

OCTOBER 2019

Jails & Justice: A Framework for Change

Phase I Findings and Recommendations of the
District Task Force on Jails & Justice

DISTRICT TASK FORCE ON
JAILS & JUSTICE



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Note from the Chair

For the past nine months, the District Task Force on Jails & Justice (Task Force) set out to engage the community and develop a vision for the future of jails and justice in the District of Columbia that reflects the goals and needs of the city. It is an honor to serve as chair of this august, independent body dedicated to ensuring that any jail in D.C. is one part of a just and equitable system.

This work is critically important. We know that the burden of justice involvement has a devastating impact on thousands of District residents and too often those voices are not heard when policy decisions are made. Thus, the vision for the future is, first and foremost, grounded in the lived experience of the people, families, and communities directly impacted by incarceration, as well as in lessons learned from those who study and administer criminal justice and correctional systems. The Task Force is combining community engagement across the District with expertise to shape a shared vision for the city's justice system.

I want to give a special thank you to each of my 25 fellow Members of the Task Force and to the dozens of Advisers who put their shoulders to the wheel in this effort. The vision, mission, and values they collectively developed to guide this work are inspiring and have resulted in recommendations that are the right next step to propel us on our journey forward. I also want to thank the Council for Court Excellence and its excellent partners, The National Reentry Network for Returning Citizens and the Vera Institute of Justice, for providing invaluable substantive expertise.

As you will see, the Task Force's recommendations cover a wide spectrum of topics related to reimagining criminal justice to include community investments and criminal justice alternatives; decarceration; recommendations regarding the District's jail facilities and services; and local control issues. Comprehensive initial reports support each area of consideration.

Phase II of our undertaking begins in October 2019. During this next year, the Task Force will capture community and stakeholder responses to the recommendations made as part of this Phase I report. The Task Force will also combine community engagement with thoughtful expertise and current best practices to spark a deeper conversation around reimagining a correctional plan that is responsive to the community's priorities and serves the needs of all stakeholders and will assess what is necessary to implement the recommendations.

In closing, we hope the recommendations contained in this report will stimulate thought and lead to legislative, policy, and practice changes. The Task Force stands ready to continue to engage on these critical issues and looks forward to continuing to develop a framework for the future.

Very truly yours,



Shelley Broderick, Chair
District Task Force on Jails & Justice

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Acknowledgements

D.C. OFFICE OF VICTIM SERVICES AND JUSTICE GRANTS

The mission of the Office of Victim Services and Justice Grants (OVSJG) is to develop, fund, and coordinate programs that improve public safety; enhance the administration of justice; and create systems of care for crime victims, youth, and their families in the District.

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COUNCIL FOR COURT EXCELLENCE

The Council for Court Excellence (CCE) is a nonprofit, nonpartisan civic organization. Its mission is to improve 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.

Special thanks to CCE's interns who contributed to this work: Olivia Avery, Kimberley Davis, Faith Hudson, Thelma Aguilar Gutierrez, Michael Logsdon, Sophia Pandelidis, Brittany Pham, Yusef Rabb, Basmah Raja, Pranay Somayajula, and Jarod Wade. CCE is also grateful to Aaron Holmes, Community Engagement Consultant, for his services.



NATIONAL REENTRY NETWORK FOR RETURNING CITIZENS

The mission of The National Reentry Network for Returning Citizens (The National Reentry Network) is to build a strong, national network comprised of individuals returning from incarceration who support each other's successful reintegration. The National Reentry Network uses a client-centered approach to identify basic needs and to create a continuum of care that can address barriers to reentry, promote restorative practices, and reduce recidivism. Their vision is to reinvest in safe and healthy communities, create more living wage jobs, permanent housing and economic self-sufficiency for returning citizens. The National Reentry Network is a subgrantee partner of CCE.



VERA INSTITUTE OF JUSTICE

The Vera Institute of Justice (Vera) is an independent, nonpartisan, non-profit organization. Vera combines expertise in research and technical assistance to help leaders in government and civil society enhance fairness, promote safety, and strengthen communities by improving justice systems. Vera's Center on Sentencing and Corrections has extensive experience partnering with cities and counties to improve their local criminal justice systems and address the drivers of local jail population growth. Vera is a subgrantee partner of CCE.

HOSTS

The Task Force thanks the following organizations that graciously donated their space to host Task Force meetings and community engagement events: Arent Fox LLP, Covington & Burling LLP, Crowell & Moring LLP, District of Columbia Bar, DC Dept. of Corrections, DC Public Libraries, National Affairs Office of the Church of Scientology, New Bethel Baptist Church, ONE DC, OVSJG, Black Workers & Wellness Center, Public Welfare Foundation, Sidley Austin LLP, St. Mark's Episcopal Church, University of the District of Columbia David A. Clarke School of Law, and Venable LLP.

Task Force Vision, Mission, and Values

The Task Force spent significant time developing and agreeing to a statement of vision, mission, and core values. They have guided both the process and the outcomes of the Task Force's Phase I work and will continue to define its efforts in Phase II.

VISION

We envision a humane, equitable approach to criminal justice in Washington, D.C. that prioritizes prevention and care, and reimagines accountability through a rehabilitative lens, to create safe and thriving communities.

MISSION

We are an independent advisory body dedicated to redefining the District's approach to incarceration by building city-wide engagement, centering the voices of those with lived experiences; understanding community priorities; and exploring the use and design of secure detention and community-based solutions.

CORE VALUES

Urgency: We are compelled to create change now, to re-envision and plan an innovative public health approach to community safety and incarceration.

Accountability: We believe that the District's criminal justice system should be transparent, guided by evidence-based practices, results-oriented, and accountable to the public. We promise to conduct the business of this Task Force using these same values of accountability.

Equity: We believe that justice should be administered fairly and with attention to acknowledging and addressing the harms of past policies and practices rooted in racism and other systems of oppression.

Compassion: We are motivated by love for every human being, and recognize that the criminal justice system often draws false dichotomies between victims and offenders. We believe that no matter how a person comes into contact with the system, they should be treated with dignity, given the opportunity to engage in restorative practices, and offered trauma-informed, healing-centered care.

Task Force Phase I Overview

The current D.C. Jail does not serve the District's needs.

This is a premise upon which D.C. residents, government leaders, incarcerated people, and people working in our criminal justice system all broadly agree. While public conversations exploring what to do about the facility have started and stopped several times over the last few years, no long-term plan has emerged to address safety and health in our correctional facilities and our communities, or to stop the cycles of crime and incarceration that envelop so many of our neighbors.

The District Task Force on Jails & Justice (Task Force) was founded in April 2019 as an independent advisory body dedicated to examining the questions of whether or how to build a new correctional facility in D.C. through deep and meaningful community engagement, data analysis, and policy research.

What is the purpose of incarceration? What is a jail supposed to do? What responses to crime and crisis serve Washington, D.C.'s people and values best?

As the Task Force began its work, Members recognized that these fundamental questions are necessarily at the heart of any vision or plans for criminal justice and corrections in this city. To decide what should happen in the future, we as a community need to be clear about the purposes and goals of incarceration. We must question our assumptions about what is necessary and most effective to facilitate safety, health, success in the community, rehabilitation, and other goals.

These are not small decisions; many lives will be significantly impacted by the choices we make regarding incarceration. There are currently more than 1,800 people in D.C. Department of Corrections (DOC) custody and another 4,100 in federal Bureau of Prisons (BOP) custody serving sentences for convictions under local D.C. law. Almost everyone who D.C. incarcerates is Black. The reach of our criminal legal system does not end there – it touches every person who is harmed by criminal acts or incarceration, their loved ones, their neighborhoods, those who work in our jails and the rest of our system, and the taxpayers who foot the bill for it all. Thus, the Task Force's vision for the future is grounded in the lived experiences of individuals, families, and communities directly impacted by justice-system involvement, as well as in lessons learned from those who study and administer criminal justice and correctional systems. It is also informed by the history of incarceration in the District and past efforts at reform.

This report, with its findings and recommendations, is the result of six months of intensive work by the Task Force in the spring and summer of 2019 ("Phase I"). Phase I involved gathering and

analyzing relevant data and best practices, and engaging community members around the District to express their priorities for the future. The Task Force's enclosed Phase I recommendations are intended to serve as the starting blocks for forward progress. Just as our community engagement work was designed to include all varieties of stakeholders, our recommendations are designed to encompass the full community. Where we call on "the District" to act, we are not limiting the recommendation to the government, but broadly calling for all those invested in the life of our communities to make change, including, for example, individuals, nonprofit organizations, businesses, and other stakeholders. The specific actors needed to trigger or implement each recommended change will be identified during the Task Force's Phase II, which commences in October 2019.

PHASE I STRUCTURE AND PROCESS

Task Force Members

The Council for Court Excellence (CCE) received funding from the D.C. Office of Victim Services and Justice Grants (OVSJG) in January 2019 to "build stakeholder engagement and solicit feedback related to the design and construction of a new correctional facility in the District of Columbia" and immediately began planning for the Task Force and its work with its project partners, The National Reentry Network for Returning Citizens (The National Reentry Network) and the Vera Institute of Justice (Vera). Invitations to serve on the Task Force were extended to representatives from the local and federal courts, government agencies, elected officials, research and policy organizations, scholars, community-based organizations, the faith-based community as well as people unaffiliated with organizations who are directly impacted by incarceration. To ensure a diverse representation of viewpoints within a manageably sized body, organizations and governmental members were limited to a single seat on the Task Force. By April, CCE had successfully convened a 26-member Task Force led by chairperson, Professor Shelley Broderick, Dean Emerita of the University of the District of Columbia David A. Clarke School of Law. See page 9 for a full list of members and their affiliations; their full biographies are available at www.courtexcellence.org/task-force. During Phase I, Task Force Members guided research, participated in community engagement, deliberated collectively, and ultimately voted on the preliminary recommendations put forth in this report.

Task Force Meetings

The full Task Force convened four times during Phase I: on April 15, June 6, August 23, and September 20, 2019. During these meetings, Task Force Members adopted project objectives, a project timeline, and bylaws; received regular updates on emerging themes from the community engagement initiatives; visited the D.C. Jail; reviewed and analyzed correctional data, and requested additional information for analysis; and heard reports from each of the Task Force's Committees on their work. The Task Force also engaged in workshops to develop its vision, mission, and core values. Finally, Members deliberated on the recommendations proposed by the Committees and refined the proposals based on their discussions, ultimately adopting the recommendations as published in this report.

Task Force Committees

The Task Force prioritized four areas on which to focus their work. These areas were organized into the following Committees: Community Investments & Alternatives to the Criminal Justice System, Decarceration, Local Control, and Facilities & Services. Committees were comprised of both Task Force Members and Advisors - more than two dozen additional community leaders whose invaluable input and expertise is reflected in the individual Committee reports and was meaningfully incorporated into this report. Advisors did not have votes outside their Committees in the full Task Force; none of the recommendations in this report should be attributed to Task Force Advisors. For a full list of Task Force Advisors and their affiliations please see page 3; the composition of each Committee is available in Appendix 2.

Each Committee developed its own scope of work and met several times during the summer to create guiding principles, share data and information, direct research, draft findings, and develop draft recommendations to the Task Force. The results of this work were submitted in the form of Committee Reports to the Task Force in August. The complete Committee reports are linked in Appendix 3.

COMMUNITY ENGAGEMENT

Critical to informing the work of the Task Force was the community engagement led by The National Reentry Network. The National Reentry Network hosted 21 stakeholder focus groups with 177 participants, including: returning citizens, family members of incarcerated people, people currently incarcerated in D.C. at both the Central Detention Facility (CDF or D.C. Jail) and the Correctional Treatment Facility (CTF), crime victims and victim advocates, DOC correctional officers and staff, neighbors of the jail, people who are experiencing homelessness, and other interested community members.

The National Reentry Network also distributed a survey, based upon what was learned in focus groups, which received more than 1,700 responses from District residents between June and August. The survey was distributed both online and at various community events throughout the city.

The National Reentry Network hosted two community-visioning workshops in August during which more than 50 people learned more about the Task Force's work and shared their vision for each of the four major topics addressed by Task Force Committees. Finally, individuals and organizational representatives testified on-the-record directly to a panel of Task Force Members at a Town Hall in August.

In addition to the Town Hall, Task Force Members directly observed focus groups and community-visioning workshops. They received periodic updates from The National Reentry Network on the emerging themes and were presented with the final findings of the community engagement work in September. Highlights from these findings are included on page 29, and the full report is linked in Appendix 3.

DATA COLLECTION AND ANALYSIS

Throughout Phase I, Vera collected and analyzed publicly available data from previously published reports, publicly available data from the Metropolitan Police Department (MPD), data provided by DOC to the Task Force, and community survey responses. Vera requested additional data from the Pretrial Services Agency (PSA) and the BOP, and the Task Force hopes to acquire it this fall for analysis during Phase II. Highlights from this analysis and methodology are included on page 16 and a detailed Corrections Data Technical Addendum is linked in Appendix 3.

Current and Historical Incarceration in the District

BRIEF HISTORY OF JAILS AND PRISONS IN THE DISTRICT

The first jail opened in 1838 in Judiciary Square where the National Building Museum now stands and was operated by the U.S. Army.¹ It was “known alternatively as ‘the blue jug,’ for its faded blue paint, and as ‘the slave-pen,’ for its history of holding alleged runaway slaves, many of them arrested on no pretext other than their lack of a master.”² There were around 200 people incarcerated at the “the blue jug” when a new jail opened its doors in 1875.

The second jail was built on what is now known as Reservation 13, the same plot of land where D.C.’s jails stand today. Within 20 years, there were reports that this jail was overcrowded, but it stood for a century.³ In 1908, a presidential commission was formed to investigate conditions, and President Theodore Roosevelt wrote that, “The overcrowding is great in the workhouse, and greater still in the jail where, of the six hundred inmates, five hundred are serving sentences in absolute idleness, with no employment and no exercise....It is no longer a question of what shall be done, for it is quite impossible that the existing condition should continue.” The recommendations of this commission led to the construction of the 3,200 acre Lorton Correctional Complex, D.C.’s very own prison, in 1916, but did not solve overcrowding at the jail.⁴

By 1972, the jail was operating at 56 percent over capacity and was condemned as “a filthy example of man’s inhumanity to man” by the ACLU.⁵ The people incarcerated rioted in the model of the Attica uprising, taking 12 hostages. The incident ended, incredibly, without anyone being killed, and with six men incarcerated at the jail presenting their grievances at a late-night hearing in federal court. This eventually grew into two major lawsuits, during which conditions at the jail were deemed in violation of the 8th Amendment, and resulted in the construction of a new facility.

The current main facility, D.C. Jail (formally the Central Detention Facility, or CDF) opened its doors in 1976. Overcrowding persisted, despite oversight from the courts, until the mid-2000s. In 2007, CDF’s capacity was officially capped by DOC at 2,164 people.⁶ While D.C.’s detained population has

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- 1 Pohl, R. June 14, 2010. Lost Capitol Hill: The DC Jail. Retrieved from <https://thehillishome.com/2010/06/lost-capitol-hill-the-dc-jail/>.
 - 2 Ciaramella, C.J. December 2016. How Not to Build a Jail. Reason. Retrieved from <https://reason.com/2016/11/16/how-not-to-build-a-jail/>.
 - 3 Pohl, 2010.
 - 4 Ciaramella, 2016.
 - 5 A.C.L.U Calls the Capital Jail a Filthy Example of Inhumanity. January 30, 1972. The New York Times. Retrieved from <https://www.nytimes.com/1972/01/30/archives/a-c-l-u-calls-the-capital-jail-a-filthy-example-of-inhumanity.html>.
 - 6 D.C. Dept. of Corrections. Correctional Facilities. (n.d.). Retrieved from <https://doc.dc.gov/page/correctional-facilities>.

significantly decreased and overcrowding is no longer a problem at CDF, other issues remain. The utilitarian physical structure does not meet current best practices for effective correctional programming and several inspections have identified a variety of health and safety deficiencies. Tens of millions of District dollars are allocated each year to building and system repairs at CDF.⁷

The District also has a second jail next door to the CDF called the Correctional Treatment Facility (CTF). It was opened in 1992 as a minimum and medium security facility with 1,400 beds for “special populations,” including women and people with physical and behavioral health needs. In 1997, CTF was contracted out to the private prison company CoreCivic (formerly the Corrections Corporation of America, or CCA). DOC resumed operations of CTF in February 2017 and has been utilizing the space for treatment and programming opportunities for people in its custody.⁸ Youth charged as adults were previously held at CTF, but as of October 2018, all people under the age of 18 have been removed from adult facilities and are now in the custody of D.C.’s Department of Youth Rehabilitation Services (DYRS).

The District’s dedicated prison, in Lorton, Virginia, was shuttered when Congress passed the 1997 Revitalization Act to prevent the District from facing bankruptcy.⁹ Since 2001, all people convicted of felonies under the D.C. Code who have prison time as part of their sentence are now placed in the federal custody of the BOP and can be incarcerated in more than 100 different federal prisons across the United States. The BOP also currently contracts with two halfway houses locally, Hope Village for men and Fairview for women. About half of the people coming home to D.C. from the BOP spend time in one of these halfway houses before their release to the community.

The entire local court system – both Superior Court and the Court of Appeals – is federally funded. The Revitalization Act abolished the D.C. Board of Parole, transferring all parole grant and termination (and later “supervised release” revocation) cases to the U.S. Parole Commission (USPC). The Revitalization Act also established the Court Services and Offender Supervision Agency (CSOSA), which includes the Pretrial Services Agency (PSA), to supervise people on pre-trial release, probation, parole, and community supervision. Finally, it codified the District of Columbia Public Defender Service (PDS), which had been operating in various forms since 1960, as a federally-funded, independent organization. While the BOP and USPC have missions that are national in scope and also serve people with federal convictions, the courts, PDS, CSOSA, and PSA are federal agencies that exclusively serve people prosecuted under local D.C. law.

7 FY 2020 Department of Corrections Capital Budget. July 25, 2019. Retrieved from <https://cfo.dc.gov/node/1392561>.

8 Mohler, Jeremy K. January 31, 2017. A welcome change in D.C. jails. The Washington Post. Retrieved from <https://www.washingtonpost.com/blogs/all-opinions-are-local/wp/2017/01/31/a-welcome-change-in-d-c-jails/>.

9 National Capital Revitalization and Self-Government Improvement Act of 1997, H.R. 1963, 105th Cong. Retrieved from <https://www.congress.gov/bill/105th-congress/house-bill/1963>.

THE REACH OF THE CURRENT SYSTEM

According to a one-day count compiled by the Criminal Justice Coordinating Council, 22,376 adults were justice-involved – arrested, under PSA or CSOSA supervision, or incarcerated under local law at the DOC or BOP – on any given day in 2017.¹⁰ When compared to the adult demographics of the District, that means that one in 22 adults was justice-involved.¹¹

Beyond active justice-system involvement, when looking back just ten years, one in seven adults in D.C. has a publicly available criminal record, and one in 14 has a criminal conviction.¹² That reflects more than 51,000 criminal convictions in a decade at Superior Court. It is also important to recognize that D.C.'s Black residents are vastly overrepresented in these groups, increasingly so at each system intercept from arrest through prison, despite representing a decreasing percentage of the District's overall population. As the Urban Institute reported:

One analysis revealed that although Black and Brown people make up less than half the population in Washington, D.C., they accounted for 8 in 10 arrests between 2009 and 2011 (Washington Lawyers' Committee 2013). This disparity persists downstream in the criminal justice system: Black and Brown people make up as much as 89 percent of people, or approximately 9 in 10, who are housed in jail awaiting trial or already convicted of less serious charges (D.C. Department of Corrections 2016). Similarly, 96 percent of D.C. residents held on more serious charges in the Federal Bureau of Prisons are Black (CCE 2016).¹³

Incarcerated populations fluctuate daily, but through the first three quarters of fiscal year 2019, DOC had an average daily population of 1,865 people in custody.¹⁴ As of August 2019, the BOP had 4,143 people convicted of D.C. Code offenses in its custody – a number that has been as high as 4,600 within the past year.

REFLECTIONS ON HISTORY

The Task Force acknowledges the long history of incarceration and reform in the District, and recognizes that the building of a new facility has never succeeded in serving as a “cure-all” for the system. The Task Force also believes that people should not be incarcerated or work in conditions

10 Criminal Justice Coordinating Council. 2017. One-Day Estimate of Justice System-Involved Individuals within the District of Columbia (2017). Retrieved from <https://cjcc.dc.gov/sites/default/files/dc/sites/cjcc/publication/attachments/One%20Day%20Count%20Justice%20Involved%20%202017%20Infographic.pdf>.

11 Council for Court Excellence. December 2016. Beyond Second Chances: Returning Citizens' Re-Entry Struggles and Successes in the District of Columbia. Retrieved from http://www.courtexcellence.org/uploads/publications/BSC_FINAL_web_1.pdf.

12 Duane, M., Reimal, E., & Lynch, M. (2017, July). Criminal Background Checks and Access to Jobs: A Case Study of Washington, DC. Retrieved from https://www.urban.org/sites/default/files/publication/91456/2001377-criminal-background-checks-and-access-to-jobs_2.pdf.

13 *Id.*

14 District of Columbia Department of Corrections. DC Department of Corrections Facts and Figures: July 2019. Retrieved from https://doc.dc.gov/sites/default/files/dc/sites/doc/publication/attachments/DC_Department_of_Corrections_Facts_and_Figures_July_2019.pdf.

that are unsafe, unhealthy, or undignified.

That is why the Task Force decided to look not simply at whether or how to build a new correctional facility, but at what services should be offered within its walls—and beyond them. The Committee on Facilities & Services is charged to address the first question. The other three Committees are exploring the broader questions that are integrally wrapped up in deciding whether or how to incarcerate, including:

- what community investments can prevent justice-system involvement, respond to community crisis, and support people returning to the community from incarceration;
- how we can minimize the District's incarcerated population; and
- how to ensure the District has the power to make its own criminal legal systems and policy decisions.

Corrections Data Analysis

The Vera Institute of Justice collected and analyzed corrections data for the Task Force, including 2018 data requested from DOC, supplemented with publicly available data from MPD, the federal Bureau of Justice Statistics (BJS), the American Community Survey, and other sources. Below are highlights of Vera’s analysis of D.C.’s incarcerated population; a more detailed methodology is available in the Corrections Data Technical Addendum linked in Appendix 3.

DOC POPULATION OVERVIEW

To accurately understand the DOC population, Vera calculated an Average Daily Population (ADP) in addition to examining total bookings (all people admitted to DOC custody in a year). The DOC population includes all people in the custody of DOC, at CDF (D.C. Jail), CTF, and in a limited number of halfway house beds.

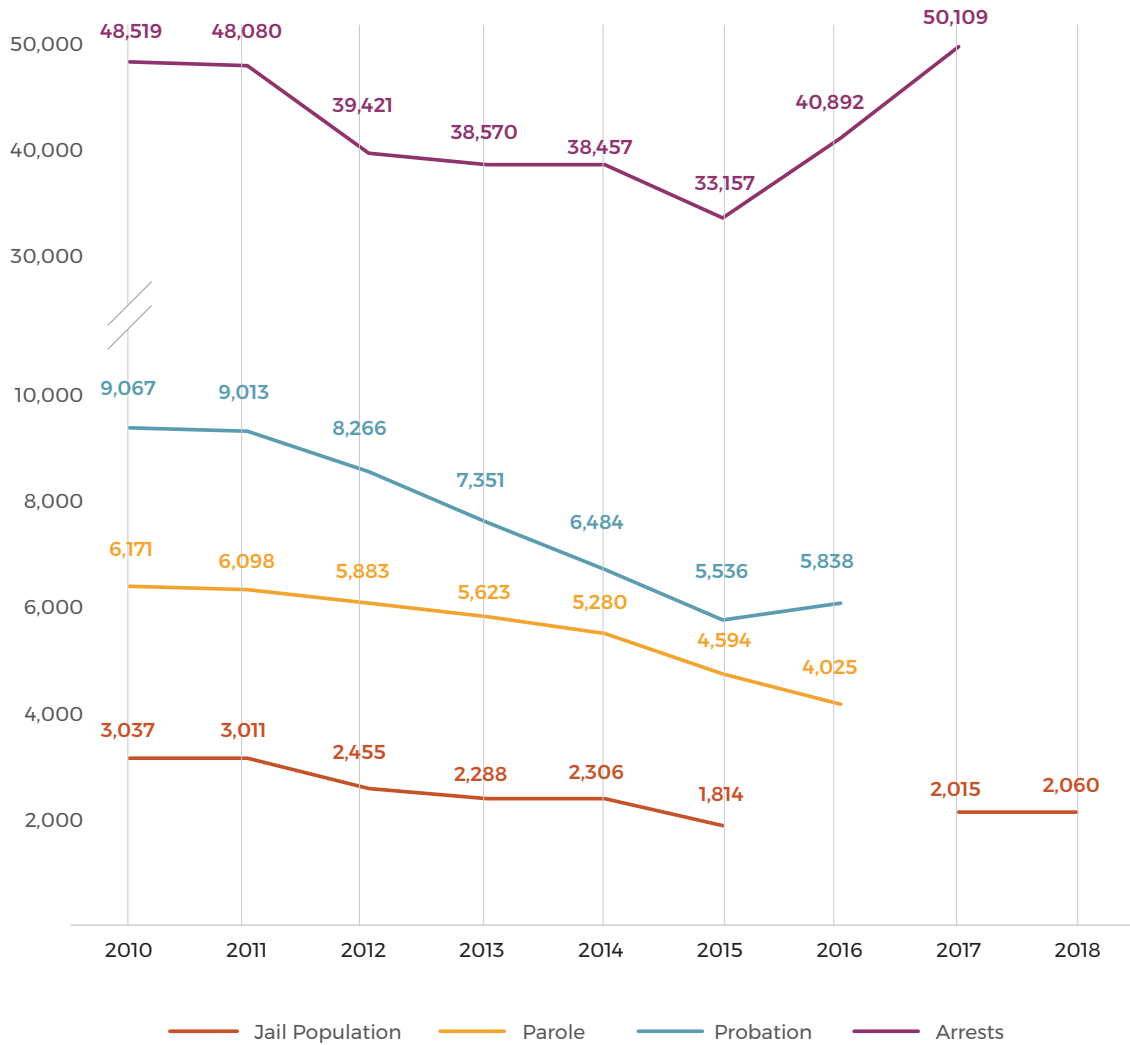
- 2,059 people were in DOC custody on any given day in 2018.¹⁵ A total of 9,986 people were booked in DOC custody in 2018, 76 percent of whom resided in Wards 5, 7, or 8. A total of 10,226 people were released from DOC custody in 2018, a number slightly higher than the total number of people booked because some people who were booked into custody prior to 2018 were released that year.
- The ADP was overwhelmingly (92%) male. Half of the people in DOC’s ADP had at least one dependent child, and 29 percent had two or more dependent children.
- The ADP remains overwhelmingly (92%) Black,¹⁶ despite the fact that census data shows growth rates are faster among White and Latinx people in the District’s adult population.
- The analysis shows that the District’s DOC, Probation, and Parole (including supervised release) populations largely trended down from 2010 – 2016 (2018). Adult Arrests, in contrast, appear to have increased sharply, and now exceed 2010 levels.¹⁷

15 The calculation of ADP is determined by calculating the number of individuals booked into the DOC between their booking date and release date over the given year.

16 ADP by race from years 2010 to 2015 reflects BJS data retrieved from Vera trends. 2017 and 2018 reflect analysis on the DOC provided dataset. ACS refers to the American Community Survey estimates. 2010 to 2015 were drawn from Vera Trends. 2017 used the updated ACS estimates per a given year.

17 Arrests may include some citations if these were not excluded from arrest numbers in the MPD annual reports. All arrest data was retrieved from MPD annual reports, available online at: <https://mpdc.dc.gov/page/mpd-annual-reports>. Parole and Probation data were retrieved from the Bureau of Justice Assistance CSAT Tool. Jail data between 2010 and 2015 was retrieved from BJS data via Vera’s Incarceration Trends Project data set. Jail data for 2017 and 2018 reflects Vera’s analysis of ADP per the dataset provided. For adult arrests in 2012, the 2013 MPD report was used (reflecting updates to the numbers given in the 2012 report) as was the case for 2010 using the 2011 report. For years 2012 – 2017, data notes in the MPD annual reports indicates that adult arrest totals provided for non-homicide arrest reflect arrests by MPD and other law enforcement agencies, this is not clear for years for prior to 2012. For Arrest, Parole, Probation, and jail populations prior to 2017, numbers specifically reflect adult populations only. Minors in DOC custody in 2017 and 2018 were not omitted from ADP counts, though their contribution to ADP is negligible.

FIGURE 1: D.C. INCARCERATION TRENDS

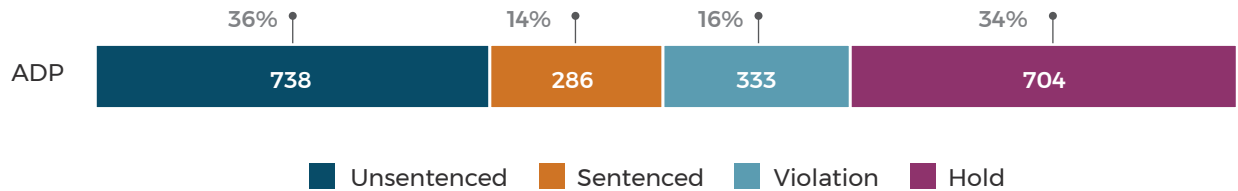


For this analysis, people in DOC custody were categorized as either “Unsentenced” (being detained pre-trial), “Sentenced” (serving a sentence post-conviction), “Violation” (facing revocation because of an alleged violation of their terms of supervision), or “Hold” (people held in DOC custody due in part to a warrant for another jurisdiction or in transit to another jurisdiction).¹⁸ Although Holds make up a meaningful portion of the DOC ADP, they also represent the group that is least-relevant for the Task Force’s consideration, as the decisions about whether and how long to hold those

¹⁸ “Unsentenced” here refers to an individual held in the jail who has not yet received a sentence date for their top charge, and does not necessarily reflect a connection to pretrial services. The proportion of the ADP which is Unsentenced is calculated by measuring the duration between an individual’s booking date and their sentence date, on their top charge. “Sentenced” is the duration of time between their sentence date and release date on their top charge. Violations here refer to individuals whose top charge is either a parole or probation violations (accounting for about 95 percent of all violations contribution to ADP) or a very small number of individuals on violations of protection orders. See Corrections Data Technical Addendum linked in Appendix 3 for more detail on holds for other jurisdictions and their contributions to ADP.

individuals are outside of any local determination. Therefore, for the remainder of this analysis, we excluded consideration of people whose status was “Hold” when discussing common charges, detention, or release, and instead considered the group of Unsentenced, Sentenced, and Violations as the group called “D.C. bookings” or “D.C. booked.”

FIGURE 2: ADP BY LEGAL STATUS, 2018



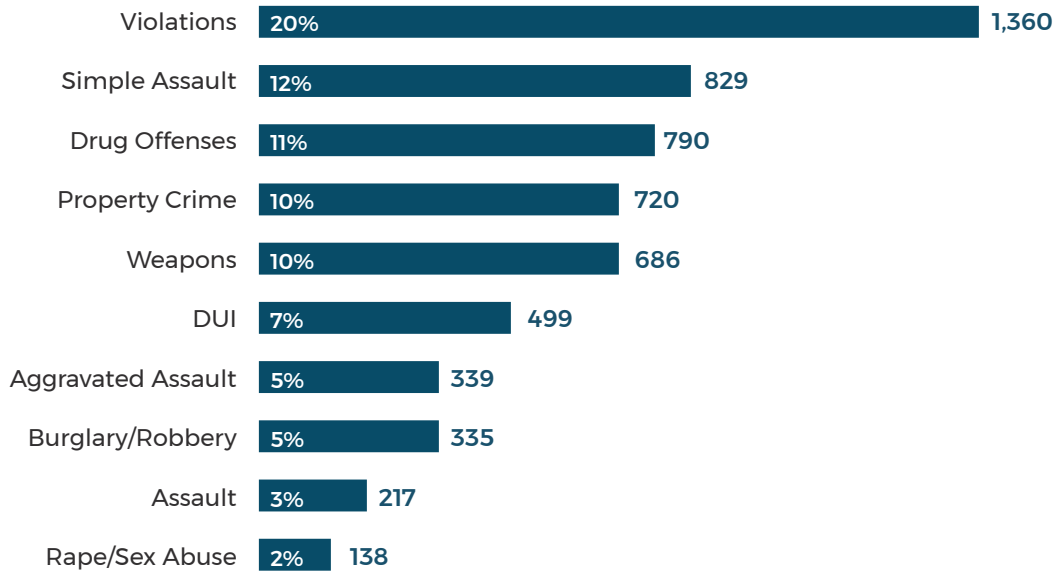
Forty percent of people in the DOC custody on any given day were Unsentenced or Sentenced, and 36 percent of just the Unsentenced ADP, had no violent charges associated with their booking.

COMMON CHARGES

Aggregating the most severe charges into categories,¹⁹ Violations, Simple Assaults, and Drug Offenses together accounted for over a third of all D.C. bookings in 2018. The top ten categories made up 85 percent of all D.C. bookings.

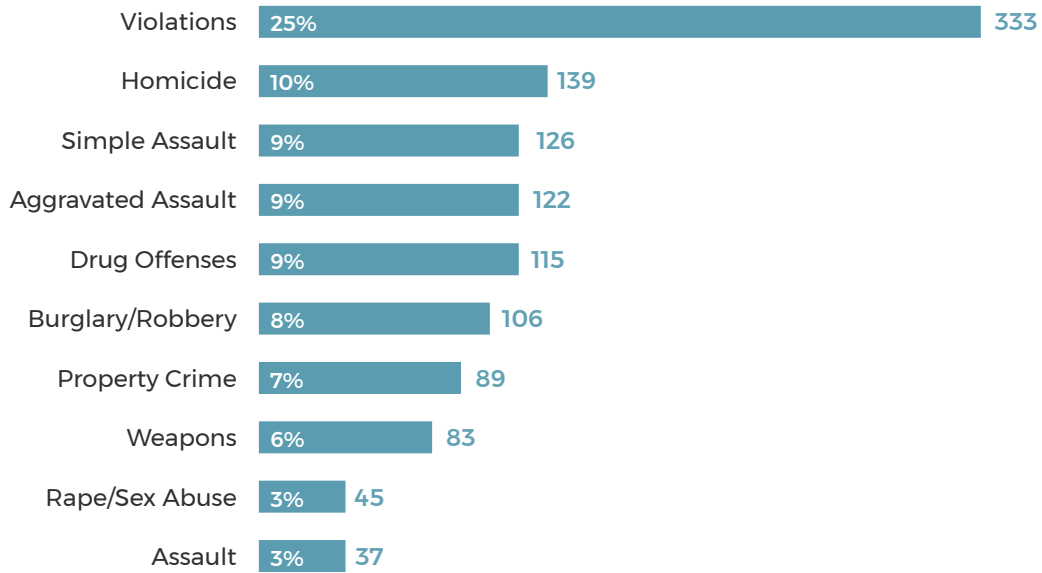
¹⁹ Charge categories used here reflect D.C. DOC’s internal categorization with two exceptions. 1) “Simple Assault” is coded as “Stalking” in D.C. DOC’s internal charge categorization, this is despite the fact that >99 percent of non-hold top charges in 2018 in this category refer 22 DC 404 A – Simple Assault. Here we change the name of this category to simple assault to convey that the majority of charges here refer to simple assaults. 2) “Violations” are defined based on the presence of either a parole violation, probation, violation of a protection order, or any other any other designation of violation in the top charge associated with the booking. A dictionary of top charges per category is included in the Corrections Data Technical Addendum linked in Appendix 3.

FIGURE 3: NON-HOLD BOOKINGS BY TOP CHARGE CATEGORY, 2018



Aggregating the most severe charges into categories for ADP shows that Violations account for a quarter of the D.C.-booked population. Drug Crimes and Simple Assault, although lower than their contribution to bookings, continue to contribute to a large portion of ADP. The ADP skews towards more serious charges, facilitated by a longer length of stay for individuals booked on a more serious charge, so Homicide and Aggravated Assault rise into the top categories. In both bookings and ADP, Violations and Simple Assaults account for large portions of the DOC population. In fact, for D.C. bookings, roughly one in four people in DOC were there due to a Violation.

FIGURE 4: NON-HOLD ADP BY TOP CATEGORIES, 2018

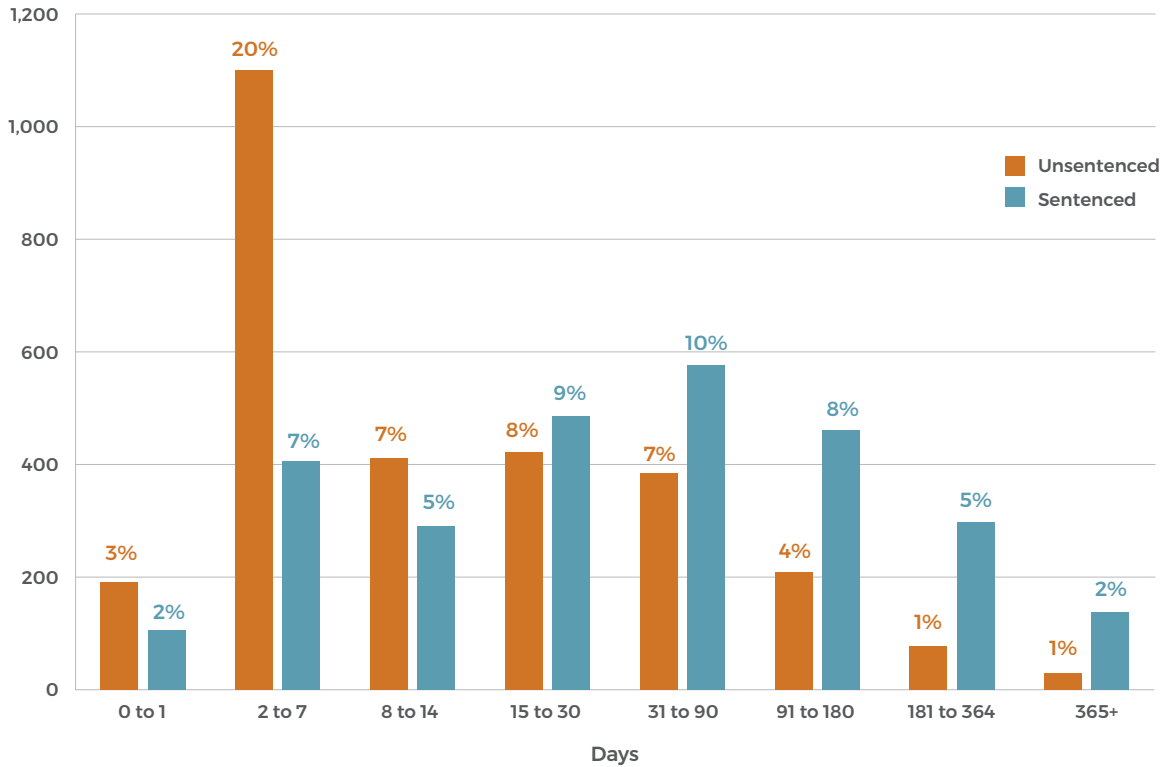


Thirty-six percent of D.C. bookings categorized as Simple Assault are domestic violence related. Even excluding domestic violence related charges, Non-Domestic Violence Simple Assaults and Violations combined made up over a quarter of all DOC bookings and ADP in 2018.

DETENTION, RELEASE, AND LENGTH OF STAY

Of the 10,226 people who left DOC custody in 2018, 7,075 were classified as either Sentenced or Unsented during their time in the jail (not detained on administrative holds).

FIGURE 5: NON-HOLD RELEASES BY LENGTH OF STAY, 2018



Of the people released from DOC custody in 2018, 41 percent were Unsentenced at the time of their release, 40 percent were released after serving at least part of their Sentence in DOC custody, and 20 percent were released after being booked for a Violation.²⁰

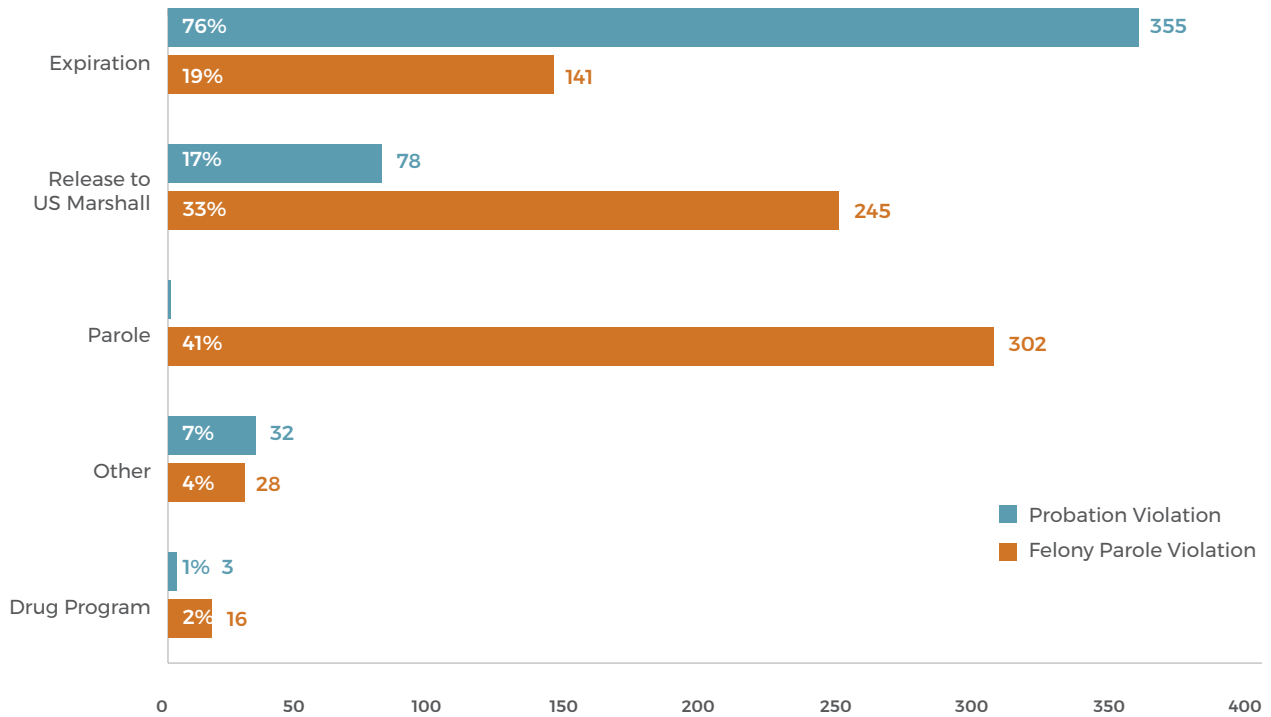
Of the people released in 2018, 32 percent had stayed less than one week, posing the question of whether it was efficient or necessary for these people to be held initially.²¹

More than four in ten of people released on a parole violation, where the parole violation was their top charge, were released with their parole reinstated. A third were released to the U.S. Marshall, most likely for a transfer to a BOP facility following revocation of their parole.

²⁰ Note that the percentages here reflect the number of individuals released from DOC custody who were not held on a Violation as their most serious charge, and who were not on a Hold. Therefore, the percentages of the total population shown here may differ from the DOC analysis of its calendar year population for 2018. See Corrections Data Technical Addendum linked in Appendix 3 for more information on who is considered a Hold in this analysis.

²¹ As above, because this population analysis specifically targets individuals who are not Holds and not held on a Violation as their most serious charges, this LOS calculation may vary from DOC provided figures.

FIGURE 6: RELEASES BY RELEASE REASONS FOR PROBATION AND PAROLE VIOLATIONS, 2018



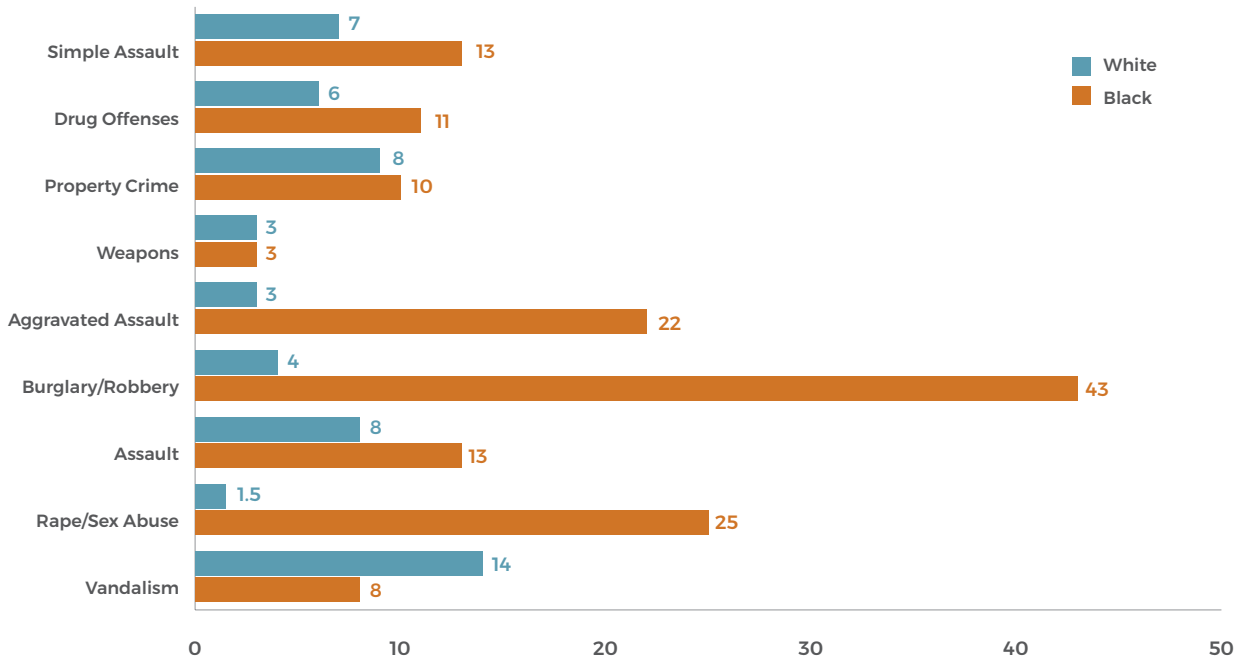
The median length of stay (LOS) in DOC custody for people who were eventually released with their parole reinstated was 44 days, raising questions about the value of their detention and re-release under similar conditions.

RACIAL DISPARITIES

Black people incarcerated in DOC custody had a longer median Unsented LOS than White people for nearly every charge category.²²

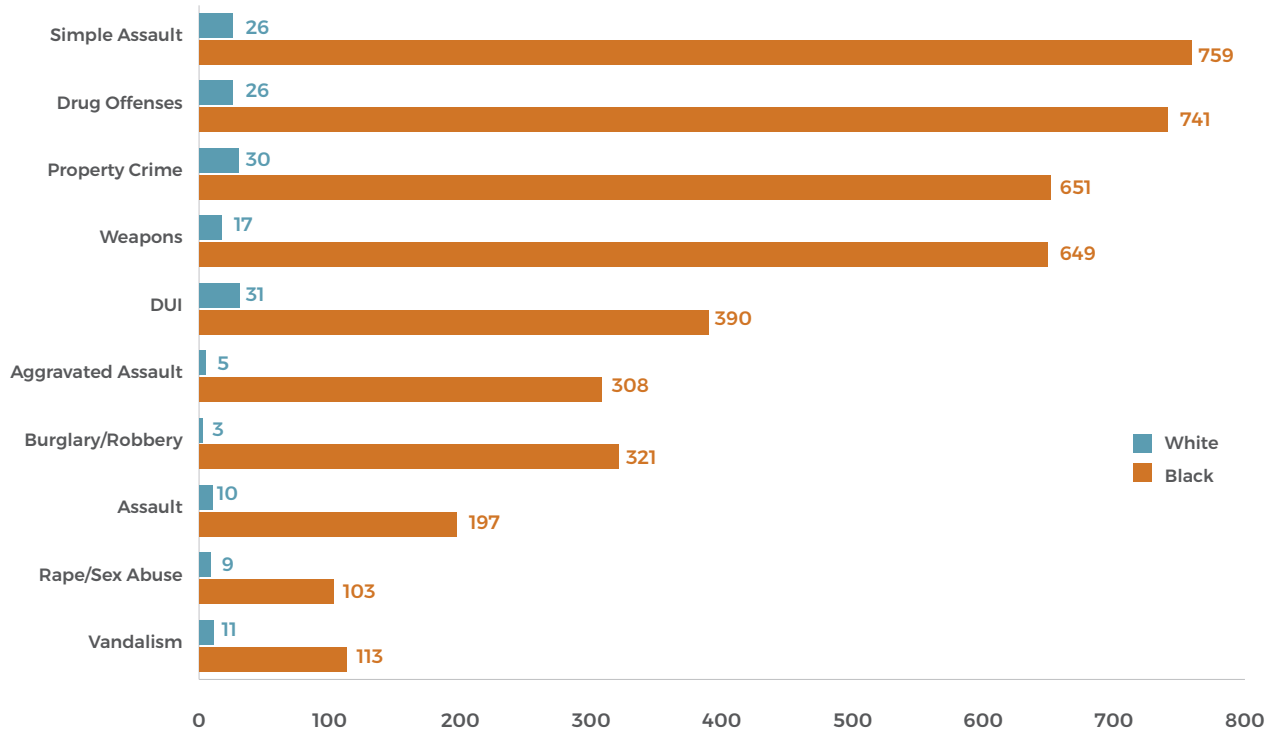
²² This refers to only non-hold releases. For DUI, no numbers are given because the median unsentenced LOS for both Black and White individuals is zero days. Note that violations are not shown here as we do not disaggregate length of stay by Sentenced and Unsented for individuals whose most serious charge is a Violation.

FIGURE 7: MEDIAN UNSENTENCED LOS, BY TOP CHARGE CATEGORY AND RACE, 2018



However, analyzing and interpreting the longer median LOS for Black people in custody is complicated by the very small number of White people booked for some charge categories.

FIGURE 8: NON-HOLD RELEASES BY TOP CHARGE CATEGORY, RACE, 2018



PREVALENCE OF SERIOUS MENTAL ILLNESS AND SUBSTANCE USE DISORDERS

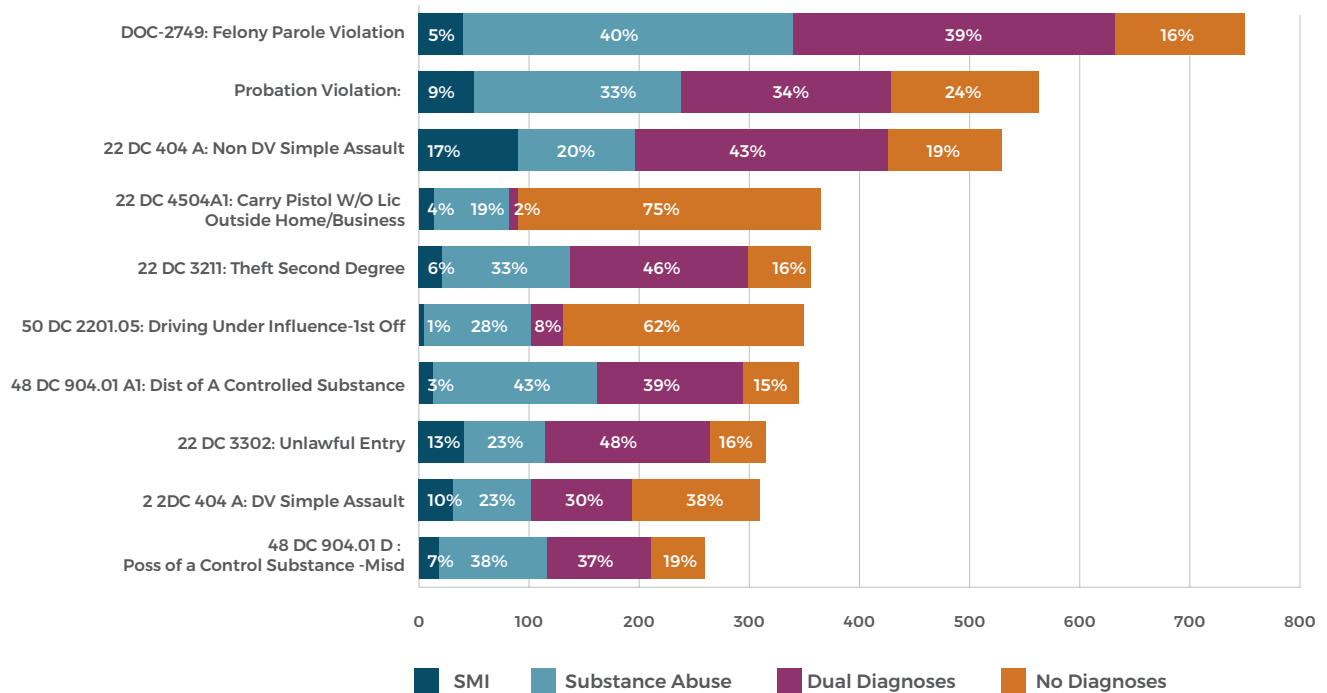
Across charges, the prevalence of serious mental illness (SMI) and substance use disorders (SUD) in DOC varies widely, as do differences in Unsentenced LOS between diagnosed and non-diagnosed populations. The Task Force began a preliminary analysis of differences in populations with only a SUD or SMI diagnosis, as well as “dual diagnosis” individuals, which refers to people with both SUD and SMI diagnoses. These diagnoses are drawn from the DOC’s electronic health records which use the indicator “Substance Abuse” instead of SUD. As used here, these terms are interchangeable.

TABLE 1: BOOKINGS AND ADP BY DIAGNOSES, 2018

	Bookings	ADP
<i>Substance Abuse Only</i>	2,813 (28%)	588 (29%)
<i>SMI Only</i>	826 (8.3%)	195 (9%)
<i>Dual Diagnosis</i>	2,616 (26%)	566 (27%)
<i>No Diagnosis</i>	3,731 (38%)	710 (34%)

The prevalence of an SMI, SUD, or a Dual Diagnosis varies sharply by charge, as demonstrated in the chart below. Overall, it is rare, for any given charge, to find a higher prevalence of people with no diagnosis than some diagnosis (SMI, SUD, and Dual Diagnosis). Looking back at the top ten most common charge categories, the data revealed that in eight of the ten charge categories, it was more common for individuals to have a diagnosis than no diagnosis.

FIGURE 9: NON-HOLD BOOKINGS BY TOP CHARGE AND DIAGNOSES



Median Unsenteded LOS for individuals with no diagnosis was four days. In contrast, median Unsenteded LOS for individuals with only a SMI diagnosis was more than three times as high, at 15 days. The case is similar for individuals with a Dual Diagnosis at 14 days, and individuals with a SUD diagnosis at 11 days. All differences are statistically significant. It is clear that median Unsenteded LOS skews much longer for all diagnoses than for bookings with no diagnosis. However, at least some of this difference may be due to differences in charges between these groups, not differences in outcomes for a given charge, underscoring the need to make comparisons at the charge level.

To assess charge level differences, we reviewed differences in Unsenteded LOS for all charges and LOS for all Violations. Whether or not Unsenteded LOS or LOS varies between diagnosed and non-diagnosed groups depends on the charge – generally, in any case where we find that there is a statistically significant difference between diagnosed and non-diagnosed groups, we find that Unsenteded LOS and LOS is longer for diagnosed groups, though we cannot always determine differences between diagnosed groups.

YOUNG ADULTS

Of the 9,986 people booked into DOC custody in 2018, 2,378 or 24 percent of all bookings were for “young adults” ages 16–25. Young adults also accounted for 26 percent of the DOC’s ADP. Please note that as of October 2018, no youth age 16 or 17 are in DOC custody. Instead, all people incarcerated under the age of 18, even those charged as adults, are now in the custody of the Department of Youth Rehabilitation Services (DYRS).

Young adults are more likely than adults to be Unsentenced while in DOC custody, and less likely to be held for a Violation. Partly this reflects differences in top charges, as the most serious charges for young adults showed a higher representation of violent and serious charges than do bookings for adults. For instance, Weapons, Burglary, and Aggravated Assault charges made up 29 percent of young adult bookings, but only 15 percent of adult bookings.

TABLE 2: BOOKINGS FOR TOP TEN CHARGE CATEGORIES, YOUNG ADULTS

Category	Young Adult (YA) Bookings	% of YA	% of Total
Weapons	337	21%	5%
Burglary or Robbery	180	11%	3%
Drug Offenses	151	9%	2%
Property Crime	144	9%	2%
Non-DV Simple Assault	122	7%	2%
Aggravated Assault	107	7%	2%
Violations	77	5%	1%
DV Simple Assault	75	5%	1%
Robbery	55	3%	1%
Homicide	46	3%	1%
Sub Total	1,294	79%	19%

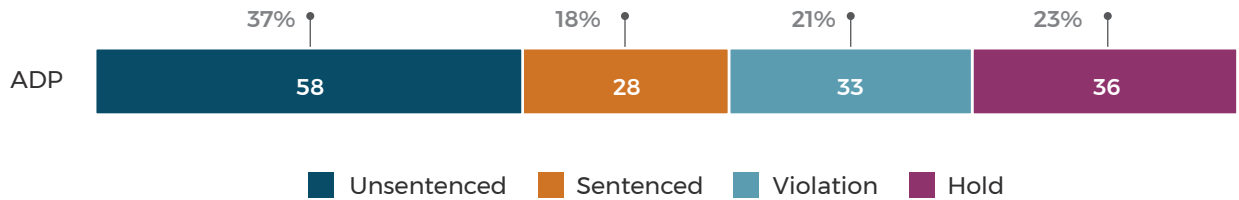
Despite a tendency towards more serious charges for young adults, there remains quite a few similarities in the top charges for young adults and adults. Namely, Non-Domestic Violence Simple Assaults and Violations still accounted for a large share of all bookings, at a combined 19 percent for young adults and 29 percent of all bookings for adults.

Young adults were less likely than adults to be diagnosed with either a SMI or SUD. About 52 percent of all Non-Hold bookings for young adults had no diagnoses, while only 27 percent of all Non-Hold bookings for adults had no diagnoses.

WOMEN

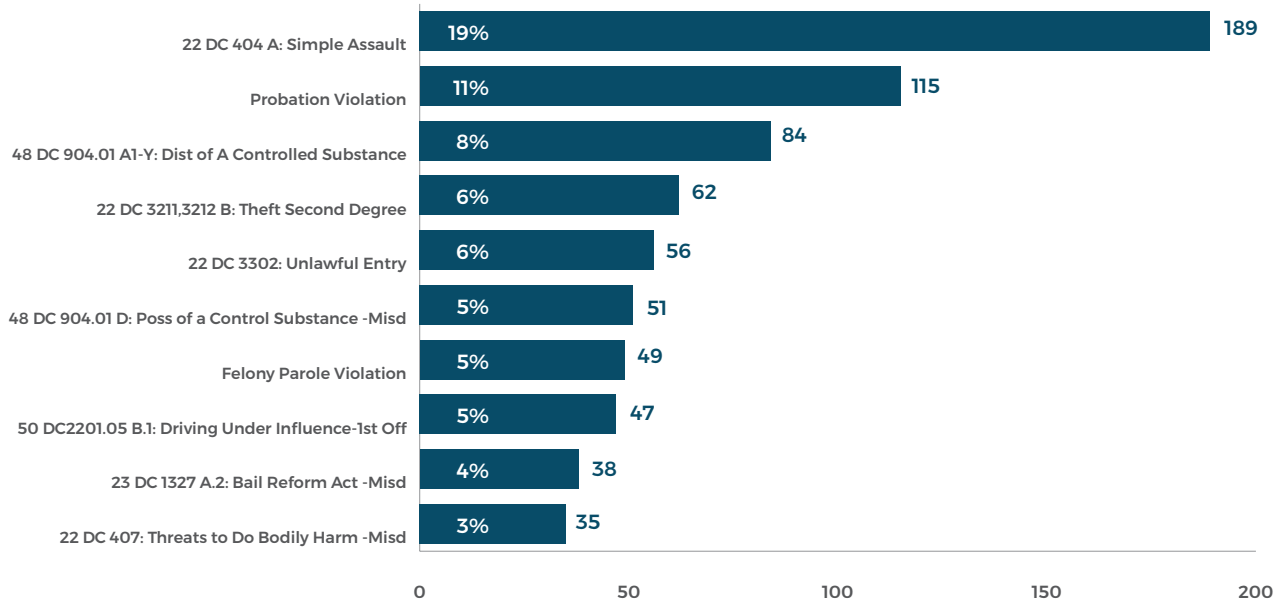
In 2018, 1,378 women were booked into DOC custody, accounting for eight percent of DOC's ADP. Women's ADP is trending down alongside the total DOC population, though the proportion of women in the jail relative to men has only marginally decreased. The proportion of women in DOC remains around five points lower than national state-level trends from previous years.²³

FIGURE 10: WOMEN'S ADP BY LEGAL STATUS, 2018



Women's top charges skewed less serious than men's, though Simple Assaults and Violations continue to be top reasons for bookings.

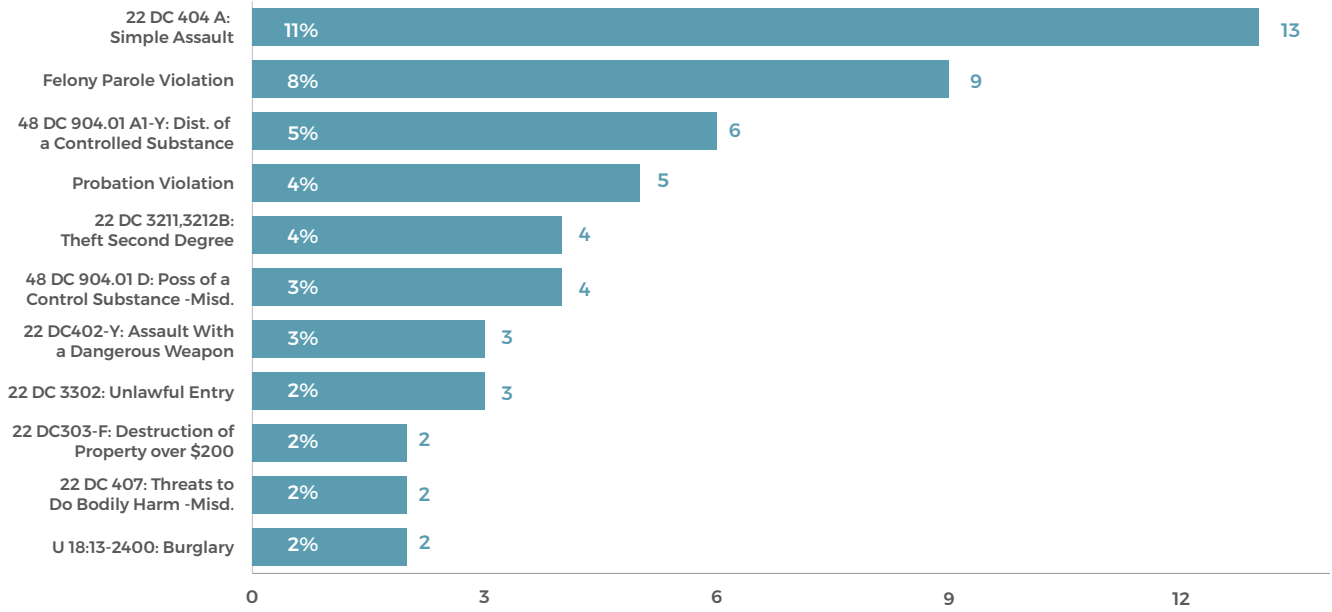
FIGURE 11: WOMEN'S NON-HOLD BOOKINGS BY TOP CHARGE, 2018



Parole Violations and Simple Assaults contributed more to women's ADP than to their bookings, though many of the charges are the same between women's bookings and ADP.

²³ ADP by gender for 2018 was calculated using administrative DOC data. U.S state level averages for ADP by gender was calculated using DOJ data for 2015, retrieved from Vera Trends: <http://trends.vera.org/rates/district-of-columbia>.

FIGURE 12: WOMEN'S NON-HOLD ADP BY TOP CHARGE



Community Engagement Analysis

CCE, The National Reentry Network, and Vera, developed a three-part community engagement strategy that addressed key stakeholder groups and produced quantitative and qualitative data for consideration by the Task Force. The National Reentry Network led the implementation of this engagement and the analysis of the results. Nearly 2,000 people participated during the Phase I engagement period from March through August 2019. For a full description of methodology and more detailed data analysis, The National Reentry Network's complete community engagement report is linked in Appendix 3.

METHODOLOGY OVERVIEW

The goal for engagement was to compile residents' feedback and priorities related to incarceration and criminal justice in the District, and, to the extent possible, a clear community vision for the future of justice in Washington, D.C. To that end, data collection was framed by two main questions:

- What needs does your community have regarding safety?
- Should we build a new jail and how should we handle incarceration in the District?

These questions, and the goal to articulate a community vision for justice, situate the decision about building a new jail within a broader context. The decision to build a jail cannot be made in isolation from how residents feel more broadly about safety in their community, and how the jail fits into other investments or approaches to their understanding of safety and their lived experiences. These framing questions informed the topics used to solicit feedback in all three types of engagement – focus group, survey, and community-visioning workshop.

The use of mixed qualitative and quantitative methods for the community engagement produced high levels of participation and rich information. It also allowed for multiple ways of interacting with the community: electronically and in-person; briefly, at length, and over a period of time; privately and in groups. This variety of opportunities was designed to make participation accessible to the broadest possible range of people.

Focus groups allowed for detailed exploration of opinions and reasoning that helped inform the final details of the remaining engagement pieces. The discussions were designed to understand people's specific needs regarding safety, as defined by them, and their desired delivery of resources or services to address safety needs, without a presumption of support for building a jail. In addition to the opportunity for nuance, these open discussions made space for topics that were not scripted in the guiding questions. A total of 177 people participated in 21 focus groups, recruited from stakeholder groups including: returning citizens, families of those incarcerated and formerly incarcerated, people currently incarcerated in CDF and CTF, community advocates, service providers, DOC correctional officers and staff, crime victims and victim advocates, neighbors of the jail, and people experiencing homelessness.

The community survey was developed to enable a wider reach among D.C. residents, especially among those without the time or other resources to attend group interviews – more than 1,700 respondents ultimately completed the survey. The survey also provided the opportunity to compare responses across demographic or stakeholder groups.

Community-visioning workshops represented a return to face-to-face engagement to allow particularly interested individuals to sustain their engagement, as well as bring others to the table who had not yet participated. As with the interviews, workshops included D.C. community members at-large, not just residents, to account for those who work or study in the city. In contrast with the focus groups and survey, the workshops were structured specifically to present contextual information about D.C. and incarceration. Following an informational presentation, the workshops featured breakout discussions on topics under consideration by Task Force committees. Each group was given a brief introduction to the topic and a set of guiding questions for these discussions. Finally, participants were asked to submit vision statements about the future of justice in D.C.

FOCUS GROUP FINDINGS

Focus group participants were primarily Black and male, weighted heavily by three large groups that were held in DOC facilities that were almost exclusively Black and male. Every Ward was represented, with particularly strong representation from Wards 4, 5, 6, 7, and 8. Nearly half the participants identified as justice-involved, limited in this case to personal experience with arrest, conviction, or incarceration. Most participants had family who were justice-involved. Nearly two in three participants self-identified as crime victims.

The main findings from the focus groups robustly addressed the framing questions. In response to questions about needs for community safety, participants across focus groups offered numerous, often detailed suggestions and ideas. Participants conceive of community safety as both relational and resource-based. They also think about the management of their communities in relation to safety – information, policing, and decision-making power. Clearly, participants were very concerned about housing, jobs, mental wellness, and community empowerment. The most prominent theme in community safety was the importance of knowing your neighbors, and a number of ideas surfaced for promoting this closeness. Many people called for fewer police or had suggestions for an improved police presence.

In response to questions about incarceration, most participants were very concerned with the conditions in D.C.'s current jails. Many participants do not think we should build a new jail and many others believe we should build a new jail to replace CDF, suggesting a deep lack of consensus on the topic. Many participants believe there should be no jail at all, although they disagree about the realistic nature of this proposal. Finally, race was a consistent thread among topics in reference to generational trauma, access to resources, and the very high rates and impact of incarceration on Black people in the District.

Quotes and highlights from the most discussed themes are presented below. A more detailed analysis is included in the full community engagement report linked in Appendix 3.

Close-Knit Communities

“I feel safe in my community when I know that the community is mine. They have my back and we are all in this together...People know who they can reach out to in the community where they live.”

“If you know everyone, then you know that’s just Johnny and that’s how Johnny behaves, and we know how we can take care of the situation.”

THEMES:

- Knowing one’s neighbors
- Being involved
- Looking out for one another

Housing

“The tide does not help all boats to rise when gentrification comes along.”

“Lack of housing, lack of housing stability and lack of jobs makes people unsafe and feel unsafe.”

“A building where I used to live... They did not know you could call the shelter, and instead they were advising tenants to call the police. People are not paying attention. They did not know there’s an avenue to handle this and have it not be escalated to that point.”

THEMES:

- Affordable
- Safe
- Stable

Police

“We have way too many resources for 911 to be 311.”

“At one time the police grew up in the community, too. Instead of locking you up, if you misbehaved we take you home to your mother. If your parent didn’t come, your neighbors came.”

“We need to try to empower neighbors to deal with conflict.”

“Often the neighborhood that I belong to there is hyper-policing. Young folks and people of color live in fear of those police. Because we’ve often seen violence occur because of who was called for the situation instead of alternatives like mental health workers who have more experience. Police address situations of mental health needs with violence and force, which can get folks killed.”

“I have a number of loved ones who have come into contact with police and it’s done more harm than good.”

“When you all got rid of the Boys & Girls Club you pretty much took away that community understanding about humanizing police. Because those officers at the Boys & Girls Club when I was a kid, they genuinely cared about you. They fed you when you got in trouble, they were the first ones on the scene. And they said, let me talk to this kid, I know what’s happening with him.”

THEMES:

- Fewer
- Better training
- Alternatives

Support for Youth

“I deal with folks who are incarcerated at a very young age because there are not systems and support in place for children who have been exposed to trauma.”

“I think more resources should be put into the community that engage with youth to stop thinking that I got to get it one way or another, cause my parent on their back foot.”

“A lot of kids they don’t have parents. A lot of them are locked up like we are. Because their parents are locked up, a lot of the kids are on the street.”

“Children are being criminalized at a very young age and that is determining their outcome of their lives. So how do we get to the root cause, which is poverty, housing, health care.”

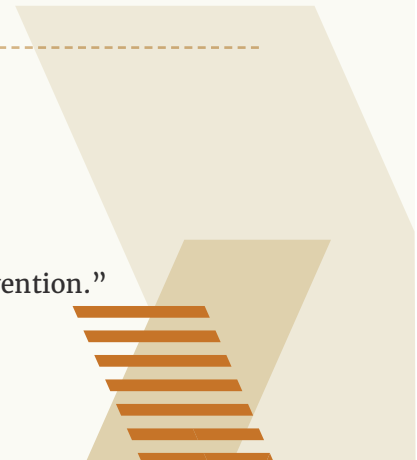
THEMES

- Basic needs
- Schools
- Parenting and mentoring
- Jobs, programs, and activities
- Trauma care
- Alternatives to justice system involvement

Behavioral Health

“I might be out on the street doing what I used to do because I don’t have the money or I don’t have the resources for that medication, or that housing, or even to catch the bus to my mental health clinic.”

“If someone is misusing drugs I want an alternative that offers intervention.”



“A guy exposed himself to me, but I don’t trust that a responding officer will send that person to DBH instead of arresting them.”

“We should have a trauma center on every other block.”

THEMES:

- High need in and out of incarceration settings
- Local, accessible services
- Decriminalization

Jobs and Economic Opportunity

“You can do resume writing programs, and job training programs. What comes after that? We go into a place and work for probationary credit and they aren’t hiring.”

“People that have criminal backgrounds have great skills and certifications and cannot utilize them because of their record.”

THEMES

- Local opportunities
- Quality, stable jobs
- Training

Reentry

“I get out in 2 months and I’m scared to death.”

“I got 7 months. I’m walking out the door and I got family with housing but that don’t mean that I can go there. I got mental health problems. They may not be ready for that.”

THEMES:

- Housing
- Jobs
- Access to services, community connections
- Stigma and barriers
- Mental health

Community Empowerment

“A say-so in how we invest.”

“We need to get more resources to Ward 8 and Ward 7.”

“We got a lot of angry people in our city who were born and raised here. And we feel like we’re still on the waiting list and they can come right here and get all the resources.”





“Create forums for community members to meet and brainstorm, because my solution for my little neighborhood in Ward 5 is probably not going to be the same as somebody who’s in Ward 1.”

“We’re not getting to the root of anything.”

“As long as the money going to your area, you’re not worried about their area. Ain’t no kin to me, so I don’t care if they kill each other.”

THEMES:

- Investment, adequate resources, and fair allocation
- Solutions for communities, by communities
- Local decision-making power
- Information sharing and transparency
- Leadership and organizing

Other Community Safety Themes

“It’s one thing to have those who can’t afford to take care of their lawn, there are programs that you can recommend that they get acquainted with. It’s another thing for those who own this property and live somewhere else to let their property just fall because they’re waiting to make a profit a couple of years from now.”

“I feel safe just to name it – because I feel white and privileged.”

THEMES:

- Less frequent, but recurring themes related to community safety included neighborhood maintenance, such as street lighting and cleanliness, access to green spaces and art, availability of day care, and decriminalization of quality of life offenses.

Abolition and Anti-New Jail Views

“I am completely against the jail unless other resources are brought to bear to bring the incarceration rates down.”

“Why do people continue to believe...when for the last 40 to 50 years the city did not fund the facility to keep it up to code, to make sure the ceiling wasn’t caving in, to make sure people’s constitutional rights were not violated.”

“I don’t want no jail, but...people are going to be in jail because the system is designed for it. So...I would like to see resources coming into the jail, like education resources, job training, financial literacy, just being treated as human from your officers.”

“They don’t need a new jail. Let’s let this building be what it’s supposed to be – a correctional treatment facility.”

“I don’t want anyone to go to jail. I don’t know anyone who has been helped by jail.”

“I really feel that the community needs more programs on the outside of the institution before you bring them on the inside of the institution.”

THEMES:

- Abolition now
- Abolition as an ideal to strive toward
- Jails do not make communities safer or heal harm
- Mass incarceration of Black people
- Little belief that a new jail would be meaningfully different than the current one

Views in Favor of a New Facility

“It’s infested with whatever you can think of.”

“It needs to be rehabilitation, reentry and so many other things. We don’t even want to call it a new jail.”

“Definitely have to get rid of CDF.”

“We need a bigger place for treatment, and we need a smaller jail.”

THEMES:

- Conditional support for new jail, based on community alternatives, access to services while incarcerated, decreased population
- Conceive of a secure detention facility differently, do not even use the word jail
- Urgent concern over conditions in current DOC facilities, especially CDF
- Unwillingness to wait for new jail to address conditions concerns in current facilities

Other Views on a New Facility

“It’s much more than a yes/no answer.”

“The writing is on the wall.”

“No matter what we say, it’s going up.”



“Not does D.C. need a new jail but how do we keep people out of jail? Why are they coming back to jail? How can we make our jail smaller? That’s a question that should be circulating.”

THEMES:

- Inevitability of new jail
- District leaders have already made a decision
- Asking the wrong question
- Need more information

Philosophy of Incarceration and Decarceration

“We can stop incarcerating in record numbers. We have to be more innovative and think out of the box. We have to do more alternative to policing and prisons.”

“Other countries have figured out a better way; in this country we have not done that.”

“In terms of acts of violence there are so many steps along the way where there are warning signs, and other steps can be taken.”

THEMES:

- Rehabilitation over punishment
- Alternatives and investment

Programs and Services for Incarcerated People

“Make it a part of your sentence to go through a transition before being released. Make it a part of your sentence to go through a treatment program before being released. Make it a part of your sentence to deal with your mental health before being released.”

“I really feel that the community needs more programs on the outside of the institution before you bring them on the inside of the institution.”

THEMES:

- Reentry
- Accessibility of programs
- Relevant job training
- Mental and physical healthcare
- Better training for correctional officers



Conditions of Confinement

“Bologna sandwiches every day and cookies...Whoever is making these meals and making these decisions can’t be thinking about our health.”

“Those living conditions cause the inmates to act out...Treat me like an animal, that’s what you’re going to get.”

“[Staff] live here, too.”

THEMES:

- Health and safety
- Noise
- Quality of food and recreation
- Environment

Prison Population

“For those coming out of prison, let them do the last 6 months or a year in D.C. and get acclimated to the city.”

THEMES:

- People should be closer to D.C.
- New prison facility in D.C.
- Decarceration

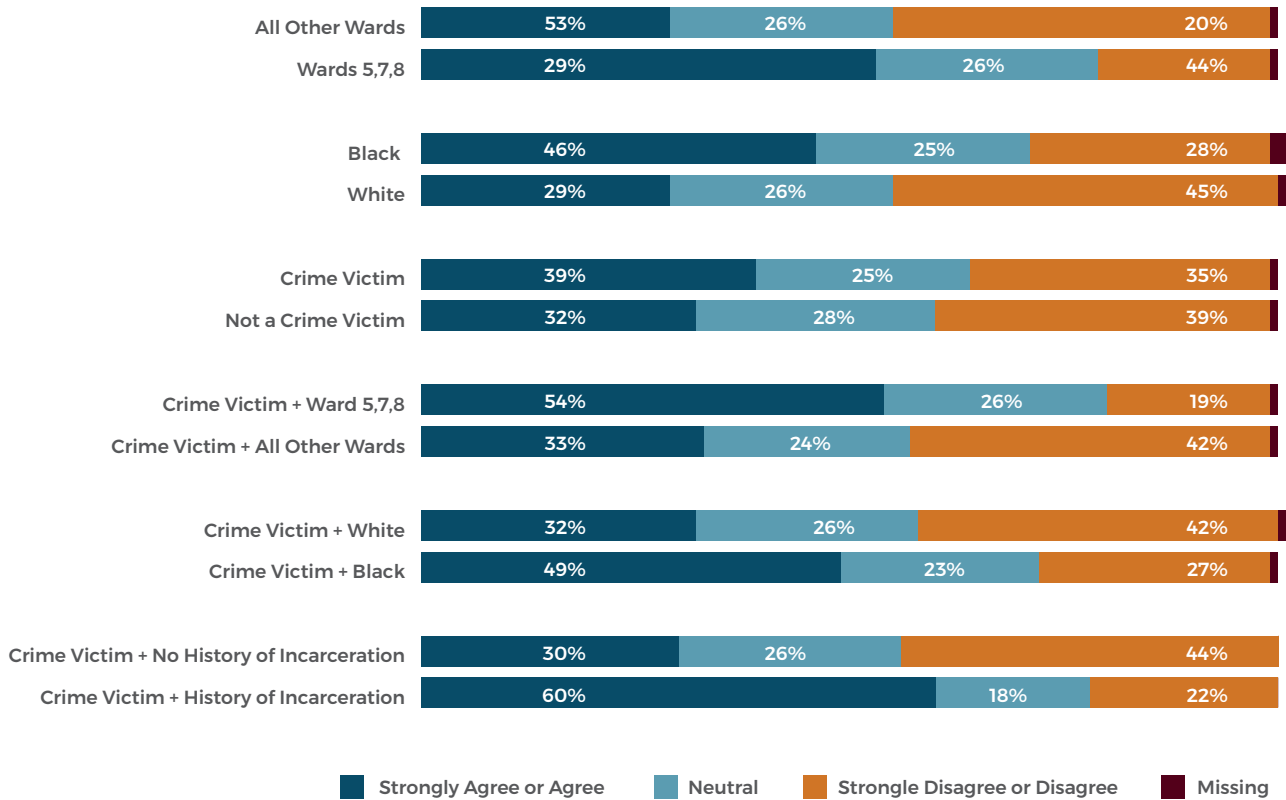
SURVEY FINDINGS

While the survey data reflect a powerful source of community feedback, it is important to note that the Task Force's 2019 survey used a sample of convenience, not a representative sample. This creates two main concerns when interpreting these results – first, that respondents are residents who may pay attention to issues related to criminal justice in D.C., which may not be reflective of a more general sample of D.C. residents, and, second, that the sample under- and over-represented certain categories of D.C. residents. For example, women were nearly twice as likely as men to have completed the survey. Similarly, participants who identified as Black accounted for 30 percent of our sample, compared to 40 percent of the sample identifying as White, and two percent of the sample identifying as Latinx. This is in contrast to census demographics, in which Black residents account for 48 percent of the District's adult population, White residents account for 41 percent, and Latinx residents account for 11 percent. Approximately 69 percent of our sample has a bachelor's degree or higher compared to an estimated 57 percent of the population of D.C. Finally, not all Wards were evenly sampled, and the same issues of over- and under-representation persist in breakdowns by Ward.

While the lack of a representative sample in the survey impedes our ability to make generalizations that extend to the entire population of D.C., we nevertheless have a large enough sample of 1,788 respondents to draw insights on the opinions of critical groups. To address issues of bias in our sample, we provided subgroup analysis based on Ward, Race, and Race and Gender, with the goal of highlighting key differences between groups which may otherwise be obscured in the overall sample. Further analysis of the survey results will be conducted for the Task Force in Phase II.

There is a divide among how respondents view crime as a problem to be addressed in their neighborhood, largely facilitated by three factors. Specifically, residents of Wards 5, 7, and 8, and Black participants were more likely to see crime as a large problem in their neighborhood. Similarly, self-identified victims of crime were more likely to see crime as a problem in their neighborhood, though when disaggregated by Race and Ward, we see that these results are only a few points higher than the overall descriptions by Ward and Race. Here, it is important to note that 72 percent of respondents with a personal history of incarceration also identified as a victim of crime.

FIGURE 13: RESPONSES TO STATEMENT: CRIME IS A BIG PROBLEM IN MY NEIGHBORHOOD



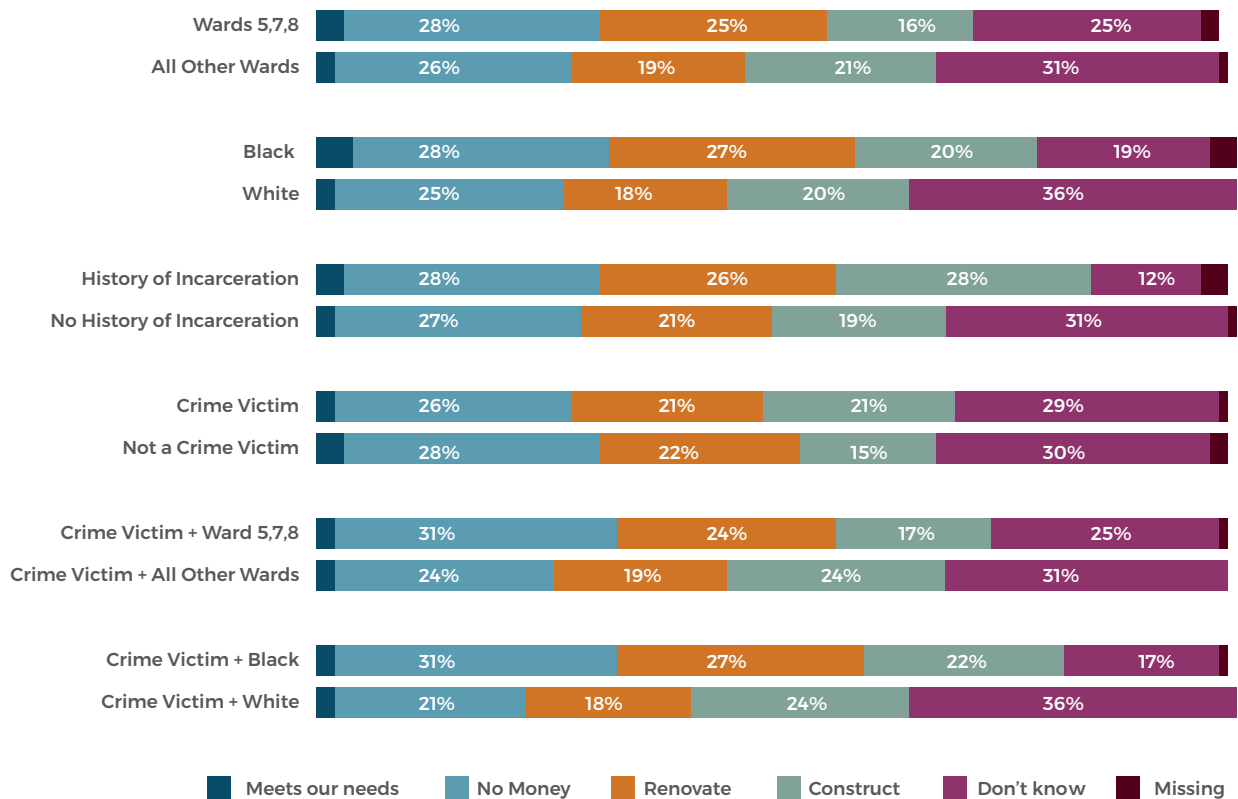
At least 70 percent of every subgroup analyzed disagreed with the statement “incarceration is the best way to handle people who get arrested.” Even among subgroups who are the most likely to see crime as a big problem in their neighborhood, they are unlikely to see jail as the best solution. For example, among crime victims from Wards 5, 7, and 8, 72 percent disagreed with the statement, a meaningful difference from the 78 percent of crime victims from all other wards who disagreed with the statement. At least 66 percent of all subgroups analyzed agreed with the statement, “We should hold people in jail prior to conviction only if they pose a high risk to community safety.”

Slightly more complex were responses to the statement “having a jail makes the city safer.” For every group, the simple majority of participants disagreed or strongly disagreed with the statement, though in the cases for some subgroups, the number of neutral responses could sufficiently tip results between agreeing or disagreeing. This is particularly true among crime victim subgroups, suggesting that this is a more complex question for people who identify as victims. For example, among crime victims disaggregated by Ward, among those from Wards 5, 7, and 8, 20 percent agreed or strongly agreed with the statement, while 23 percent were neutral, and 55 percent strongly disagreed or disagreed. In contrast, among participants from all other wards, 24 percent agreed or strongly agreed, 31 percent were neutral, and 45 percent strongly agreed or agreed.

Finally, when asked directly about jail construction, the clearest conclusion is that very few respondents believe the current jails are meeting the needs of the District. Despite this, there is disagreement about how this should be solved – by renovating an old facility, building a new one, or not

investing any money in a new jail. Combining responses about renovation and construction, a plurality of respondents by subcategory support some kind of investment in a jail. However, for nearly every subcategory of respondents, between 25 percent and 33 percent say they “don’t know” and between 15 percent and 30 percent do not support any funding for the jail. Furthermore, focus groups suggest there is a nuance between supporting funding for new construction versus funding for renovation, and that combining the two categories may be reductive.

FIGURE 14: OPINION ON JAIL CONSTRUCTION



Black respondents and respondents who have been inside one of D.C.’s jails in the last five years, whether incarcerated, visiting, or for any reason, are the least likely to respond with “I don’t know.” This suggests an overall much stronger opinion on jail construction, though responses remain relatively split between no money, renovation, or construction. Crime victims are slightly more likely to advocate for construction than non-crime victims, though in general both groups report high levels of “I don’t know.” Disaggregating crime victims by Race and Ward shows relatively similar patterns as overall results by Race and Ward.

The survey findings offer clues to answering the framing questions. First, they suggest that community needs for safety differ by Ward. Respondents are divided in terms of how much they see crime as a problem in their neighborhood, and this divide appears strongest among differences by Ward, Race, and contact with the jail. Very few respondents see jail or incarceration as a means to address

crime, even among respondents most likely to report crime as a problem in their neighborhood. Even fewer respondents indicate a preference for investments in jail over alternative approaches to criminal justice or alternative investments in social services, education, or job training programs. Neither a preference for alternative investments, nor a view that the jail does not promote safety, necessarily suggests that respondents do not support construction or renovation of a facility.

Ultimately, opinions on D.C.'s jail are divided and complex, mirroring the variety of viewpoints from the focus groups, which may help us understand the “don't know” responses.

COMMUNITY-VISIONING WORKSHOP FINDINGS

The more than 50 workshop participants represented every Ward in D.C. Many of these participants had not participated in a group interview and some had not completed a survey, meaning these events brought together both previous and new participants. Participants were very interested in the history and data presented, asked questions, and actively participated in discussions.

The ideas brainstormed during these workshops mapped well onto themes from focus groups, including calls for housing and mental health resources, diversion and restorative justice, education quality and availability, decriminalization and local control, all themes echoed in the focus groups. Participants also expressed a similar skepticism about whether the Task Force recommendations would reflect the views in the room.

Data from the workshops includes individually submitted vision statements reflecting on “What is your vision for the future of justice in D.C.?” Responses ranged from a single notion such as “abolition” or “healthy black people,” to a detailed framework, such as, “A D.C. where residents are the designers of our own systems of safety and accountability, focused on mutual aid and connections between neighbors. An end to destabilization caused by displacement and gentrification and the use of police to remove communities of color from their homes. A focus on healing from trauma, in which punishment has no place. Resources allocated based on community priority.” These examples and others also specify outcomes based on race. Statements often addressed enthusiasm for alternatives to incarceration, as in “justice means having ways to deal with conflict and crisis without putting people in cages.”

CONCLUSION

The detail and range of topics and opinions provided in the above findings sections demonstrate a robust set of ideas, productive discussions, and challenging choices, more often in concert than not. Some higher-level findings emerge from the data collected as a whole:

- Engagement participants do not believe the current facilities are serving their needs and do not want people to be incarcerated in any facility they do not see as meeting the needs of the District.
- There is urgent concern over the conditions in the current jails.
- Demand is high for community investment in housing, mental wellness, youth programming and basic needs, jobs, and alternatives to police, in part because of preference for addressing crime through prevention and alternative interventions.

Many themes recurred regularly in focus groups and community visioning workshops, regardless of participant identity. This was also a notable finding among survey respondents belonging to different subgroups. Overall, differences in responses based on demographics or stakeholder affiliation among the nearly 2,000 participants were not as pronounced as anticipated. All together, the findings point toward a community vision for justice, to the extent there is collective agreement, that is focused on investment outside of the traditional system.

Finally, in considering the sum of the findings in this engagement process, it is important to reiterate expressions of concern offered in each of the three engagement events that participants would not ultimately be heard, either by the researchers, Task Force Members, or government decision makers. This poses opportunities for further engagement based on this report and other project findings, and reinforces the importance of sustained and meaningful community engagement with the Task Force and beyond. Participants often expressed gratitude for the opportunity to engage and called for more such opportunities.

This continued engagement could include the presentation of more information about the use of incarceration in the District during Phase II, similar to the highly-appreciated community workshop presentations; solicitation of input from underrepresented groups such as Latinx individuals, youth under 18, and families of currently incarcerated people; solicitation of feedback on this report and on the recommendations of the Task Force; and collaboration on future planning and implementation of any adopted recommendations.

Task Force Phase I Recommendations

The District Task Force on Jails & Justice adopted the following recommendations in September 2019, based upon the research conducted during Phase I, including the correctional data analysis, the community engagement analysis, and synthesis of existing research in the District and other jurisdictions, as well as the development of its vision, mission, and core values. As noted earlier, where “the District” is called upon to act, the recommendation is not limited to government, but broadly calling for all those stakeholders invested in these elements of our community to make change. The Task Force intends to create an implementation plan during Phase II to detail the policy and practice changes necessary to carry out these recommendations. Please also note that these recommendations are not listed in order of priority and are not ranked in any way. We numbered them solely for ease of reference.

1. The District should make early investments in fulfilling the basic needs that research shows prevent justice-system involvement, focusing on safe and affordable housing, quality education, physical and mental wellness, and reducing income disparities.
2. The District should become a trauma-informed city and prioritize screening for and healing trauma as a response to community crises.
3. The District should fully resource interventions like community mediation, violence interruption, and restorative justice practices as alternatives to involving law enforcement in response to community conflict.
4. The District should enhance the quality and capacity of behavioral health services to treat mental illness and substance use disorders as the public health crises they are, through both emergency medical responses and long-term, stabilizing care, not through criminalization.
5. The District should increase support for the successful reentry of people returning to D.C. from prison and jail by investing in: housing, education, training, and employment, behavioral health treatment and social and emotional support, and providing protections in law from discrimination in housing, employment, education, and other areas based on criminal record.
6. The District should reduce the number of admissions and length of stay for people in its secure detention facilities, using incarceration only when an individual poses a specific risk of violence or harm that no community-based resources may mitigate.

- 7.** The Task Force should evaluate the range of policy and practice changes at each decision point along the criminal justice continuum, with the goals of reducing harm, racial disparities, and incarceration, and increasing safety and accountability. These decision points include:
 - a.** Contact pre-arrest;
 - b.** Arrest and booking;
 - c.** Charging;
 - d.** Pretrial release;
 - e.** Case processing, including time standards and specialty dockets/problem solving courts;
 - f.** Disposition and sentencing;
 - g.** Probation and parole proceedings; and
 - h.** Post-release and supervision.
- 8.** Congress should abolish the U.S. Parole Commission's authority over people convicted of D.C. Code offenses with the Revitalization Act's 2020 sunset provision, and the District should plan now to localize parole and supervised release decision-making.
- 9.** All people convicted of D.C. Code offenses, including those incarcerated in the federal BOP, should serve their sentences under local control, beginning with a plan to allow vulnerable populations to serve the last 6-12 months of their sentences here.
- 10.** Any halfway house for D.C. Code offenders must be in D.C., of high quality and directly accountable to the District.
- 11.** The District should immediately begin operations of the local Clemency Board.
- 12.** Upon completing a plan for community investment, decarceration, and local control, the District should renovate or build facilities to support its new goals for prevention, intervention, secure detention, and reentry.
- 13.** Location of a secure detention facility:
 - a.** Any secure detention facility should be sited near the current location of the CDF and CTF.
 - b.** Any secure detention facility should be designed to complement the surrounding community, including in its aesthetics and the way in which it implicates transportation planning and traffic, parking, and the environment

- 14.** Supporting visits and communication with incarcerated loved ones:
- a.** The District should fund transportation stipends and/or expand shuttle service for those family and friends visiting incarcerated loved ones in BOP facilities.
 - b.** The District should maximize provision of in-person visitation in DOC facilities.
 - c.** The District should ensure a robust network of free, remote video visitation sites, connecting to DOC facilities, that are integrated into other community uses, including libraries, recreation centers, and community-based organizations.
 - d.** The District should ensure a robust network of free, remote video visitation sites, connecting to BOP facilities, that are integrated into other community uses, including libraries, recreation centers, and community-based organizations.

- 15.** Design of a secure detention facility:
- a.** Any secure detention facility must be designed with ample, dedicated space for: family visitation; on-site service providers; on-site not-for-profit health care integrated into the community system; on-site educational instruction and career, technical, and vocational training; private spaces for incarcerated people to meet with their attorneys; space for staff wellness and professional development; green spaces; practice of faiths; counseling and restorative justice; a D.C. Public Library branch; technology to facilitate reentry; civic engagement, including voting; employment opportunities within the facility, including employment of incarcerated individuals.
 - b.** Any secure detention facility's design should emphasize: deinstitutionalized and normative aesthetics; open spaces and circulation whenever possible, consistent with the safety and security of both incarcerated individuals and staff; decoration and color; individualization and personality; natural light; quiet and mindfulness; indoor and outdoor recreations; access for individuals with disabilities; collaboration among incarcerated individuals and between incarcerated individuals and staff; privacy, consistent with safety and security; multi-purpose uses; physical integration into the surrounding neighborhood; sustainable and resilient features that minimize environmental impact and can withstand climate change; emergency preparedness, including back-up water, heating, and cooling systems, and plans for evacuation in case of catastrophic events; safety and security of incarcerated individuals, visitors, and staff; and a healthy workplace environment for staff.

- 16.** Housing in a secure detention facility:
- a.** Any secure detention facility should include space for people convicted of D.C. Code offenses who, under the current system, are in the custody of the BOP.
 - b.** Any secure detention facility should adopt a smaller "pod" model of housing rather than housing large numbers of incarcerated individuals together.
 - c.** Any secure detention facility should consider prioritizing housing decisions based on incarcerated individuals' age, programming participation, health needs, in addition to security level, unless best practices dictate otherwise.
 - d.** Any secure detention facility should take into account and respond to the specific housing needs of incarcerated women and LGBTQ-identified incarcerated individuals.

- 17.** Programming at a secure detention facility:
- a.** The District should expand innovative programming, such as the Young Men Emerging Unit, throughout any secure detention facility. The District should also develop similar programming for young women.
 - b.** Any secure detention facility should include multiple programmatic spaces, including ones that are spatially separated from housing tiers.
 - c.** Any secure detention facility must prioritize staff development and training, morale, and physical and mental wellness.
 - d.** Any secure detention facility should employ staff with specific expertise in responding to the programming needs of incarcerated women and LGBTQ-identified incarcerated individuals. Relevant training should be provided to all staff.
 - e.** Any secure detention facility must provide ample space for diverse educational offerings. The facility must accommodate students with special education needs by providing a variety of classrooms and spaces for related services and therapies such as counseling. The space should be designed for ease of transportation between housing and educational spaces, with adequate space to accommodate eligible students from all housing units.
 - f.** Any secure detention facility should offer comprehensive care for those with mental health, medical, dental, and substance use disorder needs. Any secure detention facility should be designed to incorporate on-site mental health care for various levels of need and facilitate connectivity to the community.
 - g.** Any secure detention facility should include expansive opportunities for pre-release reentry planning that are incorporated throughout all programming. These opportunities should be available to all incarcerated individuals, regardless of their release date (or lack thereof) or custodial status (District or federal), and staffed with employees responsive to the unique needs of the population (including returning citizens themselves).
 - h.** Any secure detention facility should offer employment opportunities within the facility, including non-traditional employment such as mentorship of other incarcerated individuals. Incarcerated individuals should be paid at least the District's minimum wage and receive financial literacy training to support reentry.
 - i.** Nothing within this recommendation should imply these services should only be available and accessible through a secure detention facility.

Task Force Phase II Proposal

Building on the findings, data, and recommendations included in this Phase I report, the Task Force will engage in Phase II of its work from October 2019 through September 2020, during which time the Task Force will present its preliminary recommendations to the community, solicit feedback on the work done in Phase I, conduct additional research, and reconvene its Committees to develop detailed plans to implement these recommendations.

Additional work may include investigation of the budgetary and facilities needs to support the Task Force's prevention, intervention, and reentry recommendations; evaluation of the potential feasibility and impacts of community investment, decarceration, and local control recommendations on the future DOC population; and a detailed analysis of the population of people convicted of D.C. Code offenses currently incarcerated at the BOP. The goal is to use all of this additional community feedback, data, and analysis to produce an "Implementation Plan" for the District's leaders and community members.

The Implementation Plan developed by the Task Force during Phase II will likely include detailed policy and practice recommendations in the areas of community investment, decarceration, and local control, guidance for the future of any secure detention facility, and a proposal for equitable investment between community priorities and the traditional criminal legal system. The Task Force will also build buy-in from necessary actors and support any initial implementation efforts underway.

Interested parties can follow along with the work of the Task Force at www.courtexcellence.org/task-force or on Twitter at @DCjails_justice.

Appendix 1

GLOSSARY OF ACRONYMS

ADP	Average Daily Population
BOP	Federal Bureau of Prisons
CCE	Council for Court Excellence
CDF	Central Detention Facility or “D.C. Jail”
CSOSA	Court Services and Offender Supervision Agency
CTF	Correctional Treatment Facility
DOC	D.C. Department of Corrections
DYRS	D.C. Department of Youth Rehabilitation Services
LGBTQ	Lesbian, Gay, Bisexual, Transgender, Queer
LOS	Length of Stay
MPD	Metropolitan Police Department
OVSJG	D.C. Office of Victim Services and Justice Grants
PDS	District of Columbia Public Defender Service
PSA	Pretrial Services Agency for the District of Columbia
SMI	Serious Mental Illness
SUD	Substance Use Disorder
USPC	U.S. Parole Commission

Appendix 2

TASK FORCE COMMITTEE MEMBERSHIP

Committee on Community Investments & Alternatives to the Criminal Justice System

Commissioner Tyrell Holcomb, Chair

Caroline Cragin	Anthony Hall	Marc Schindler
Dakia Davis	Dr. Erin Hall	Tammy Seltzer
Samantha Paige Davis	Ed Lazere	Courtney Stewart
Michelle Garcia	Christy Respress	Paula Thompson

Committee on Decarceration

LaShonia Thompson-El, Chair

David Bailey	Galit Lipa	Jonathan Smith
Leslie Cooper	Kelly O'Meara	Penelope Spain
Indira Henard	Wendy Pohlhaus	

Committee on Local Control

Hon. Karl Racine, Co-Chair

Jon Bouker, Co-Chair

Will Avilla	Tyrone Hall	John Stanard
Shelley Broderick	Peter Saba	Emily Voshell
Carol Elder Bruce	Robert Spagnoletti	

Committee on Facilities & Services

Hon. Charles Allen, Co-Chair

Linda Harlee Harper, Co-Chair

Sgt. Jeffrey Balough	Deputy Mayor Kevin Donahue	Bruce Reid
Quincy Booth	Brian Ferguson	Dr. Bahiyah Muhammad
Avis Buchanan	Dr. David Freeman	Chiquisha Robinson
Marcus Bullock	Rev. Graylan Hagler	Blaine Stum
Manonne Butler	Dr. Marc Howard	
Sarah Comeau	Donald Isaac	

Appendix 3

LINKS TO FULL SUPPLEMENTARY PUBLICATIONS

Committee Reports

- Committee on Community Investment & Alternatives to the Criminal Justice System:
<http://www.courtexcellence.org/uploads/publications/CommunityInvestments.pdf>
- Committee on Decarceration:
<http://www.courtexcellence.org/uploads/publications/Decarceration.pdf>
- Committee on Local Control:
<http://www.courtexcellence.org/uploads/publications/LocalControl.pdf>
- Committee on Facilities & Services:
<http://www.courtexcellence.org/uploads/publications/FacilitiesServices.pdf>

Report on Community Engagement Methodology and Analysis by The National Reentry Network for Returning Citizens:

<http://www.courtexcellence.org/uploads/publications/CommunityEngagement.pdf>

Corrections Data Technical Addendum by the Vera Institute of Justice:

<http://www.courtexcellence.org/uploads/publications/Data.pdf>



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