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**Statement of the Council for Court Excellence  
Before the Committee on the Judiciary and Public Safety  
of the Council of the District of Columbia**

**Performance Oversight Hearing for the  
Deputy Mayor for Public Safety & Justice  
February 22, 2023**

Good morning, Councilmember Pinto and other distinguished members of the Committee on the Judiciary and Public Safety. My name is Anya Kreider.

I am the Open Horizon Criminal Justice Fellow at the Council for Court Excellence (CCE). CCE is a nonpartisan, nonprofit organization with the mission to enhance justice in the District of Columbia. For 40 years, CCE has worked to improve the administration of justice in the courts and related agencies in D.C. through research and policy analysis, facilitating collaboration and convening diverse stakeholders, and creating educational resources for the public. Please note that per our policy, no judicial member of CCE participated in the formulation or approval of this testimony. This testimony does not reflect the specific views of or endorsement by any judicial member of CCE.

I am here today to testify about the importance, and urgency, of restoring local control of parole. This past year the District missed an opportunity to take a critical step towards increasing criminal legal system autonomy and undoing historic and current racial disparities in the District's criminal legal system. Despite receiving a two-year extension in 2020 on the U.S. Parole Commission (USPC), which has jurisdiction over individuals convicted of D.C. Code violations, the District failed to make meaningful progress towards restoring

local control of parole. Now, given the current state of Congressional politics, the path to restoring local control of parole to the District has become much more arduous.

Note that for the sake of simplicity in this testimony, we refer to a Parole Board, but recognize that D.C. may seek to structure its authority differently than the traditional, and frequently criticized, model of “parole boards” in the U.S.

In 2022, the District terminated its contract with local experts employed to develop a plan to take back control of parole, in favor of a Virginia contracting firm. This firm has since also ended its work for the District. This past November, as the USPC was slated to sunset, Mayor Muriel Bowser requested more time to “develop and fund the necessary infrastructure” to take back local control of parole. In December 2022, Congress reauthorized the USPC for one year, giving the District yet another opportunity to regain autonomy over parole. We cannot continue to delay the District’s responsibility to take local control of parole as if there were no consequences for our residents, and the Deputy Mayor for Public Safety and Justice must be at the forefront of leading this effort.

The District has the opportunity to create a paroling authority that recognizes the decades of damage inflicted upon the District’s Black residents by a history that includes biased policing, harsh sentencing laws, aggressive prosecutions, restrictive parole grant policies, and punitive revocation procedures. Transparency in operations and accountability to the local community have been notably absent during the two decades under the USPC. The District has the chance to address these concerns while taking a first step toward reducing the number of incarcerated D.C. residents and residents under court supervision.

The District will be able to establish a paroling authority with modern policies that better ensures justice and advances the rights and opportunities of returning citizens, while making thoughtful public safety considerations. If designed and implemented correctly, the new paroling authority would introduce greater fairness through high-quality adjudication and due process,

and create a system of release supervision that provides support for reentry, treatment for behavioral health issues, and emphasizes principles of restorative justice and reconciliation.

Additionally, establishing a D.C. Parole Board will strengthen local autonomy within the District's justice system. Since a Board would be made up of people appointed by locally elected officials and D.C. law would guide the qualifications of any hearing officers, administrative law judges, or decision-makers on staff, it would be significantly more accountable to District residents than the USPC. The D.C. Council would have oversight over the Board's performance and the District would have budgetary authority over the Board. While the Board would have to be funded by local District dollars, estimates have shown that the cost is feasible. The USPC has an annual budget of \$13 million, but the Justice Policy Institute estimated in its December 2019 report, titled "Restoring Local Control of Parole to the District of Columbia," that the annual budget of a Parole Board may be around \$4 million, after initial start-up costs. While this is a modest budgetary investment, the benefits of restoring humanity and dignity to D.C. residents entangled in the parole system are significant.

Rethink Justice D.C. and the D.C. Reentry Task Force's "Principles for the Creation of a New Paroling Authority" includes recommendations about how to ensure this happens, including the professionals needed to operate the Board. Additionally, the District Task Force on Jails & Justice, through its Committee on Local Control, explored the most important qualities of a new D.C. parole authority in detail, making recommendations to guide the District. Community feedback has been compiled, the process has been outlined, and now D.C. leaders need to act and restore local control of parole.

It is critical that the Council work with the Deputy Mayor for Public Safety & Justice to craft a viable plan forward to establish a local paroling authority in D.C. It is disappointing that advocates, including CCE, reached out to Deputy Mayor Appiah six weeks ago to meet with her for the purpose of discussing local control of parole with no reply. There must be active and

immediate collaboration to make this transition a reality before next year. In short, we must have a locally-established option before the U.S. Parole Commission sunsets in October 2023. This concludes my testimony. Thank you for your time and I look forward to answering any questions you may have.