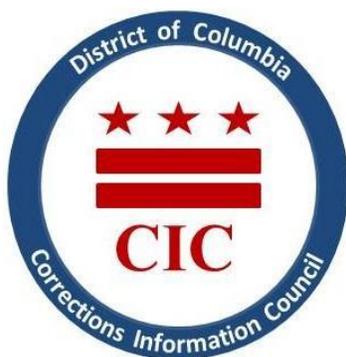


District of Columbia Corrections Information Council



District of Columbia Youth Rehabilitation Act Update

January 14, 2025



District of Columbia Corrections Information Council

Charles Thornton, Board Chair
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About the District of Columbia Corrections Information Council

The District of Columbia Corrections Information Council (CIC) is an independent oversight body mandated by the United States Congress and the Council of the District of Columbia to inspect, monitor, and report on the conditions of confinement in correctional facilities where residents from the District of Columbia are incarcerated. This includes facilities operated by the Federal Bureau of Prisons (BOP), the District of Columbia Department of Corrections (DOC), and private contractors.

The CIC reports its observations and recommendations to the District of Columbia Representative in the United States Congress, the Mayor of the District of Columbia, the Council of the District of Columbia, the District of Columbia Deputy Mayor for Public Safety and Justice, the Director of the BOP, the Director of the DOC, and the community.

Although the CIC does not handle individual complaints or provide legal representation or advice, individuals are still encouraged to contact the CIC. Reports, concerns, and general information from incarcerated DC residents and the public are very important to the CIC, and they greatly inform our inspection schedule, recommendations, and reports. However, unless expressly permitted by the individuals or required by law, names and identifying information of residents, corrections staff not in leadership, and members of the general public will be kept anonymous and confidential.

DC Corrections Information Council

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The D.C. Youth Rehabilitation Act

The Youth Rehabilitation Act (YRA) is a law in Washington, D.C. that provides sentencing alternatives for young adult offenders. The YRA gives courts more flexibility when sentencing people under 25 years of age at the time of the crime. This means that the court is not confined to mandatory minimum sentencing, and it may sentence an individual below the mandatory minimum sentencing guidelines¹.

Washington, D.C. enacted the YRA in 1985, which provided sentencing alternatives for youth under 22 years of age who are sentenced as adults for certain crimes. In 2018, the DC Council passed the Youth Rehabilitation Amendment Act of 2018, which extended the age from 22 years of age to 24 years of age². The YRA is now applicable to individuals between the ages of 15 and 24 at the time of the offense, excluding certain crimes³.

Crimes that Exclude YRA Consideration

- Murder
- First degree murder that is an act of terrorism
- Second degree murder that is an act of terrorism
- First degree sexual abuse
- Second degree sexual abuse
- First degree child sexual abuse

If a person is charged with one of the above-mentioned offenses, they are automatically excluded from YRA eligibility.⁴

YRA Eligibility

Ultimately, a YRA sentence results from the judge's discretion at the time of sentencing. A lawyer can request a youth study for its client. If the client has not been automatically excluded based on one of the enumerated crimes, then the judge can order that a youth study be performed on the client. Once the youth study is completed, the judge will determine whether the defendant will receive the benefit of a YRA sentence or not. Regardless, the judge must put the reason for the decision in writing.

¹ See DC Code 24-903 (b)(2). <https://code.dccouncil.gov/us/dc/council/code/sections/24-903>

² D.C. Law 22-197. Youth Rehabilitation Amendment Act of 2018. Available at [https://code.dccouncil.gov/us/dc/council/laws/22-197#:~:text=%22\(6\)%20%22Youth%20offender,sexual%20abuse%2C%20and%20first%20degree.](https://code.dccouncil.gov/us/dc/council/laws/22-197#:~:text=%22(6)%20%22Youth%20offender,sexual%20abuse%2C%20and%20first%20degree.)

³ See DC Code § 24-901 (6). <https://code.dccouncil.gov/us/dc/council/code/sections/24-901>.

⁴ See DC Code § 24-901 (6). <https://code.dccouncil.gov/us/dc/council/code/sections/24-901>.

Youth Studies

When a lawyer requests that its client be considered for a YRA sentence, a judge may request a youth study to provide the court with additional information. The Correctional Treatment Facility (CTF) staff at the Department of Corrections conducts youth studies for individuals in custody, and the Public Defender Service (PDS) conducts youth studies for individuals who are not in custody prior to sentencing. The study includes a psychiatric evaluation of the young person, as well as information about their social history and educational and employment needs. All findings are incorporated into a written document and submitted to the court.

Benefits of a YRA Sentence

The principal benefits of the Youth Act are more sentencing options for the court and the ability to set aside someone's conviction after they fully complete their sentence or receive an unconditional discharge⁵. Judges are not required to sentence a person below the mandatory minimum sentence, but it is an option.

Upon full completion of a Youth Act sentence, the record of conviction can be set aside and a certificate is sent to the person indicating that information. Under the Youth Act, a conviction is "set aside" and not expunged, which means that the conviction record still exists and can be used in limited circumstances.

Housing of YRA Offenders

The current population of YRA offenders is housed in the Bureau of Prisons (BOP), which is the same as all DC Code offenders who have been convicted of a felony offense. Prior to sentencing, the YRA population is housed at the DC Jail or CTF; if they are under the age of 18, they are housed at the Department of Rehabilitative Services' Youth Services Center until they turn 18. However, according to the statute - the mayor is supposed to provide facilities to house this population⁶, which are different from their current housing provisions.

⁵See DC Code 24-906. <https://code.dccouncil.gov/us/dc/council/code/sections/24-906>

⁶See DC Code 24-902 (a). <https://code.dccouncil.gov/us/dc/council/code/sections/24-902>

Title 16 Youth and the YRA

A Title 16 youth is a juvenile between the ages of 16 and 17 who is charged with one of the felonies enumerated under DC Code Title 16-2301.⁷ The U.S. attorney's office has absolute authority to charge and prosecute 16- and 17-year-olds as adults for certain crimes.⁸ Title 16 youth can benefit from the YRA if their charge does not exclude them from consideration, and the judge decides at sentencing to give the juvenile a YRA benefit. These circumstances include Title 16 youth who are charged with any crime outside of the murders and sexual assault cases listed in the exclusions (see YRA exclusions above).

Currently, all Title 16 youth are housed in the Youth Service Center (YSC) under the Department of Youth Rehabilitation Services (DYRS). As of January 10, 2025, the total population at YSC is 100, and there are 17 individuals listed as Title 16. Once a Title 16 youth turns 18 years of age, if their case has not concluded, they are transferred to the DC Jail; if their case has concluded, they may be transferred to the BOP. Since October 1, 2023, there have been 28 transfers to DOC as a result of them turning 18 years old.

⁷ See DC Code §16-2301(3)(A). <https://code.dccouncil.gov/us/dc/council/code/sections/16-2301>.

⁸ See also DC Code §16-2307(e-2) <https://code.dccouncil.gov/us/dc/council/code/sections/16-2307>.