

September 16, 2025

The Honorable Mike Johnson
Speaker of the House
United States House of Representatives
Washington, DC 20515

The Honorable Hakeem Jeffries
Democratic Leader
United States House of Representatives
Washington, DC 20515

Dear Speaker Johnson and Leader Jeffries:

On behalf of the ACLU, ACLU DC, and NAACP Legal Defense and Educational Fund, Inc. (LDF), **we write to express our opposition to the DC CRIMES Act (H.R. 4922), District of Columbia Policing Protection Act (H.R. 5143), To lower the age at which a minor may be tried as an adult for certain criminal offenses in the District of Columbia to 14 years of age Act (H.R. 5140), and the District of Columbia Judicial Nominations Reform Act (H.R. 5125). We urge all Members to “Vote NO” on this harmful legislation.**

These bills do not reflect the evidence on what improves public safety. Decades of research in the field and advocacy by civil rights and civil liberties groups demonstrate that extreme sentences, mandatory minimums, and adult transfers for youth do not deter crime or make communities safer. Instead, they expand incarceration, deepen racial disparities, and strip judges of discretion. The District’s reforms, particularly second look resentencing, have produced strikingly positive outcomes—both in terms of low recidivism and by empowering returning residents contributing to community safety.

The Administration’s intervention in D.C. is more than a local matter. It represents a test case for the public and Congress’s tolerance of regressive and failed criminal justice policies that have contributed to mass incarceration. It is not a coincidence that our nation’s capital, and other cities that are currently being targeted for federal law enforcement and National Guard intervention, have plurality Black and Brown populations.¹ Black people face unequal treatment at almost every juncture of the U.S. criminal legal system due to systemic racism and inequality. Black people are stopped and arrested by law enforcement at



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¹ 2020 Decennial Census Data Los Angeles City, California, Race, <https://data.census.gov/table/DECENNIALDHC2020.P9?g=160XX00US0644000>; 2020 Decennial Census Data Washington, D.C., Race, <https://data.census.gov/table/DECENNIALCD1182020.P9?g=040XX00US11>; 2020 Decennial Census Data Memphis, Race Tennessee, <https://data.census.gov/table/DECENNIALDHC2020.P8?g=160XX00US4748000>; 2020 Decennial Census Data Baltimore Maryland, Race, <https://data.census.gov/table/DECENNIALDHC2020.P9?g=050XX00US24510>; 2020 Decennial Census Data Chicago, Illinois, Race, <https://data.census.gov/table/DECENNIALDHC2020.P9?g=160XX00US1714000>

higher rates than any other race, prosecuted more harshly than other races, and sentenced to longer terms of incarceration by judges than other races.² Increased enforcement tactics and punitive legal measures will impact D.C.'s Black community the hardest and fuel racial disparities in incarceration.

A “NO” vote on these bills would send a clear and powerful message: Congress will not allow progress on sentencing reform, reducing racial disparities, youth incarceration, and evidence-based policies to be rolled back in the nation’s capital.

Vote “NO” on the DC CRIMES Act (H.R. 4922)

H.R. 4922, the DC Crimes Act, would roll back key young adult sentencing reforms, limiting judicial discretion, undermining well known best practices and making the residents of the District of Columbia less safe.

D.C.'s revised Youth Rehabilitation Act of 2018 (YRA) created options for the legal system to more effectively respond to young people ages 18-25. It is not a national outlier. A national survey of policy and practice by the Emerging Adult Justice Project of the Columbia University Justice Lab identified six states – Alabama, Florida, Michigan, New York, South Carolina, and Vermont – that have also passed “youthful offender” laws to improve safety and outcomes for young people ages 18 to 26.³ Like the laws passed in other states, YRA represents a pivotal step in a nationwide effort to develop innovative sentencing structures that recognize the distinctive traits of emerging adults and the value in tailored responses and interventions that reduce racial disparities and decrease the likelihood of future criminal justice system involvement. These flexible, hybrid systems are consistent with the rehabilitative focus of the juvenile justice system and the accountability measures associated with the adult system.

The DC CRIMES Act would harm public safety by eliminating judicial discretion in sentencing, increasing the likelihood of recidivism for emerging adults. In 2018, when YRA was passed, seven states – California, Illinois, Massachusetts, Nebraska, New Mexico, New York, and Texas – had jurisdictions operating emerging adult courts. While this model is still relatively new, judges are seeing a difference.⁴ Studies have associated hybrid systems with improved public safety,

² RACHEL M. KLEINMAN & SANDHYA KAJEEPETA, THURGOOD MARSHALL INST., LEGAL DEF. FUND, BARRED FROM WORK: THE DISCRIMINATORY IMPACTS OF CRIMINAL BACKGROUND CHECKS IN EMPLOYMENT 4 (Apr. 2023), <https://tminstitutelfd.org/wp-content/uploads/2023/07/Barred-from-Work.pdf>.

³ Siringil Perker, S. and Chester, L. (2023) *Time for Change: A National Scan and Analysis of Hybrid Justice Systems for Emerging Adults*. New York, NY: Columbia University. Retrieved from: <https://www.eajustice.org/hybrid-systems>.

⁴ Weissman, L. (2023) “Emerging Adult Justice: Using Science to Rehabilitate Vulnerable Offenders Before Their 25th Birthday.” *The Judges Journal*. Washington, DC: American Bar Association. Retrieved from: https://www.americanbar.org/groups/judicial/publications/judges_journal/2023/winter/emerging-adult-justice-using-science-rehabilitate-vulnerable-offenders-their-25th-birthday/.

often demonstrating lower rates of recidivism among impacted youth charged with weapons or violent offenses. An analysis by the DC Criminal Justice Coordinating Council found that discretionary sentencing under YRA was significantly associated with fewer rearrests among young people ages 22 to 24.⁵ Moreover, individuals whose convictions were “set aside” (sealed) under YRA were likely to have a lower number of re-arrests and reconvictions than persons whose convictions were not sealed. By implementing record protection measures, hybrid systems mitigate the collateral consequences of a criminal record, enhance employment prospects, foster positive community engagement among emerging adults, and reduce incarceration rates.

We urge you to reject this overreaching effort that does nothing to improve safety and undermines a successful nationwide trend to reduce recidivism and youth involvement in the criminal justice system.

Vote “NO” on the District of Columbia Policing Protection Act (H.R. 5143)

H.R. 5143, the District of Columbia Policing Protection Act (H.R. 5143), would gut limitations put on vehicle pursuits by the City Council approved Comprehensive Policing and Justice Reform Amendment Act of 2022. This bill creates vague restrictions that loosen existing protections for pedestrians, tourists, drivers, and the public at large. This bill lowers existing standards by only barring police chases ‘when law enforcement believe a pursuit will be futile, may cause an unacceptable risk of harm to people other than the suspect, or there is a more efficient way to apprehend the suspect.’

Instead of expanding reckless police pursuit privileges, Congress should focus on proven solutions and recommendations such as criteria that limit pursuits to only narrow circumstances for serious felonies or where officers have probable cause to believe that there is an imminent threat of serious bodily harm. In D.C., the Metropolitan Police Department (MPD)’s current policy already prohibits chases in many low-risk scenarios but enforcement of this policy guardrail has been inconsistent.⁶

Recent events in Washington, D.C., underscore the danger of relaxing vehicle pursuit policies under federal policing surges. As reported by *The Washington Post*, U.S. Park Police have initiated at least ten car chases in a few weeks during the federal takeover, with six of those ten chases ending in crashes—some

⁵ Park, R. (2022) *Analysis of the Youth Rehabilitation Amendment Act of 2018*. Criminal Justice Coordinating Council of the District of Columbia. Retrieved from:

<https://cjcc.dc.gov/sites/default/files/dc/sites/cjcc/CJCC%20-%20Analysis%20of%20the%20Youth%20Rehabilitation%20Act%20of%202018%20%28October%202022%29.pdf>

⁶ *Car Chases — DC Justice Lab*, DC Justice Lab, <https://dcjusticelab.org/car-chases/>.
dcjusticelab.org

involving high speeds, wrong-way driving, or endangering bystanders.⁷ These chases were launched over low-level traffic violations or nonviolent offenses (e.g. tinted windows, broken headlights)—infractions that the D.C. MPD policy would not allow under its more restrictive pursuit rules. According to a Department of Justice (DOJ) report, *Vehicular Pursuits: A Guide for Law Enforcement Executives on Managing the Associated Risks*, such pursuits—even for low-level offenses—carry high risks of serious injury and property damage. The guide also notes that less severe infractions, when escalated into vehicular chases, lead to disproportionate harm, particularly in densely populated urban settings.⁸

Voting NO on H.R. 5143 is an opportunity to uphold accountability and constitutional norms in policing. The broader surge in federal enforcement in D.C. functions as a litmus test: whether Congress will tolerate dangerous policing tactics, such as high-speed vehicle chases, that can be replicated elsewhere. We urge all Members to preserve civil rights and civil liberties and vote NO on H.R. 5143.

Vote “NO” To Lower the Age at Which a Minor May be Tried as an Adult for Certain Criminal Offenses in the District of Columbia to 14 Years of Age Act (H.R. 5140)

This legislation seeks to lower the age at which youth may be tried as adults in the District of Columbia from 16 to 14-years-old. Young people are developmentally distinct and treating them as adults undermines both justice and public safety. Our current understanding of neuroscience necessitates treating young people differently from adults for the same offenses due to the developmental flux of their brain structure, their neurological and developmental immaturity, and significant brain development up to age twenty-five.⁹ D.C. already leads the nation in youth incarceration, far exceeding national averages at every stage: pre-adjudication detention, post-adjudication incarceration, and the frequency of arrests for minors in general.¹⁰

Youth are highly amenable to rehabilitation. An exhaustive study of the Texas juvenile justice system concluded that youth who were placed on probation, in their community, and allowed to remain near their rehabilitative structures such as family members, schools, and community groups were 30% less likely to reoffend

⁷ Emma Uber, *U.S. Park Police Officers Are Pursuing Vehicles When D.C. Police Would Not — They Have Initiated at Least 10 Car Chases in the Past Three Weeks*, *Wash. Post* (Aug. 31, 2025), <https://www.washingtonpost.com/dc-md-va/2025/08/31/park-police-car-chases/>. [The Washington Post](#)

⁸ *Vehicular Pursuits: A Guide for Law Enforcement Executives on Managing the Associated Risks*, U.S. Dep’t of Justice, COPS Office, <https://portal.cops.usdoj.gov/resourcecenter/content.ashx/cops-r1134-pub.pdf>

⁹ Vanessa F. Hernandez Levin, *Children Sentenced as Adults*, NOTRE DAME J. OF L ETHICS & PUB. POL’Y (2023), https://heinonline.org/hol-cgi-bin/get_pdf.cgi?handle=hein.journals/ndlep37§ion=6.

¹⁰ Puzzanchera, C., Sladky, T.J., and Kang, W. (2025). [Easy Access to the Census of Juveniles in Residential Placement](#).

than similarly situated youth who were sent to state correctional prisons.¹¹ Alternatives to youth incarceration make our communities safer by lowering the risk of recidivism and future contact with the criminal justice system.¹² Placing youth in correction facilities causes psychological harm, reduces educational continuity, and does little to reduce crime or recidivism. Youth incarceration is a failed policy because it increases the likelihood that a young person will reoffend in the future and creates a cycle of incarceration.

Black youth and youth of color are overrepresented at every stage of the juvenile justice system,¹³ and in the population of young people who are transferred to the adult system for offenses committed below the upper age boundary of juvenile jurisdiction. Lowering the threshold to 14-year-olds will deepen racial disparities and disproportionately impact Black youth in D.C., who already comprise over 90% of youth arrests according to recent data.¹⁴

In D.C., early data from the Youth Rehabilitation Act confirms that rehabilitative policies—allowing youth to earn record set-asides, avoiding adult sentencing, expanding juvenile support—are associated with significantly lower recidivism among participants.¹⁵ A “NO” vote on H.R. 5140 would uphold progress, affirm that children deserve second chances and the opportunity to grow, and resist policies that prioritize punishment over prevention.

Vote “NO” on the District of Columbia Judicial Nominations Reform Act (H.R. 5125)

H.R. 5125 would abolish the District of Columbia Judicial Nomination Commission (JNC) and transfer the authority to nominate and designate judges in the District of Columbia directly to the President. This legislation would not alleviate D.C.’s judicial vacancy crisis and will result in additional delays in the local justice system.

H.R. 5125 proposes to abolish the JNC, a body established under the Home Rule Act to vet and recommend qualified candidates for judgeships in the D.C. Superior Court and Court of Appeals, after which the President nominates and the Senate confirms. By concentrating nomination power entirely in the executive branch and allowing the President to unilaterally select judges and chief judges

¹¹ Fabelo, T., Arrigona, N., Thompson, M. D., Clemens, A., & Marchbanks, M. P. (2015). Closer to home: An analysis of the state and local impact of the Texas juvenile justice reforms. Council of State Governments Justice Center.

¹² Latessa, E. J., Lovins, B., & Lux, J. (2014). Evaluation of Ohio’s RECLAIM programs. Center for Criminal Justice Research: Cincinnati.

¹³ RICHARD A. MENDEL, DIVERSION: A HIDDEN KEY TO COMBATING RACIAL AND ETHNIC DISPARITIES IN JUVENILE JUSTICE 1-2, SENT’G PROJECT (2022) (reporting that youth of color are more likely to be arrested and less likely to be diverted than their white peers)

¹⁴ Criminal Justice Coordinating Council of the District of Columbia. [Adult and Juvenile Arrests](#). Data includes Jan. 1-June 29, 2025.

¹⁵ Seo-Park, R. (2022). [Analysis of the Youth Rehabilitation Act of 2018](#). Criminal Justice Coordination Council.

without local input or community-based vetting, this bill threatens judicial independence. Research on judicial selection systems shows that merit or commission-based appointment processes tend to yield judges who are more representative of their communities, have stronger community trust, and are evaluated on objective qualifications rather than purely political loyalty.¹⁶ Removing such checks enables politicized judicial appointments, eroding the impartiality of the bench and undermining public trust.¹⁷

The current vacancy and appointment bottlenecks in D.C. are principally a problem of Senate inaction, not flaws in the JNC process.¹⁸ D.C.'s judicial vacancies are the result of a lack of timely confirmations and a historically slow process in the Senate. Abolishing the JNC under the guise of speeding up appointments will do little to address those structural delays. H.R. 5125 will remove the JNC which ensures judicial nominees are competent and align with the local legal culture, diversity, and community values. We urge all Members to "Vote NO" on H.R. 5125, the District of Columbia Judicial Nominations Reform Act, and protect D.C.'s judicial selection process from politicization and preserve a non-partisan administration of justice.

We urge all Members to protect civil rights and civil liberties and **"Vote NO"** on the DC CRIMES Act (H.R. 4922), District of Columbia Policing Protection Act (H.R. 5143), To lower the age at which a minor may be tried as an adult for certain criminal offenses in the District of Columbia to 14 years of age Act (H.R. 5140), and the District of Columbia Judicial Nominations Reform Act (H.R. 5125). If you have any questions, please contact Nina Patel at npatel@aclu.org or Kristina Roth at kroth@naacpldf.org.

American Civil Liberties Union
American Civil Liberties Union of the District of Columbia
NAACP Legal Defense and Educational Fund, Inc. (LDF)

¹⁶ Bill Giving White House More Control of DC Judges Advances, *Law360* (Sept. 2025) (reporting that the proposal would eliminate the local commission and permit the President to select judges without local vetting), <https://www.law360.com/legalethics/articles/2385591/bill-giving-white-house-more-control-of-dc-judges-advances>.

¹⁷ Bill Giving White House More Control of DC Judges Advances, *Law360* (Sept. 2025) (reporting that the proposal would eliminate the local commission and permit the President to select judges without local vetting), <https://www.law360.com/legalethics/articles/2385591/bill-giving-white-house-more-control-of-dc-judges-advances>.

¹⁸ Rebecca Turco, GOP Bill Seeks to Eliminate District Commission that Nominates DC Court Judges, *NBC Washington* (Sept. 14, 2025) (quoting Misty Thomas Zaleski of the Council for Court Excellence noting that the delays are caused by Senate inaction, not JNC inefficiency), <https://www.mynbc15.com/news/nation-world/gop-bill-seeks-to-eliminate-district-commission-that-nominates-dc-court-judges-shortages-delay-legal-process-courts-superior-appeals-circuit-trial-criminal-cases-arrest-cops-pirro-trump-juveniles-adults>.