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**Testimony on behalf of the  
American Civil Liberties Union of the District of Columbia  
before the D.C. Council Committee on Youth Affairs  
Performance Oversight Hearing  
on the Department of Youth Rehabilitation Services  
and Office of the Attorney General (Juvenile Justice Related)**

**Hearing on February 2, 2026  
Submitted on February 10, 2026**

The American Civil Liberties Union of the District of Columbia (ACLU-D.C.) shares with Chairperson Parker and the members of the Committee on Youth Affairs what we believe to be a common goal: making our communities safer, stronger, and more resilient. Relying on outdated approaches to public safety—such as over-policing and over-incarceration—is ineffective and does not make our communities safer. Instead, D.C. must prioritize systems and programs that provide holistic security and support our communities.

We call on the Department of Youth Rehabilitation Services (DYRS), the Office of the Attorney General (OAG), and the Council to commit to investment in programs and resources that focus on prevention, not punishment, in our communities. Additionally, leaders must prioritize improving conditions and access to programming and placements for young people that support rehabilitation and address recidivism. We believe this approach will make our communities safer, and help the District's young residents grow into healthy, successful adults.

**I. The Council and the Department of Youth Rehabilitation Services and the Office of the Attorney General must take a prevention- and support-based approach to public safety.**

ACLU-D.C.'s recent report, *Building Safety Through Resources: A Better Path to Public Safety in D.C.*,<sup>1</sup> outlines a public safety approach centered on prevention and support, rather than over-reliance on policing and jails. It is well documented that public policy solutions that address the root causes of public safety issues and stop crime before it happens keep our communities safer and more secure. The report details ways that D.C. can invest in community safety and security through prevention, and by supporting families, youth, and community reentry.

When families struggle to meet their basic needs at home, it causes instability and worse outcomes for children. In the District, child poverty is higher than it is for the nation at 17.1 percent,

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<sup>1</sup> ACLU-D.C., "Building Safety Through Resources: A Better Path to Public Safety in D.C.," Feb. 2026, <https://www.aclu dc.org/app/uploads/2025/10/2025-ACLU-D.C.-Report-Building-Safety-Through-Resources.pdf>.

versus 13.7.<sup>2</sup> Thirty-six percent of Black children in D.C. are living below the poverty line.<sup>3</sup> Economic assistance programs help families to achieve a stable income, and benefits extend beyond the families who are receiving assistance to the communities in which they live and local economies as a whole.<sup>4</sup> This includes investment in community programming and recreation that supports families' needs; in nutrition assistance that gives families access to healthy, nutritious food; access to affordable health care; and access to high quality child care. Families in the District deserve access to high quality facilities, services, and programming, regardless of their income level or the ward they reside in. When we invest in families' stability and safety, children can thrive.

Unfortunately, for many young people, critical services and supports are offered only after they have already become engaged with the criminal legal system. Research has shown that incarceration undermines public safety, is harmful to young people's physical and mental health, exposes them to abuse, and impedes their education and career attainment.<sup>5</sup> Early intervention in the form of well-funded and well-implemented programming, facilities, and supports can make all the difference for a child's development. D.C. should invest in the creation of places where young people feel that they belong – safe spaces where kids can be kids. Access to these supports during formative stages of brain and social development are critical for a young person's success, especially for those children that have experienced trauma and adverse childhood experiences.<sup>6</sup> Additionally, the imposition of onerous curfew requirements on young people does not make our communities safer; rather, curfews further criminalize youth and put more kids at risk of getting caught up in an already troubled system. D.C. must prioritize non-carceral approaches to public safety that address these underlying challenges that young people face.

For young people that do become engaged with the criminal legal system, D.C. must support and invest in interventions that provide rehabilitation and combat recidivism. Young people who need mental health treatment or substance use services while in custody must receive that help without delay. Kids must get to school on time, and planning for transition back to community schools must be promptly completed. Staff must be fully trained and competent to provide safe custody, and staffing shortages must be addressed. Issues with overcrowding and other facility issues must be promptly resolved. Children should not be sent hundreds of miles away to a facility where family members cannot visit them, or be left waiting in custody while the agency decides where to send them. Release planning must be completed with adequate time to ensure that kids will receive the care and resources they need upon release, including transition to an appropriate and individualized community placement that will ensure the child can successfully re integrate into the community. Additionally, programs like OAG's Restorative Justice Program must be adequately funded and maintained to allow kids engaged with the system to learn from past mistakes and to support successful reintegration.

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<sup>2</sup> Conor Zielinski, "DC Contends with Extreme Child Poverty Disparities by Race, Place, and Age," DC Fiscal Policy Institute, March 10, 2025, <https://www.dcfpi.org/all/dc-contends-with-extreme-child-poverty-disparities-by-race-place-and-age/>; Emily A. Shrider, "Poverty in the United States: 2023," U.S. Census Bureau, September 10, 2024, <https://www.census.gov/library/publications/2024/demo/p60-283.html>.

<sup>3</sup> Erica Williams, "District Child Tax Credit Bill is a Tool for Tackling Child Poverty and Should be Strengthened," DC Fiscal Policy Institute, January 24, 2024, <https://www.dcfpi.org/all/dc-ctc-testimony-2024/>.

<sup>4</sup> Bradley L. Hardy et al., "Child Tax Credit Has a Critical Role in Helping Families Maintain Economic Stability," Center on Budget and Policy Priorities, April 14, 2022, <https://www.cbpp.org/research/federal-tax/child-tax-credit-has-a-critical-role-in-helping-families-maintain-economic>.

<sup>5</sup> Michael Fitzgerald, "Top Scholars Expect Continued Crime Declines, Despite Decreased Incarceration," The Imprint Youth & Family News, October 8, 2020, <https://imprintnews.org/justice/juvenile-justice-2/crime-declines-despite-decreased-incarceration/48044>.

<sup>6</sup> ACLU-D.C., "Building Safety Through Resources: A Better Path to Public Safety in D.C.," Feb. 2026, <https://www.aclu-dc.org/app/uploads/2025/10/2025-ACLU-D.C.-Report-Building-Safety-Through-Resources.pdf> (at 11-12).

## **II. ACLU-D.C. urges DYRS to keep youth safe and healthy during commitment; to reduce the length of time that kids are in commitment; and to adequately and timely plan for reentry.**

Basic health and safety concerns continue to be at issue for youth in DYRS custody, including issues with overcrowding, physical altercations, and access to behavioral health services and adequate programming. Committed youth continue to wait far too long for placement, facing prolonged periods in poor conditions and with limited access to treatment.<sup>7</sup> And when it does come time for a young person to return to their community, discharge and reentry planning undertaken by the agency continually falls short.

The DYRS FY 2026 Performance Plan<sup>8</sup> outlines the agency's FY 2025 outcomes and goals for FY 2026. The agency's mission, "To improve public safety and give court-involved youth the opportunity to become more productive citizens by building on the strengths of youth and their families in the least restrictive, most home-like environment consistent with public safety," includes goals we share. However, DYRS must take significant steps toward fulfilling its mission. This includes the agency's full compliance with the requirements of the Recidivism Reduction, Oversight, and Accountability for DYRS Act of 2024 (ROAD Act).<sup>9</sup> The agency must aggressively work to improve the programming, services, and support it is charged with providing to young people in order to improve public safety overall.

We urge DYRS to improve access to and quality of evidence-based, therapeutic programming and treatment that is both tailored to the individual child and will best support the child's transition back to the community. To that end, discharge and reentry planning must start well before the child's release, and be tailored specifically to address that child's unique situation and needs. This planning must be completed with adequate time before a child returns to the community and shared with appropriate stakeholders to ensure that resources are in place to best set up the child and the child's family for success.

Additionally, the average daily population of DYRS facilities must continue to trend downward to address issues with overcrowding, which can exacerbate conflicts between youth and contribute to scarcity of services. We are troubled to see the agency report a marked increase in the average length of stay while awaiting placement between FY 2024 and FY 2025.<sup>10</sup> We urge DYRS to address overcrowding at its facilities, and to get kids out of custody and into appropriate placement as quickly as possible. Expansion to outside facilities does not appropriately address the issue of overcrowding; DYRS must focus its resources on providing adequate services at its existing facilities.<sup>11</sup> Additionally, we expect

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<sup>7</sup> Center for Court Excellence, "Committed Youth Awaiting Placement in the D.C. Youth Services Center," Oct. 2025, [https://cdn.prod.website-files.com/659c0df344c9c8325dd821ca/68eff0152e361f5c93521d86\\_YouthAwaitingPlacement\\_for%20website.pdf](https://cdn.prod.website-files.com/659c0df344c9c8325dd821ca/68eff0152e361f5c93521d86_YouthAwaitingPlacement_for%20website.pdf).

<sup>8</sup> Department of Youth Rehabilitation Services FY 2026 Performance Plan, Nov. 26, 2025, <https://oca.dc.gov/sites/default/files/dc/sites/oca/FY26%20Plan%20-%20DYRS.pdf>.

<sup>9</sup> Council of the District of Columbia, B25-0826 - Recidivism Reduction, Oversight, and Accountability for DYRS Act of 2024 (ROAD Act), <https://lims.dccouncil.gov/Legislation/B25-0826>; *see also* Office of the Attorney General, "Attorney General Schwalb Applauds DC Council for Unanimously Passing ROAD Act," Dec. 17, 2024, <https://oag.dc.gov/release/attorney-general-schwalb-applauds-dc-council>.

<sup>10</sup> Department of Youth Rehabilitation Services FY 2026 Performance Plan, Nov. 26, 2025, <https://oca.dc.gov/sites/default/files/dc/sites/oca/FY26%20Plan%20-%20DYRS.pdf> (at 6).

<sup>11</sup> ACLU-DC, "ACLU-D.C. and ACLU-MD Statement on D.C. Agency Re-Opening A Condemned Juvenile Facility in Maryland," Nov. 19, 2025, <https://www.acludc.org/press-releases/aclu-d-c-and-aclu-md-statement-on-d-c-agency-re-opening-a-condemned-juvenile-facility-in-maryland/>.

DYRS to make strides toward decreasing the number of committed youth placed in out-of-state facilities, which makes it difficult for kids to receive family support and visits, and ultimately to reintegrate into the community.

Youth programming and services must also improve, including advancements in the number of participants in community-based programming that successfully complete the program, and in the number of youth who are able to successfully attend and complete schooling during commitment. Staff must receive adequate and culturally appropriate training so they can best contribute to the development and rehabilitation of young people, and not exacerbate existing issues. One metric for tracking success continues to be the percentage of youth who are recommitted within one year of commitment expiration. We appreciate efforts the Council has made toward addressing the needs of District youth and narrowing existing economic disparities, including Councilmember Parker's *Coordinating Assistance, Rehabilitation, and Empowerment (C.A.R.E.) for Youth Plan*<sup>12</sup> and Councilmember Pinto's *Prosper DC Plan*.<sup>13</sup> These legislative packages are important steps toward the holistic public safety approach we recommend. We urge DYRS to do its part to provide critical programming and interventions, and complete timely reentry planning, while youth are in custody to help ensure these young people are able to reintegrate into their communities and make the commitment their last touch with the system.

### **III. ACLU-D.C. urges OAG to continue to prioritize early intervention, diversion, and community-based alternatives, including through its Restorative Justice Program.**

Diversion and prevention measures are key to preventing kids from becoming involved in the justice system in the first place. OAG has stated that it strives to take an “agency-wide approach to advancing positive youth development,” and that “promoting positive youth development is part of a comprehensive public safety strategy: healthy, hopeful children are safer children, to themselves and everyone around them.”<sup>14</sup> To this end, ACLU-D.C. supports maintaining the current funding levels for the Restorative Justice Program at the OAG. This program provides closure and empowerment to participating victims of crime and allows offenders to learn from the incident, therefore supporting reintegration.

As we know, pervasive systemic inequalities often lead young people into involvement with the legal system, including poverty; housing instability; abuse and untreated trauma; access to health care, mental health treatment, and substance use services; and access to quality education and extracurricular opportunities. We urge OAG to continue to invest in its divisions that recognize the obstacles D.C. kids face and promote this holistic vision of public safety, and less on attaining high youth prosecution rates. As referenced prior, D.C. youth face significant obstacles to accessing adequate care and rehabilitative services while in custody. Kids, and ultimately the broader community, will be safer and better served when we focus resources and investment on early intervention and diversion, rather than on prosecution and commitment.

### **IV. Conclusion**

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<sup>12</sup> Press Release: Introduction of the C.A.R.E. for Youth Plan, Oct. 6, 2025, <https://zacharyparkerward5.com/press-release-introduction-of-the-c-a-r-e-for-youth-plan/>.

<sup>13</sup> Press Release: Councilmember Brooke Pinto Introduces Her "Prosper DC Plan" to Catalyze Economic Opportunities in the District, Nov. 17, 2025, <https://www.brookepintodc.com/newsroom/press-release-councilmember-brooke-pinto-introduces-her-prosper-dc-plan-to-catalyze-economic-opportunities-in-the-district>.

<sup>14</sup> Office of the Attorney General, “Statement of Brian L. Schwalb, Attorney General for the District of Columbia, Before Chairperson Zachary Parker, Committee on Youth Affairs For The Office of the Attorney General FY24 Performance Oversight Hearing,” Mar. 6, 2025, <https://lims.dccouncil.gov/Hearings/hearings/699>.

Young people and their families need more investment in intervention, programming, and resources – not less. We seek to limit the current system’s harm and reach and to transform our city’s approach to safety into a system focused on prevention, not punishment. Our leaders must continue to invest in and build out comprehensive, equitable programming, services, and facilities that are responsive to the needs of young people and their families across the city.

Keeping D.C. residents out of the criminal legal system is particularly important when federal government officials are targeting the D.C. legal system. To protect the well-being of the most vulnerable District residents from unpredictable actions on the federal government’s part, D.C. leaders must invest in programs and services that provide a holistic sense of security. Instead of over policing and over incarcerating young people, leaders must continue to invest resources in non-carceral solutions that provide young people what they need, including diversion programs, rehabilitation, treatment, and reentry services. The ACLU-D.C. is ready to work with you and alongside community partners toward a safer, stronger D.C. for all.