



The Honorable James Comer  
Chairman  
House Oversight Committee  
2154 Rayburn House Building  
Washington, DC 20515

The Honorable Robert Garcia  
Ranking Member  
House Oversight Committee  
2154 Rayburn House Office Building  
Washington, D.C. 20515

Sept. 8, 2025

**Letter of Opposition:** Strong Sentences for Safer D.C. Streets Act (H.R. \_\_\_\_), A bill to repeal D.C.'s Incarceration Reduction Amendment Act of 2016 and the Second Chance Amendment Act of 2022 (H.R. \_\_\_\_), DC CRIMES Act (H.R. 4922), District of Columbia Juvenile Sentencing Reform Act (H.R. 5140)

Dear Chairman Comer and Ranking Member Garcia:

The Sentencing Project urges you to **vote NO** on the Strong Sentences for Safer D.C. Streets Act, the repeal of D.C.'s Incarceration Reduction Amendment Act and the Second Chance Amendment Act, the DC CRIMES Act (H.R. 4922), and the District of Columbia Juvenile Sentencing Reform Act (H.R. 5140) – bills which ignore decades of evidence proving extreme punishments do not make us safer. Instead, over the past several months the U.S. Department of Justice has defunded critical gun violence prevention programs in the District of Columbia<sup>1</sup> and Congress has withheld over a billion dollars of the District's funds.<sup>2</sup> The Sentencing Project urges members of the Committee to oppose these bills and other attacks on District home rule. We call on members of this committee who are serious about the safety of Washingtonians to instead invest in strengthening our community.

**Vote NO on raising mandatory minimum sentences in the District of Columbia (Strong Sentences for Safer D.C. Streets Act, H.R. \_\_\_\_)**

This bill proposes substantial increases in minimum sentences – including raising the mandatory minimum sentence for first degree murder from 30 years in prison to life without parole. It contains no exception for minors, in violation of *Miller v. Alabama*, the U.S. Supreme Court case which held that mandatory life without parole for 17-year-olds and younger is unconstitutional.<sup>3</sup> It imposes lengthy new mandatory minimums for rape, second degree murder, and first degree sexual abuse and raises mandatory minimums for several other offense.

Criminological evidence is clear: increasing mandatory minimum sentences will not improve safety, but it will have two very predictable impacts. It will increase the burden on the already

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<sup>1</sup> Council on Criminal Justice (2025). [Department of Justice funding: A deeper look at the cuts.](#)

<sup>2</sup> Miller, M. (2025). WTOP. [DC still waits for congress to restore one billion in funding during crime crackdown.](#)

<sup>3</sup> *Miller v. Alabama*, 567 U.S. 460 (2012).

critically-strained federal Bureau of Prisons, which houses most individuals convicted of D.C. Code offenses, and it will increase racial disparities.

Widespread evidence shows that mandatory minimum sentences produce substantial harm with no overall benefit to crime control.<sup>4</sup> These sentences represent a uniquely American approach to punishment that has accelerated prison growth.<sup>5</sup> They eliminate judicial discretion, deepen racial disparities in the criminal legal system,<sup>6</sup> increase coercive plea bargains,<sup>7</sup> and cause far-reaching harm to individuals, families, and communities.<sup>8</sup> Without regard to the severity of the offense, the proportionality of punishment, or the needs of the community, mandatory minimum sentences impose a uniform draconian punishment. Public sentiment is growing against mandatory minimums,<sup>9</sup> and judges often denounce the ways in which mandatory minimums constrain their discretion.<sup>10</sup> Among many other organizations, the Judicial Conference of the United States, the American Law Institute's Model Penal Code, and the American Bar Association call for their elimination.<sup>11</sup>

Lengthening sentences is likewise a poor crime control strategy. Research has shown that lengthy prison terms often incarcerate people long after they have aged out of crime. Recidivism rates drop dramatically among people who have served longer than six to 10 years compared to those who have served shorter sentences.<sup>12</sup> "Criminal careers" typically end within approximately 10 years.<sup>13</sup> Research on the age-crime curve, which measures the proportion of

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<sup>4</sup> National Research Council. (2014). *The Growth of Incarceration in the United States: Exploring Causes and Consequences*. Committee on Causes and Consequences of High Rates of Incarceration, J. Travis, B. Western, and S. Redburn, Editors. Committee on Law and Justice, Division of Behavioral and Social Sciences and Education. The National Academies Press. <https://doi.org/10.17226/18613>.

<sup>5</sup> Mauer, M. (2018). [Long-term sentences: Time to reconsider the scale of punishment](#). The Sentencing Project.

<sup>6</sup> Rehavi, M. M. & Starr, S. (2014). [Racial disparity in federal criminal sentences](#). University of Michigan Law School. In this study of federal sentences, results indicate that prosecutors brought charges carrying mandatory minimum against Black defendants 65% as often as comparable whites, resulting in Black individuals spending more time in prison than white people for the same crimes.

<sup>7</sup> Caldwell, H. (2012). [Coercive plea bargaining: The unrecognized scourge of the justice system](#). Catholic University Law Review, 61(63), 67–85; Fellner, J. (2013). [An offer you can't refuse: How U.S. federal prosecutors force drug defendants to plead guilty](#). Human Rights Watch.

<sup>8</sup> Schulhofer, S. J. (1993). [Rethinking mandatory minimums](#). Wake Forest Law Review, 28 (2), 199-222.

<sup>9</sup> The Mellman Group and Public Opinion Strategies (2016). [National survey key findings—Federal sentencing and prisons](#). Pew.

<sup>10</sup> Johnson, C. (2014). [Judge regrets harsh human toll of mandatory minimum sentences](#). National Public Radio;

Martin, R. (2017). [Minimum sentences often don't fit the crime](#). National Public Radio.

<sup>11</sup> Judicial Conference of the United States (1990). Reports of the proceedings of the judicial conference of the United States; American Bar Association (2017). ABA opposes mandatory minimum sentences; American Law Institute (2017). Model Penal Code: Sentencing, Proposed final draft.

<sup>12</sup> United States Sentencing Commission. (2022). *Length of incarceration and recidivism* (2022); Antenangeli, L., & Durose, M. R. (2021). *Recidivism of prisoners released in 24 states in 2008: A 10-year follow-up period (2008–2018)*. Bureau of Justice Statistics.

<sup>13</sup> Kazemian, L. (2021). *Pathways to desistance from crime among juveniles and adults: Applications to criminal justice policy and practice*. National Institute of Justice; Blumstein, A., & Piquero, A. (2007). Restore rationality to sentencing policy. *Criminology & Public Policy*, 6(4), 679-687. <https://doi.org/10.1111/j.1745-9133.2007.00463.x>; Kazemian, L., & Farrington, D. P. (2018). *Advancing knowledge about residual criminal careers: A follow-up to age 56 from the Cambridge study in delinquent development*. *Journal of Criminal Justice*, 57, 1-10. <https://doi.org/10.1016/j.jcrimjus.2018.03.001>; Piquero, A., Hawkins, J., & Kazemian, L. (2012). Criminal career

individuals in various age groups who engage in crime based on arrest trends, shows that for a range of offenses, including robbery and murder, criminal offending peaks around the late teenage years or early 20s, then begins a gradual decline in the early 20s.<sup>14</sup>

Longer sentences also fail to deter others from criminal activity. As Daniel Nagin, professor of public policy and statistics at Carnegie Mellon University and a leading national expert on deterrence, writes: “Increases in already long prison sentences, say from 20 years to life, do not have material deterrent effects on crime.”<sup>15</sup> Long sentences are limited in deterring future crimes because most people do not expect to be apprehended for a crime, are not familiar with relevant legal penalties, or commit crime with their judgment compromised by substance use or mental health problems.<sup>16</sup>

Long sentences do, however, translate into a higher burden on the federal Bureau of Prisons, which is already in crisis. Federal prisons are plagued by inadequate medical care, overcrowding, staff shortages, unsanitary conditions, violence, and abuse. These conditions are well-documented in media coverage,<sup>17</sup> Office of Inspector General<sup>18</sup> and Bureau reports,<sup>19</sup> and congressional testimony.<sup>20</sup> Persistent staff shortages pre-dating the COVID-19 pandemic have dramatically worsened prison conditions and threatened the safety of everyone within prison

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patterns. In R. Loeber & D. P. Farrington (Eds.), *From juvenile delinquency to adult crime: Criminal careers, justice policy, and prevention* (pp. 14–46). Oxford University Press.

<sup>14</sup> This peak is more pronounced in arrest trends between 1980 and 2010 and less so since then as arrest rates for young people have fallen dramatically. Loeber, R., & Farrington, D. (2014). Age-crime curve. Bruinsma & D. Weisburd (Eds.), *Encyclopedia of Criminology and Criminal Justice*. Springer, pp. 12–18; Neil, R., & Sampson, R. (2021). The birth lottery of history: Arrest over the life course of multiple cohorts coming of age, 1995–2018. *American Journal of Sociology*, 126(5), 1127–1178. <https://doi.org/10.1086/714062>; Office of Juvenile Justice and Delinquency Prevention Statistical Briefing Book. *Age-specific arrest rate trends*.

<sup>15</sup> Nagin, D. (2019, March 21). [Guest post: Reduce prison populations by reducing life sentences](#). The Washington Post.

<sup>16</sup> Robinson, P., & Darley, J. (2004). Does criminal law deter? A behavioral science investigation. *Oxford Journal of Legal Studies*, 24(2), 173–205. <https://ssrn.com/abstract=660742>

<sup>17</sup> C. Willson (Feb. 11, 2022), *Inmates at Oregon’s only federal prison report dire medical care*, OPD, <https://www.opb.org/article/2022/02/11/oregon-prison-federal-sheridan-covid-inmate-death/>; A. Lacey (July 26, 2022), *Federal Prison Officials Knew of Misconduct, Corruption, and Abuse, Senate Investigation Finds*, The Intercept, <https://theintercept.com/2022/07/26/atlanta-prison-suicide-senate-investigation/>; C. Thompson (May 31, 2022), *How the newest federal prison became one of the deadliest*, NPR, <https://www.npr.org/2022/05/31/1100954134/federal-prison-deaths-usp-thomson-illinois-prison>.

<sup>18</sup> Office of the Inspector General (Nov. 16, 2021), *Management Advisory Memorandum: Impact of the Failure to Conduct Formal Policy Negotiations on the Federal Bureau of Prisons’ Implementation of the FIRST STEP Act and Closure of Office of the Inspector General Recommendations*, <https://oig.justice.gov/sites/default/files/2021-11/11-16-2021.pdf>.

<sup>19</sup> Federal Bureau of Prisons (2019), *After Action Report: Partial Electrical and Reported Heating Outage Civil Disturbance*, <https://www.documentcloud.org/documents/20982240-bop-after-action-report-on-2019-freezing-conditions-at-mdc-federal-jail>.

<sup>20</sup> Homeland Security and Governmental Affairs Permanent Subcommittee On Investigations (July 26, 2022), *Witness Opening Statements in PSI Hearing Investigating Corruption, Abuse, & Misconduct at U.S. Penitentiary Atlanta*, <https://www.hsgac.senate.gov/subcommittees/investigations/media/watch-witness-opening-statements-in-psi-hearing-investigating-corruption-abuse-and-misconduct-at-us-penitentiary-atlanta>.

walls.<sup>21</sup> OIG reports highlight the safety risk posed by BOP's poor staffing levels,<sup>22</sup> which appear likely to persist given the Bureau's announcement that it has terminated retention bonuses.<sup>23</sup> The widespread practice of "augmentation," reassigning staff hired as teachers, technicians, nurses, and cooks to act as correctional officers, has severely compromised the functioning and safety of federal prisons. The Bureau of Prisons cannot safely and humanely incarcerate the people already in its custody. The number of people it is charged with detaining should not be increased.

### **Vote NO on repealing the the Incarceration Reduction Amendment Act of 2016 and the Second Chance Amendment Act of 2022 (H.R. \_\_\_\_)**

The Incarceration Reduction Amendment Act (IRAA) offers individuals who were convicted of offenses that occurred before their 25th birthday a chance at a new sentence after 15 years of incarceration, if they earn it. In practice, most people who have received relief under IRAA served around 25 years in prison. IRAA gives life-changing hope to people in prison. It motivates rehabilitation and transformation. IRAA recipients enter prison as teenagers and young adults and return to the community as mature adults who typically have completed extensive rehabilitative programs and who are surrounded by intensive reentry services.

The success of the IRAA model in DC is manifest in its outcomes. In March 2025, the United States Attorney's Office reported a recidivism rate of 3%. Of the 368 people who had been granted relief up to that time, only 11 had been reconvicted of offenses. In contrast, "About 45% of people released from federal prison are re-arrested or return within 3 years."<sup>24</sup> IRAA recipients are also leaders throughout the District – working as violence interrupters, mentors, restorative justice practitioners, as well as in more conventional roles, to break the cycle of trauma and violence in the community.

Second look resentencing, like IRAA, is also endorsed by leading legal experts.<sup>25</sup> The Model Penal Code recommends that everyone who committed a crime as an adult should receive the opportunity for resentencing after serving 15 years in prison.<sup>26</sup> The American Bar Association's House of Delegates urges lawmakers to authorize courts to take a second look at criminal sentences after 10 years of imprisonment.<sup>27</sup> And a growing number of states are following the

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<sup>21</sup> Associated Press (May 21, 2021), *Federal prisons forced to use cooks, nurses to guard inmates due to staff shortages*, <https://www.nbcnews.com/news/us-news/federal-prisons-forced-use-cooks-nurses-guard-inmates-due-staff-n1268138>.

<sup>22</sup> Office of the Inspector General (2025), Challenge 1: The Ongoing Crisis Facing the Federal Corrections System, <https://oig.justice.gov/tmpe/challenge-1>.

<sup>23</sup> Roebuck, S. (Feb. 27, 2025), *BOP slashes retention bonuses*, Corrections1, <https://www.corrections1.com/federal-prison/bop-slashes-retention-bonuses-cutting-pay-for-thousands-of-prison-staff>.

<sup>24</sup> GAO (2023). [Federal prisons: Bureau of Prisons should improve efforts to implement its risk and needs assessment system](#).

<sup>25</sup> Ghandnoosh, N. (2021). [A second look at injustice](#). The Sentencing Project.

<sup>26</sup> American Law Institute. (2021). Model Penal Code: Sentencing. Prepublication draft, p. 797.

<sup>27</sup> Robert, A. (2022, August 8). ABA provides 10 principles for ending mass incarceration and lengthy prison sentences. ABA Journal

District's lead and exploring resentencing laws for people sentenced to prison as young adults or for people whose crime was related to being a victim of domestic violence.<sup>28</sup>

The Second Chance Amendment Act (SCAA) provides for the automatic expungement of citations, arrests, charges, and convictions for criminal offenses that have been decriminalized, legalized, or determined to be unconstitutional. Automatic expungement is also provided for misdemeanor offenses (with limited exceptions) after a period of ten years. An individual may also move to seal their record after five years for a misdemeanor and eight years for a felony. Nearly two dozen criminal offenses are excluded. Second chance laws are a well-established way to improve reentry, reduce recidivism, and strengthen the workforce.<sup>29</sup> Nearly 40 states have second chance laws of some variety.<sup>30</sup> As Brett Tolman, Executive Director of Right On Crime and former U.S. Attorney has stated, "A criminal record makes it more difficult to re-enter society and more likely the formerly incarcerated will commit a crime again. Clean Slate legislation helps to reduce recidivism, promote public safety and pave the way for taxpayers, not tax burdens."<sup>31</sup>

Repealing IRAA and the SCAA will make DC less safe and come at significant cost to taxpayers.

### **Vote NO on the DC CRIMES Act (H.R. 4922)**

The DC CRIMES Act is an attack on Home Rule and the local democratic process. Per the majority summary, this bill is intended to "prohibit DC from enacting any changes to the existing minimum sentencing laws and sentencing guidelines, leaving only Congress the authority to change such laws" – prohibiting both the Council from raising or lowering sentences or the DC Sentencing Commission from amending any sentencing guidelines.<sup>32</sup> Congress struggles to pass even the most basic essential pieces of legislation – it does not have the capacity to respond to all emergent safety concerns in the District.

The DC CRIMES Act will harm youth and public safety. This Act seeks to roll back the Youth Rehabilitation Act (YRA), which gives discretion to judges to sentence teens and young adults in a way that aligns with research about adolescent brain development. YRA eligibility is distinct from whether a youth or young adult is actually sentenced under the YRA. Judges exercise their discretion to determine whether a YRA sentence is in the interest of justice and public safety. Per the Criminal Justice Coordinating Council's (CJCC's) 2022 analysis, of the 1,492 cases that were eligible for a YRA sentence in 2019 and 2020 (the most recent years for which a detailed analysis is available), a little over half received a YRA-adjusted sentence.<sup>33</sup> Only a miniscule

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<sup>28</sup> Feldman, B. (2025). The Second look movement: A review of the nation's sentence review laws. The Sentencing Project.

<sup>29</sup> Prescott, J.J. (2020). [Expungement of criminal convictions: An empirical study](#). *Harv. L. Rev.* 133, no. 8: 2460-555.

<sup>30</sup> Collateral Consequence Resource Center (2025). [50-State comparison: Expungement, sealing & other record relief](#).

<sup>31</sup> Pressley, N (2022). [Providing a clean slate: Removing barriers to employment](#). Right on Crime.

<sup>32</sup> House Committee on Oversight and Government Reform Committee (2025). Press Release: [Comer announces full committee markup of legislation to ensure a safe and prosperous District of Columbia](#).

<sup>33</sup> Seo-Park, R. (2022). [Analysis of the Youth Rehabilitation Act of 2018](#). Criminal Justice Coordination Council.



portion of YRA-sentenced offenses involve departures from mandatory minimums – 28 out of 2,116 offenses in 2019 and 2020.<sup>34</sup> In 2022, the Criminal Justice Coordinating Council found that a YRA sentence was significantly associated with fewer rearrests among individuals ages 22 to 24.<sup>35</sup>

The YRA also promotes successful reentry by allowing some individuals to have their conviction “set aside” (sealed from public view) after the completion of their sentence. Again, whether an individual’s conviction is set aside is a matter of discretion. Of the 1,492 YRA-eligible cases in 2019-2020, only about a quarter had their convictions set aside.<sup>36</sup> Much like how record sealing in other contexts can reduce recidivism by helping individuals obtain and keep employment, these set asides promote public safety. An analysis by the Criminal Justice Coordinating Council found: “Persons whose convictions were ‘set aside’ (sealed) were likely to have a lower number of rearrests and reconvictions than persons whose convictions were not set aside, controlling for other factors.”<sup>37</sup>

Rolling back the YRA to apply to only minors and eliminating the provision which allows judges to depart below mandatory minimum sentences would increase sentences for youth and young adults, worsen racial disparities, and harm public safety.

### **Vote NO on charging 14- and 15-year-olds as adults (District of Columbia Juvenile Sentencing Reform Act, H.R. 5140)**

DC's laws are already very punitive towards youth. Incarceration is a harsh and counterproductive response to youth offending,<sup>38</sup> and the District uses it often. Under present DC law and practice, compared to other states, the District has the highest youth incarceration rate (pre- and post-adjudication) in the United States, more than three times as high as the national average. Pre-adjudication, DC youth are 50% more likely to be detained than youth nationally. DC youth convicted in the juvenile system have an incarceration rate (post-adjudication) almost five times as high as the national average.<sup>39</sup>

Lowering the age of eligibility for youth to be tried as adults for certain violent offenses from 16 to 14 will harm public safety. Youth charged as if they are adults are more likely to reoffend than youth processed in the juvenile courts. Youth in the adult system are more likely to commit future offenses and particularly more likely to commit the most violent offenses when compared with peers in the juvenile system. Leading scholars note that

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<sup>34</sup> Seo-Park, R. (2022). [Analysis of the Youth Rehabilitation Act of 2018](#). Criminal Justice Coordination Council.

<sup>35</sup> Seo-Park, R. (2022). [Analysis of the Youth Rehabilitation Act of 2018](#). Criminal Justice Coordination Council.

<sup>36</sup> Seo-Park, R. (2022). [Analysis of the Youth Rehabilitation Act of 2018](#). Criminal Justice Coordination Council.

<sup>37</sup> Seo-Park, R. (2022). [Analysis of the Youth Rehabilitation Act of 2018](#). Criminal Justice Coordination Council.

<sup>38</sup> Mendel, R.A. (2023). [Why Youth Incarceration Fails: An Updated Review of the Evidence](#). The Sentencing Project.

<sup>39</sup> Puzzanchera, C., Sladky, T.J., and Kang, W. (2025). [Easy Access to the Census of Juveniles in Residential Placement](#).

“research consistently shows lower recidivism rates in the juvenile justice system than in the criminal justice system.”<sup>40</sup>

The CDC’s Task Force on Community Preventive Services reviewed decades of research and concluded that sending a youth to the adult system generally increases rates of violence among youth.<sup>41</sup> A report from the National Research Council supported “a policy of retaining youth in the juvenile justice system” both to keep punishments proportional with age and to prevent additional offending.<sup>42</sup>

Charging 14- and 15-year-olds as adults will worsen racial disparities. DC’s juvenile justice system is defined by stark racial disparities. More than 93% of youth arrests in DC in the first half of 2025 were of Black youth.<sup>43</sup> Changing DC law to send more youth to adult court will inevitably mean sending more Black youth, and even younger Black children, to adult court.

The Sentencing Project urges you to protect decades of evidence-based reforms in the District. Washingtonians have worked to build a fairer and more effective justice system. The many IRAA recipients who are home today working to make our city safer are a testament to the progress we have made and the work we have yet to complete as a community. The District deserves better than the failed policies of mass incarceration.

We urge you to **vote NO** on the Strong Sentences for Safer D.C. Streets Act, the repeal of D.C.’s Incarceration Reduction Amendment Act and the Second Chance Amendment Act, the DC CRIMES Act (H.R. 4922), and the District of Columbia Juvenile Sentencing Reform Act (H.R. 5140)

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<sup>40</sup> Howell, J. C., Feld, B. C., Mears, D. P., Petechuk, D., Farrington, D. P. and Loeber, R. (2013) Young Offenders and an Effective Response in the Juvenile and Adult Justice Systems: What Happens, What Should Happen, and What We Need to Know. Washington, D.C.: U.S. National Institute of Justice (NCJ 242935), p. 4, 10-11.

<sup>41</sup> The Community Preventive Services Task Force (2003, April). [Violence Prevention: Policies Facilitating the Transfer of Juveniles to Adult Justice Systems](#).

<sup>42</sup> National Research Council (2013). Reforming Juvenile Justice: A Developmental Approach. The National Academies Press. <https://doi.org/10.17226/14685>, p. 134.

<sup>43</sup> Criminal Justice Coordinating Council of the District of Columbia. [Adult and Juvenile Arrests](#). Data includes Jan. 1-June 29, 2025.