

Statement

of the

COUNCIL FOR COURT EXCELLENCE

to the

U.S. HOUSE OF REPRESENTATIVES APPROPRIATIONS

DISTRICT OF COLUMBIA SUBCOMMITTEE

regarding the

DISTRICT OF COLUMBIA

CRIMINAL JUSTICE COORDINATING COUNCIL

MAY 11, 2001

Chairman Morella, Congresswoman Norton, other members of the U.S. House of Representatives Subcommittee on the District of Columbia, thank you for inviting the Council for Court Excellence to provide testimony at today's hearing on the subject of "Coordination of Criminal Justice Activities in the District of Columbia". My name is Steve Harlan, I serve as Chairman of the Board of Directors of the Council. I am joined at the witness table by Samuel F. Harahan, our Executive Director.

In your letter of invitation to testify you stated that the scope of this Hearing will address issues including “... coordination among multiple agencies that impact the administration of criminal justice, the presence of multiple funding sources, and strategies for attaining criminal justice policy outcomes.” Madam Chairman, may I also indicate that we have reviewed the U.S. General Accounting Office March 2001 Report on the D.C. Criminal Justice System, Better Coordination Needed Among Participating Agencies.

We are honored to present the views of the Council for Court Excellence to this Committee on the above subjects and believe that our recent direct criminal justice policy work with the D.C. Criminal Justice System affords us a useful contemporary perspective on the inter agency coordination and planning issues now before this Committee. Permit me for the record to summarize the mission and thrusts of the Council for Court Excellence. The Council for Court Excellence is a District of Columbia-based non-partisan civic organization that works to improve the administration of justice in the local and federal courts and

related agencies in the Washington, D.C. area. For nearly 20 years, the Council for Court Excellence has been a unique resource for our community, bringing together members of the civic, legal, judicial, and business communities to work in common purpose to improve the administration of justice. We have worked closely with this Committee in the past on such issues as the D.C. Court System One Day One Trial Jury Reform Legislation. No judicial member of the Council for Court Excellence participated in or contributed to the formulation of this testimony.

In March 2001 the Council for Court Excellence completed a major fifteen month research study under the direction of the D.C. Criminal Justice Coordinating Council. In concert with the Justice Management Institute we examined resource management issues within the District of Columbia criminal justice system with special emphasis on criminal case flow management and Metropolitan Police Department police officer overtime for court and prosecutorial hearings. This project entailed working closely with the Superior Court, the Metropolitan Police Department, the U.S. Attorney's Office, the Office of the D.C.

Corporation Counsel, the Court Services and Offender Supervision Agency, the D.C. Public Defender Service, the Executive Office of the Mayor, the Corrections Trustee, D.C. Department of Corrections, the C.J.A. Bar and others. Our formal statement today is grounded, in large part on that policy research, and in part on my personal experience as the first Chairman of the D.C. Criminal Justice Coordinating Council during the latter part of the period I was Vice Chairman of the D.C. Financial Control Authority.

when I was able to speak our recent findings and recommendations from that report. The study was undertaken by the Council for Court Excellence in conjunction with The Justice Management Institute under the financial sponsorship and direction of the D.C. Criminal Justice Coordinating Council. A copy of our two hundred page final report will be provided to the U.S. House of Representatives Appropriations District of Columbia Subcommittee under separate cover.

This Council for Court Excellence statement is limited to reporting on a major

federal grant-funded research study the Council undertook over the past 15 months which examined resource issues in the District's criminal justice system from the point of arrest through the disposition of cases by the D.C. Superior Court. The final report, completed in March 2001 (*A Final Report and Recommendations on Management of District of Columbia Criminal Justice Resources*) describes the major findings, and policy issues, and offers a range of specific proposals for reform. It is our understanding that the participating agencies of the D.C. Criminal Justice Coordinating Council - the Metropolitan Police Department, the D.C. Superior Court, the D.C. Office of the Corporation Counsel, the Executive Office of the Mayor, and others - are framing several implementation projects to address certain of the Final Report's recommendations.

However, the twenty-five plus recommendations set forth in our Final Report are not self-executing. We concluded in our research report that the D.C. Criminal Justice Coordinating Council is the most appropriate vehicle for bringing all of the D.C. criminal justice system agencies to the same table to address longstanding problems - such as the successful Halfway House and Open-Drug Market initiatives, as well as beginning to

address the important and inter-related issue of reducing the millions of dollars expended for unnecessary D.C. police officer overtime appearances for court and prosecutorial proceedings. If properly focused and properly supported, the Criminal Justice Coordinating Council is the appropriate inter-governmental forum in the District of Columbia to improve longstanding issues of concern with the District of Columbia's criminal justice system. Regrettably, the CJCC is currently in a state of limbo. We note that the General Accounting Office independently reached the same conclusion.

We understand that the City Council of the District of Columbia has crafted enabling legislation incorporating \$169,000 in appropriations for the continuance of the CJCC commencing on October 1, 2001. However, neither the legislation nor the funding go far enough to ensure the CJCC's future. Critically important legislative elements are found wanting under the D.C. Council's pending proposal, including the requirements that the CJCC publicly issue a report on at least an annual basis and that it convene meetings. The appropriation would at best provide for a skeleton staff of two - too few in number to support a major inter-governmental body.

Since much of the District's criminal justice system falls under the budgetary oversight of the federal government - including the D.C. Superior Court, the Public Defender Service for D.C., the U.S. Attorney for D.C., Court Services and Offender Supervision Agency, and others - additional support for the CJCC both in terms of funding as well as legislative endorsement could, and should, come from this Congress. Were such support forthcoming, we would strongly encourage this Committee, however, to recognize the importance of the decisional independence and autonomy of the CJCC, and that it's ability to determine its own policy agenda be ensured.

From our civic vantage point, it is of less importance where within the governmental framework the CJCC is placed. The greater consequence is that, despite the interest of the criminal justice system agencies, the CJCC will remain effectively defunct until October 1, 2001, and then be established in a fairly weak state. We would encourage the U.S. House of Representatives Appropriations District of Columbia Subcommittee to consider its legislative imprimatur and, more critically, additional funding for the CJCC. This concludes our prepared statement.

