Black D.C. residents are 21 times more likely to be incarcerated than white residents.<sup>1</sup> Thousands of people are already serving excessively long sentences that separate families, destabilize communities and exacerbate already existing inequalities in the District, without making any of us safer.<sup>2</sup>

While we oppose the bill overall, we take particular issue with the following three of SSDC's provisions that reproduce the same, failed policies that delivered us mass incarceration in the 1980s and 1990s and will only aggravate disparities in D.C.'s criminal justice system:

1. Creating mandatory minimums and sentence enhancements;
2. Expanding the number of adults and youth incarcerated pre-trial even though they are presumed innocent; and
3. Rolling back D.C.'s "second look" provisions that allows courts to review unduly harsh sentences for people who have already served well over a decade and have demonstrated rehabilitation.

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<sup>1</sup> FWD.us analysis of D.C. Residents in Federal Bureau of Prisons Custody at the end of August 2022, available via the District of Columbia Justice Statistical Analysis Tool (DC JSAT) at <https://www.dcjsat.net/FBOP.html>, and Washington, D.C. population estimates from the U.S. Census Bureau, July 2022. Analysis was limited to individuals in secure institutions and does not account for D.C. residents in residential reentry confinement.

<sup>2</sup> Damon M. Petrich, Travis C. Pratt, Cheryl Lero Jonson, and Francis T. Cullen, "Custodial Sanctions and Reoffending: A Meta-Analytic Review," *Crime and Justice*, September 2021, <https://www.journals.uchicago.edu/doi/abs/10.1086/715100?journalCode=cj>.

Public safety and reducing incarceration go hand in hand and we need evidence-based policies that reflect that truth. The harmful impact of these proposals is not speculative — we have decades of evidence that these punitive policies are not only wrong, but will make us less safe while locking up more, predominately Black Washingtonians. [D.C. voters overwhelmingly support reducing the jail and prison populations](#), including nearly 87% of Black D.C. residents. D.C. needs to continue moving forward towards reducing incarceration and creating a fairer criminal justice system — the SSDC would be a devastating step in the wrong direction.

We urge D.C. elected officials to follow the robust data that shows us that increasing incarceration will not make us safer and instead prioritize policies that will improve public safety, reduce incarceration, and strengthen communities.

## ***Signed,***

The Advancement Project

ACLU DC

Alliance for Safety and Justice

The Bail Project

Black Lives Matter DC

Black Public Defender Association

Campaign for the Fair Sentencing of Youth

Center for Legal and Evidence-Based Practices

The Community

DC Action

DC For Democracy

DC Justice Lab

DC Statehood Green Party

Drug Policy Alliance

Fair Budget Coalition

FAMM

Free Minds Book Club & Writing Workshop

FWD.us

Galaxy Gives

The Gault Center

Georgetown Juvenile Justice Initiative

Harriet's Wildest Dreams

Just Future Project

JustLeadership USA

JustUS Coordinating Council

Justice Policy Institute

League of Women Voters DC

Minnesota Freedom Fund

More Than Our Crimes

NAACP Legal Defense and Educational Fund, Inc. (LDF)

National Council of Incarcerated and Formerly Incarcerated Women and Girls

Neighbors for Justice

ONE DC

Open City Advocates

Partners for Justice

Prison Policy Initiative

Public Defender Coalition for Immigrant Justice

Public Justice Center

ReThink Justice D.C.

School Justice Project

Second Look Project

The Sentencing Project

Vera Institute

Zealous