

# Executive Summary: D.C.'s Justice Systems Overview 2020

## INTRODUCTION

2020 showed that even in the midst of intersecting crises, the people of Washington, D.C. stand up for change in the criminal legal system and for racial justice. As the District of Columbia grapples with enduring disparities and begins to emerge from the added crisis of COVID-19, “people power” will remain the driving force to seed progress and build momentum. The data in this report—and the lived experiences they represent—show just how far we have to go, but we encourage our readers to claim and maintain their victories, no matter how small they may seem in the face of tragedy.

This report by the Council for Court Excellence, supported by Public Welfare Foundation, presents the most recent available data in five areas of concern: Violence and Policing; Adult Prosecution and the Courts; Incarceration; Reentry; and Youth Justice. The report offers a data-forward view of the significant challenges and innovations faced by the District’s adult and youth criminal legal systems over the last 18 months. We offer this report to support policymakers’, journalists’, and interested members of the public’s understanding of where the District is now and where it is heading. For a more thorough primer on D.C.’s criminal legal structure, see this 2019 report released by Public Welfare Foundation, [\*D.C.’s Justice Systems: An Overview\*](#).

## VIOLENCE AND POLICING

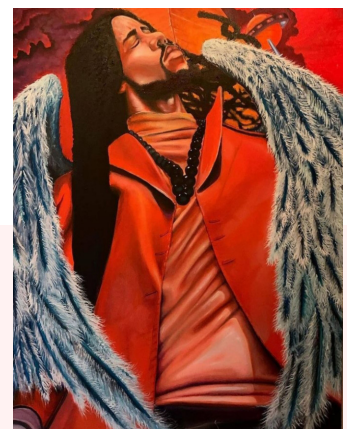
Near-daily protests against police-involved killings of Black residents and over-policing of D.C.’s Black community were often met with harsh crowd control tactics. The protests generated some notable reforms, including limiting the 2021 Metropolitan Police Department budget, banning the use of tear gas, pepper spray and rubber bullets on protestors, banning chokeholds, and creating a Police Reform Commission. Although gun violence rose in 2020 and racial disparities in policing persist, transformative justice initiatives, such as Violence Interruption programs, have taken root. In response to COVID-19 the courts declared expanded eligibility for alternatives to arrest and post-booking lockup.

## ADULT PROSECUTION AND THE COURTS

In 2020, D.C. shortened the wait times for people convicted of felonies to be eligible to serve on juries, saw a significant drop in the number of new criminal cases filed in D.C. Superior Court, and experienced

The full report, [\*D.C.’s Justice Systems Overview 2020\*](#), is a part of our serial annual effort to offer data on the impacts of parts of D.C.’s criminal and youth legal systems, as the data becomes available, and to highlight

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



Art Brown, *Closed wings dont get fed, 2021*

unprecedented coordination between Black lawyers from the U.S. Attorney's Office and local advocates calling to address racial disparities. Facing safety concerns and accessibility issues due to COVID-19, virtual court hearings and satellite Wi-Fi locations were created. And, for the first time, Black women are Chief Judges of both local D.C. courts.

## INCARCERATION

Advocates, public defenders, and local activists made impressive efforts to protect people who are incarcerated or at risk of incarceration from COVID-19 in jails, where the risk of infection was 13 times higher than for the D.C. population as a whole. They also secured a number of permanent reforms aimed at decreasing incarceration in general. While extreme racial disparities remain—90.4% of the D.C. jail population was Black, as of October 2020—advocates won several equity measures. These included establishing the right to vote for all adult D.C. citizens, regardless of justice-involved status, expanding access to substance use disorder services in D.C. jails, establishing compassionate release and expanding eligibility for good time credits, and improving the Young Men Emerging mentorship program.

## REENTRY

Housing insecurity remains a significant problem for D.C.'s returning citizens. The abrupt closure of D.C.'s only halfway house for men has meant that many returning citizens are placed out of state, away from family and community. While the number of people on parole, probation, and supervised release has decreased somewhat, access to substance use disorder services for returning citizens remains limited. In response, the DC Reentry Action Network—a coalition of community-based reentry service providers—has continued to grow as a unified voice, effectively increasing funding for reentry services including increasing funding for reentry service providers and creating a pilot housing program. The District also made meaningful progress on getting its local Clemency Board up and running, and is engaged in discussions over establishing a local paroling authority.

## YOUTH JUSTICE

In 2020, D.C. saw a significant decline in arrests of youth and hard-won victories for advocates, including the cancellation of a controversial D.C. public schools policing contract, limiting the handcuffing of young children by police, and a marked expansion of the discussion about the impacts of justice-involvement on young adults. Again, while significant racial disparities remain, community-based advocacy has led to greater access to paid counsel, a serious process around delinquency reforms, and growing calls to treat justice-involved emerging adults up to 21 years old as youth.

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

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