



CIC | District of Columbia Corrections Information Council

District of Columbia Corrections Information Council (CIC) Testimony on Bill 23-0127, the “Second Look Amendment Act of 2019”

Delivered by Donald L. Isaac, Sr., Executive Director, DC CIC to the Committee on the Judiciary and Public Safety on March 26, 2019

Good Afternoon, Chairman Allen and other members of the Committee on the Judiciary and Public Safety.

I am Donald Isaac, the Executive Director for the Corrections Information Council, commonly known as the “CIC.” The CIC and our board members thank you for the opportunity to share the CIC’s support for Bill 23-0127, the “Second Look Amendment Act of 2019.” It is this type of legislation that provides an opportunity for the District of Columbia to be a national leader as we journey on the path towards revamping of the criminal justice system here in the District of Columbia.

The CIC is an independent monitoring body initially established under the *Revitalization Act of 1997*, with its mandate further expanded and detailed in the *DC Jail Improvement Act of 2003*. The CIC is mandated to inspect, monitor, and report on the conditions of confinement in the prisons, jails, and halfway houses where DC residents are incarcerated.

At the same time, the CIC and advocates for the agency have stressed that CIC’s mandate extends beyond mere inspection of bricks and mortar, to include assessments of programs and

services available to DC incarcerated residents, as well as the policies and procedures that govern those programs.

In that context, the CIC supports the newly proposed legislation, Bill 23-0127, the “Second Look Amendment Act of 2019.” It is our belief that the population directly affected by this legislation should have a chance to petition the Court in order to demonstrate their rehabilitation. They deserve the opportunity to live in society as productive, socially proactive, law abiding citizens, after undergoing a fair hearing in accordance with this proposed legislation.

While in support of this legislation, the CIC wants to speak to three specific areas: first, the recommendation to raise the age, second, inmates returning to DC for hearings related to this proposed legislation should be housed at CTF; and third, opportunity for educational orientations and life skills programming should be made available to individuals affected by this new legislation.

Raising the age from under 18 to under 25 coincides with what science has already proven to be true: young adults and adolescents are distinctly different from mature adults in regards to their cognitive development. The age of majority is 18, but this is an arbitrary distinction that does not signify a sudden and complete developmental transformation from childhood to adulthood. It has been shown that, on average, as people mature pass the adolescent stage of their development and evolve into mature adults, they tend to grow out of impetuous actions and thoughts that can lead to criminal behaviors.

Scientific evidence is conclusive that the brain of an adolescent is not fully developed until around age 25; therefore, an individual in his or her early twenties is closer in thought and maturation to a late teen, as opposed to a mature adult. This scientific evidence also aligns with

other statutory sentencing schemes, such as the Youth Rehabilitation Act. Therefore, increasing the eligibility age of the proposed legislation from under 18 to under 25 would better serve the purposes of juvenile and criminal justice reform.

While we acknowledge the right of the Department of Corrections' managers to make the final determination regarding the housing placement of an inmate, the CIC strongly supports the placement of all IRAA candidates at CTF. The CIC recently conducted surveys of inmates who were back on writ due to the first "Incarceration Reduction Amendment Act". These inmates expressed concerns about being housed in environments where there is an area of potential conflict within the prison population at DC Jail. IRAA inmates are closely scrutinized as their sentences are reviewed during the hearing phase. Factors such as continued programming and disciplinary infractions hold great weight in the evaluation process as these candidates are considered for a sentence modification. Nevertheless, inmates who are back on writ after twenty years of confinement are housed with inmates who have much shorter periods of incarceration. This results in difference in mentalities, behaviors, and experiences and can result in conflict between the two. Non-IRAA inmates regularly provoke IRAA inmates in an attempt to involve them in potentially violent situations, which would adversely affect an IRAA inmate's chances for a successful sentence modification. Therefore, housing IRAA inmates at CTF with program oriented individuals is an important provision that is included in the law.

IRAA inmates should also be encouraged to continue their programming while awaiting their hearings. Programs at CTF are more conducive to this demographic as they prepare to transition from confinement to liberation. For instance, the Young Men Emerging (YME) unit at CTF exemplifies the positive impact of IRAA petitioners on the District of Columbia. In the YME unit, there are IRAA inmates successfully mentoring younger inmates facing a similar

sentencing circumstance, which helps to reduce recidivism. Also, Georgetown University's Prison Scholars Program at CTF is an excellent program in which several IRAA inmates are already enrolled and thriving. Collectively, CTF's rehabilitative services are better suited to the IRAA population. The environment increases their chances for a more successful hearing, and coincides with the purposes of criminal justice reform.

IRAA candidates have been confined since they were adolescents or young adults, and have been incarcerated for at least 15 years, so there must be an intentional and concerted effort to provide comprehensive educational and life skills programs for them. They require the tools necessary to enter the work force and thrive. An educational orientation and similar programming will minimize any chances of recidivism.

The CIC also strongly recommends intense life skills training due to the lengthy period of incarceration. Since these individuals have not lived in society as mature adults, additional programs are required for their preparation. Programs centered on basic life skills, such as writing a resume, interviewing techniques, and effective verbal communication - are prerequisites to functioning in society, and should be implemented in order to facilitate rehabilitative criminal justice reform.

The CIC commends the Council for their efforts in composing this legislation. We are grateful for this opportunity to provide testimony relating to this population today and for the continued opportunity to do so in the future.

Thank you.