

Executive Summary: D.C.'s Justice Systems Overview 2021

INTRODUCTION

For the people of Washington, D.C., 2021 brought both starts and stops in improving community safety and the criminal legal system. The District continues to struggle with addressing racial disparities, as Black people made up 88% of the people jailed in 2021, despite only accounting for 43% of the D.C.'s population. Community groups worked to support returning citizens and activists supported reforms that they believe would benefit D.C.'s justice-involved residents. Though there were increased investments in violence interrupters and law enforcement, the District's homicide rate rose. There has been a concerted effort to improve the ways police officers interact with the public through key recommendations and proposed policies that focus on removing police from D.C. schools, greater transparency for Metropolitan Police Department (MPD), and more.

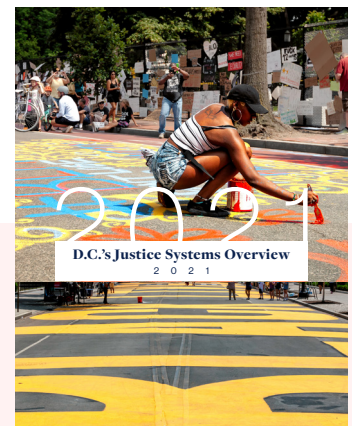
In this report, the Council for Court Excellence (CCE), supported by Public Welfare Foundation, presents key updates and data in the following five areas: Violence & Policing; Adult Prosecution & the Courts; Adult Incarceration; Reentry; and Youth Justice. We share multi-year data regarding progress and obstacles for the District's adult and youth criminal legal systems. This year's report builds on [D.C.'s Justice Systems Overview 2020](#), and Public Welfare Foundation's 2019 report [D.C. Justice Systems: An Overview](#). We aim to provide critical insights and highlight progress for the state of justice in the District of Columbia. Additionally we hope it inspires readers to aid in transforming D.C.'s criminal legal system in a way that ensures the success and well-being of all residents.

VIOLENCE & POLICING

Much of the nation has seen a rise in homicides, and the District was no exception with a 36% increase in homicides between 2019 and 2021. Violence in D.C. doesn't affect all residents equally—both victims and suspects in homicides and nonfatal shootings are overwhelmingly male, Black, and between the ages of 18 and 34. The Washington Metropolitan Area Transit Authority also considered banning individuals charged with—but not convicted of—weapon or public indecency offenses from riding Metro, but paused the proposal after community-wide pushback. Notably, the D.C. Police Reform Commission published its report offering more than 90 recommendations. Some of these included reducing the size of MPD, increasing law enforcement's accountability and transparency in the District, and shifting some public safety duties away from law enforcement to other agencies.

The full report, [D.C.'s Justice Systems Overview 2021](#), is a part of our serial annual effort to offer data on the impacts of parts of D.C.'s criminal and youth legal systems, as the data becomes available,

and to highlight some of the significant developments of the prior year. This series is unique nationally, and we encourage those in other jurisdictions to take up similar initiatives.



ADULT PROSECUTION & THE COURTS

COVID-19 and a record number of judicial vacancies at D.C. Superior Court created obstacles for court proceedings in 2021, increasing the Court's active criminal caseload by 79% between January 2020 and June 2021. In-person jury trials resumed in April 2021 following pandemic-related case delays in 2020, but were again impeded by the rise in COVID-19 cases due to the Omicron variant later in the year. Additionally, D.C. Criminal Code Reform Commission voted to approve its final recommendations for updating and reforming D.C.'s criminal code.

ADULT INCARCERATION

The D.C. Department of Corrections (DOC) and the Federal Bureau of Prisons continued to struggle with protecting the health of their staff and incarcerated residents amid the ongoing pandemic. Despite decreases in 2020, DOC's incarcerated population grew throughout 2021 from about 70% to about 85% of its pre-pandemic population. Complaints from White January 6 detainees housed in DOC facilities brought national attention to the living conditions of those incarcerated at the D.C. Jail, despite longstanding complaints from D.C.'s Black residents housed in the facility. Additionally, D.C. elected its first incarcerated Advisory Neighborhood Commissioner.

REENTRY

While local and federal pandemic relief funding provided for more reentry services in Fiscal Year 2021 than ever before, the public health emergency exacerbated the housing and employment needs faced by returning citizens. Returning citizens were finally eligible to receive stimulus checks through the Coronavirus Aid, Relief, and Economic Security Act and saw increased employment opportunities due to reforms to D.C.'s occupational licensing laws, providing D.C. residents with criminal records greater opportunity to be licensed in more than 100 different professions.

YOUTH JUSTICE

Youth in the District have been uniquely impacted by the pandemic. From pandemic-related deaths of caretakers and guardians, to social isolation and increased mental health needs, advocates, educators, families, and the Department of Youth Rehabilitative Services have sought to respond to the needs of D.C.'s most vulnerable children, especially justice-involved youth. The District increased its investments in school-based mental health services, but advocates had to sue for incarcerated youth to receive special education services to which they are entitled. While youth arrests were down by 52% between 2019 and 2021, the District also saw a recent rise in youth involvement in carjackings. District leaders and advocates continued conversations about the policing and prosecution of youth, with the introduction of new bills to strengthen procedural protections for children and change the process for direct filing, which has previously allowed U.S. Attorney's Office for the District of Columbia to charge a child as an adult.

For over seventy years, Public Welfare Foundation has supported efforts to advance justice and opportunity. Today, the Foundation's efforts focus on catalyzing a transformative approach to justice that is community-led, restorative, and racially just through investments in criminal justice and youth justice reforms. Learn more at www.publicwelfare.org.

The Council for Court Excellence (CCE) is a nonprofit, nonpartisan civic organization. For nearly 40 years, CCE has worked to enhance the justice system in the District of Columbia to serve the public equitably. CCE identifies and proposes solutions by collaborating with diverse stakeholders to conduct research, advance policy, educate the public, and increase civic engagement. Learn more at www.courtexcellence.org.