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**Statement on behalf of the American Civil Liberties Union of the District of Columbia  
before the  
D.C. Council Committee on the Judiciary and Public Safety  
by  
Alicia Yass  
June 2, 2025**

Chairwoman Pinto:

Good morning. My name is Alicia Yass, and I am Supervising Policy Counsel for the American Civil Liberties Union of the District of Columbia (ACLU-D.C.). Thank you for the opportunity to speak today on behalf of our over 14,000 members in all 8 wards, about the fiscal year 2026 budget.

The ACLU-D.C. is committed to working to dismantle systemic racism, safeguard fundamental liberties, and advocate for sensible, evidence-based criminal justice policies, and this should be reflected in both the District's policies and budget. Our testimony today addresses our key recommendations regarding the District's Fiscal Year 2026 (FY26) budget for the D.C. Department of Corrections (DOC) and the Office of the Attorney General (OAG).

**1. Department of Corrections**

While analyzing the budget for the Department of Corrections, we urge the Council to take a close look at the recent report from the D.C. Auditor and the Center for Court Excellence, titled "Urgent Need for New D.C. Jail."<sup>1</sup> The findings of this report further underscore the need for immediate action on the D.C. Jail. Some key points:

- Over 1,595 Priority One maintenance issues were logged, which is more than 4 per day. Problems include sewage backups, inoperable toilets, broken locks, exposed wiring and blocked drains, mold and vermin infestations, water leaking through the walls, smoke detectors not working, and residents being trapped in cells.<sup>2</sup>
- The D.C. jail incarceration rate is 50% higher than the national average. And the jail population grew 41% during the audit year, from 1,384 to 1,945 residents.<sup>3</sup>
- 8 people died while in DOC custody during the audit period (3x the national average); with 5 deaths caused by overdoses (10x the national average).<sup>4</sup>

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<sup>1</sup> Office of the D.C. Auditor, Urgent Need for New D.C. Jail, (May 28, 2025), [https://cdn.prod.website-files.com/659c0df344c9c8325dd821ca/6837197775af1c53f8f34cf0\\_JailUpdate\\_Web\\_v5.pdf?blm\\_aid=2416646](https://cdn.prod.website-files.com/659c0df344c9c8325dd821ca/6837197775af1c53f8f34cf0_JailUpdate_Web_v5.pdf?blm_aid=2416646).

<sup>2</sup> *Id.* at 13.

<sup>3</sup> *Id.* At 5.

<sup>4</sup> *Id.* At 47.

- Residents struggle with job readiness and release preparation. More than half of survey respondents indicated that they do not have employment set up once released, and only 36.5% of residents feel that the facility does a good job of preparing them for release.<sup>5</sup>

Unfortunately, these facts are only a fraction of the report's problematic findings. We advise the Council to review the report and its findings in full.

The Mayor's plan to remove a new D.C. Jail from the capitol budget and instead seek private funding raises a broad range of concerns. Among these concerns are the fact that seeking private funding and removing appropriation authority from the capital project related to expenditure of public dollars is likely to delay a process that has already been ongoing for years; this is especially concerning when considering the findings of the referenced report that implicate the habitability of the jail.

A second concern is the fact that publicly available details on a proposed private funding scheme are scant. For instance, it is unclear who would control the design and location of the new jail and whether that location, design process and timeline would be in keeping with DOC's determined highest operational needs or with the feedback they've received through opportunities that were to-date created for engagement with the community on this project.<sup>6</sup> It is imperative that D.C. be in control of decisions about location, design, and construction sequencing and that there is clarity about accountable entities and government representatives during this project, particularly as any project or delay in such a project will impact continued facility management and programming. The District must be accountable and able to ensure that the entire process protects the health and safety of those incarcerated and will create a system that will well-prepare them for release and successful reintegration into D.C. communities.

Providing a safe jail is a core government function and it must protect 8<sup>th</sup> Amendment rights against cruel and unusual punishment. The Council needs detailed information on any plan for a new D.C. Jail before it can consider the budget allocations.

## **2. Office of the Attorney General**

Turning our attention to the Office of Attorney General's budget. While the overall budget decrease to OAG seems modest in the current climate, at 7.4%, digging into the line-item decreases though makes it clear the cuts are not applied evenly across programs. Some programs bearing the brunt of these cuts are ones that provide ways to build a sense of safety in our D.C. communities. The Mayor's budget proposes significant cuts to the Restorative Justice and Cure the Streets programs.

According to the OAG, the Restorative Justice Program allows crime victims an opportunity to pursue a conversation facilitated by a trained professional, as an alternative path forward. "The restorative justice process can help victims of crime find closure and healing and help young people involved in crime learn from their mistakes and be held accountable...OAG's Restorative Justice Program embodies a commitment to giving victims of crime voice and

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<sup>5</sup> *Id.* at 115.

<sup>6</sup> Department of General Services, New DC Jail-Construction of a New Corrections Facility, <https://dgs.dc.gov/page/new-dc-jail-construction-new-corrections-facility>.

agency while treating all parties, including those who cause harm, with dignity.”<sup>7</sup> Allowing community members to interact provides for closure for victims of crime, and allows offenders to learn from the incident. This process is shown to cause changes in behavior, through creating connections.

According to research, restorative justice programs work better “than the longstanding alternative.”<sup>8</sup> One study found “those who participated in a restorative justice conference were 44% less likely to recidivate than those who were prosecuted in court for the same offenses.”<sup>9</sup> Restorative justice programming has also proven beneficial for the victims of crime. “A 2023 meta-analysis of restorative justice programs in 11 countries across five continents found that victims experience considerable reductions in negative emotions...after a restorative conference.” And that victim participation increases the sense of security and allows victims to regain a sense of control.<sup>10</sup> This type of program strengthens community bonds and has been proven to reduce recidivism while empowering victims, which should be elevated, not cut in the budget.

“Cure the Streets is a public safety program launched by OAG aimed at reducing gun violence. It operates in discrete high violence neighborhoods using a data-driven, public-health approach to gun violence by treating it as a disease that can be interrupted, treated, and stopped from spreading.”<sup>11</sup> While the program is modest in size, it has large goals that have been proven in other cities. Violence interruption programs in South Bronx, NY were associated with a 63 percent decrease in gun shooting, and a 43 percent reduction in gun-related deaths and assaults in Richmond, California.<sup>12</sup>

While the Council is considering legislation to combine the District’s violence interrupter programs, the Mayor’s proposed FY 26 budget appears to jump ahead, seeking to decrease the OAG’s Cure the Streets budget, and yet it does not shift the prior full appropriated amount to the Office of Neighborhood Safety and Engagement (ONSE), where the Mayor seems to propose the program reside; this would seemingly reduce the total budget available for this program at its new agency. Additionally, shifting the program would reduce the current benefit of having the violence interrupter program within OAG, which allows for a greater degree of independence. The merger proposal should be thoughtfully considered by the Council, and not just rushed through via the budget.

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<sup>7</sup> Office of the Attorney General, Restorative Justice Program, <https://oag.dc.gov/public-safety/restorative-justice-program>.

<sup>8</sup> The Annie E. Casey Foundation, *What is Restorative Justice for Young People*, (May 24, 2022), <https://www.aecf.org/blog/what-is-restorative-justice-for-young-people>.

<sup>9</sup> *Id.*

<sup>10</sup> Logan Seacrest, *Justice for All: How Restorative Justice Mutually Benefits Victims and Youth*, (September 2023), <https://www.rstreet.org/wp-content/uploads/2023/09/Final-Study-No.-294.pdf>.

<sup>11</sup> Office of the Attorney General, Cure the Streets: OAG’s Violence Interruption Program, <https://oag.dc.gov/public-safety/cure-streets-oags-violence-interruption-program>.

<sup>12</sup> Jahdziah St. Julien, *Community-Based Violence Interruption Programs Can Reduce Gun Violence*, (July 14, 2022), <https://www.americanprogress.org/article/community-based-violence-interruption-programs-can-reduce-gun-violence/>.

Both restorative justice and violence interrupters, expand traditional thinking related to how we think about protecting communities. They are part of a growing body of promising community violence interventions, diversion, and reintegration programming that seek to reduce violence by addressing its root causes.

We share a common goal of living in a safe D.C. Our D.C. budget should reflect that goal by ensuring that our approaches to safety are broad, address root causes, and include the safety of some of our most vulnerable citizens, who by reason of their confinement depend solely on us to ensure their safety and health. Traditional approaches to community safety are not enough. Evidence on recidivism and violence has shown that policing and incarcerating alone do not meaningfully reduce either, whereas a growing body of evidence supports adding approaches that address root causes of violence, insecurity, and crime.

Programs like restorative justice and violence interrupters need to be allowed to grow and develop to reach their full efficacy, which requires adequate funding. For the people who are detained at the D.C. Jail, we must ensure there is sufficient funding to provide for their health, safety, and well-being. They are still members of the D.C. community, and they will return to our neighborhoods, but if we expect different outcomes for them we must ensure they are given tools for change, which means quality programming as well. We hope the Council will consider these common goals, the full evidence available on violence reduction programming, and on the condition of the DC jail as it reviews the budget for DOC and OAG.

Thank you for your time and attention.