



COUNCIL OF THE DISTRICT OF COLUMBIA  
OFFICE OF COUNCILMEMBER BROOKE PINTO  
THE JOHN A. WILSON BUILDING  
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WASHINGTON, D.C. 20004



**D.C. Criminal Code Reform Commission**

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February 20, 2024

The Honorable Brooke Pinto  
Chairwoman of the Committee on the Judiciary and Public Safety  
Council of the District of Columbia  
1350 Pennsylvania Avenue, N.W., Suite 106  
Washington D.C. 20004

**RE: Criminal Code Reform Commission Responses to Performance Oversight Questions.**

Dear Chairwoman Pinto:

Thank you for the opportunity to provide responses to the performance oversight questions in the Committee on the Judiciary and Public Safety's correspondence dated February 20, 2024. The responses of the Criminal Code Reform Commission (CCRC) are presented below for your review, with an attached appendix. I look forward to providing testimony and discussing these and any other questions you might have at the agency's oversight hearing.

Sincerely,

Jinwoo Park  
Executive Director

Attachments:

Appendix A: CCRC Schedule A, as of 1/11/2024

**ORGANIZATION AND OPERATIONS**

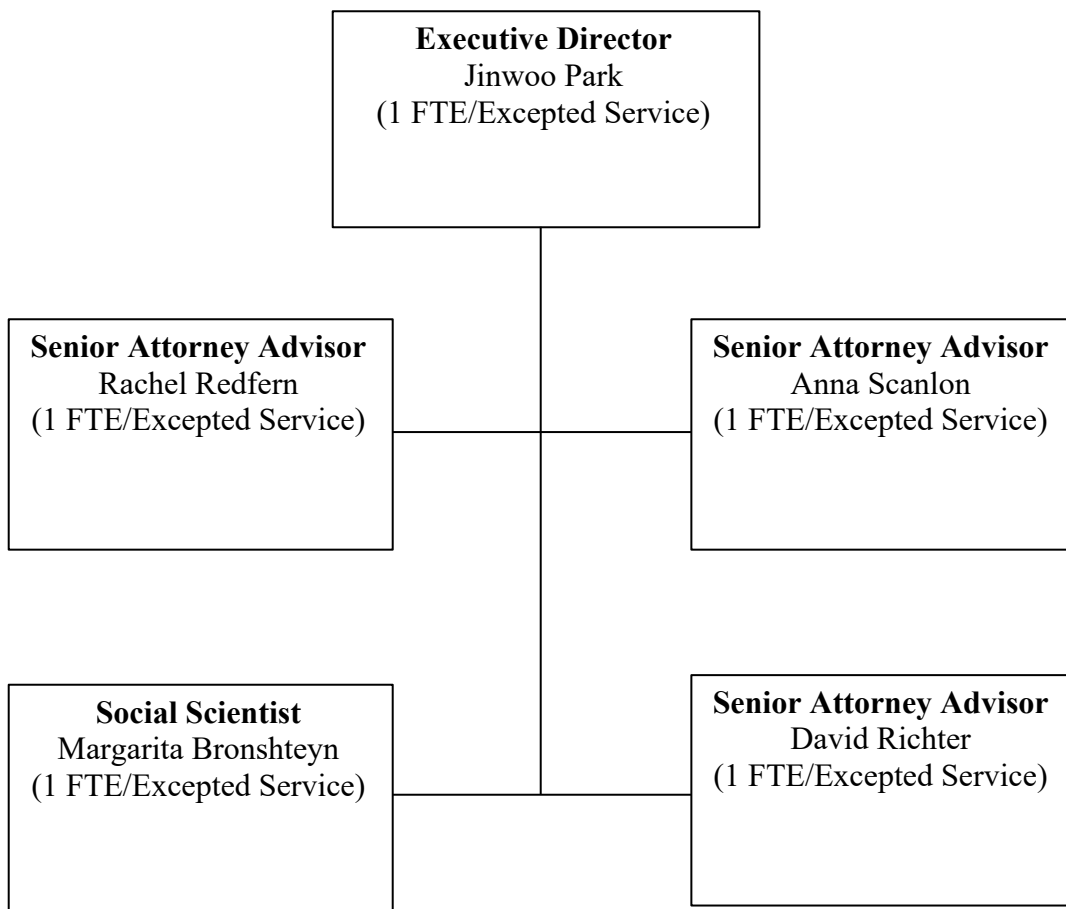
1. Please provide the agency’s mission statement.

The CCRC does not have a formal mission statement. However, as directed under the agency’s authorizing statute, D.C. Code § 3–152(d), the agency provides, upon request by the Council or on its own initiative, legal or policy analysis of proposed legislation or best practices concerning criminal offenses, procedures, or reforms, including information on existing District law, the laws of other jurisdictions, and model legislation.

The CCRC’s core mission remains to provide guidance and advice to the Council to improve the clarity, proportionality, and completeness of the District’s criminal code.

2. Please provide a complete, up-to-date organizational chart for the agency and each division within the agency, including the names and titles of all senior personnel. Please include an explanation of the roles and responsibilities for each division and subdivision within the agency.

As of 2/20/2024 the agency has 0 vacant, 0 frozen, and 5 filled positions. The agency does not have any divisions or subdivisions.



J&PS Performance Oversight Questions (FY23-24)  
CCRC

- a. Please include a list of the employees (name and title) for each subdivision and the number of vacant, frozen, and filled positions. For vacant positions, please indicate how long the position has been vacant.

The CCRC does not have any subdivisions and has zero vacant or frozen positions. All filled positions are reflected in the organizational chart above.

- b. Please provide a narrative explanation of any major changes to the organizational chart made during the previous year.

There were no changes to the organizational chart during the previous year.

3. Please list each new program implemented by the agency during FY 2023 and FY 2024, to date. For each initiative please provide:

None. The agency consists of one program.

4. Please provide a complete, up-to-date position listing for your agency, ordered by program and activity, and including the following information for each position:

Please see Schedule A attached as Appendix A to this document. The agency has only one program code (1001) and activity code (1010). None of the positions must be filled to comply with federal or local law.

5. Please provide a list of all memoranda of understanding (“MOU”) entered into by your agency during FY 23 and FY 24, to date, as well as any MOU currently in force. For each, indicate the date on which the MOU was entered and the termination date (if applicable).

The CCRC has a no cost restricted data use agreement with D.C. Superior Court that allows the agency to have access to certain court data and to conduct limited analyses. The current version of the restricted data use agreement was entered into 4/14/19 and does not have an expiration date.

6. Please provide a list of each collective bargaining agreement that is currently in effect for agency employees.

The CCRC does not have a collective bargaining agreement in effect for any agency employees. The CCRC is not currently in bargaining.

7. Please provide the agency’s FY 2023 Performance Accountability Report.

The agency did not produce a FY2023 Performance Accountability Report. The agency has not produced this report in prior years, and has not been asked to do so.

**BUDGET AND FINANCE**

8. Please provide a chart showing the agency’s approved budget and actual spending, by division, for FY 2023 and FY 2024, to date. In addition, please describe any variance

J&PS Performance Oversight Questions (FY23-24)

CCRC

between fiscal year appropriations and actual expenditures for each program and activity code.

Note, the CCRC has no divisions or subdivisions.

FY23:

Category	Budgeted for FY23	Expenditures for FY23	Surplus/Deficit
PS	\$835,264	\$808,390	\$26,874
NPS	\$124,958	\$114,958	\$10,000

FY24 to date:

Category	Budgeted for FY24	Expenditures for FY24 to date	Encumbrances
PS	\$847,367	\$209,752	n/a
NPS	\$42,756	\$12,976.14	\$0

9. Please list any reprogrammings, in, out, or within, related to FY 2023 or FY 2024 funds. For each reprogramming, please list:

At the end of FY23, the CCRC’s surplus was re-programmed to other agencies that had budget deficits in FY23.

10. Please provide a complete accounting for all intra-District transfers received by or transferred from the agency during FY 2023 and FY 2024, to date, including:

CCRC as Buyer agency FY 2023

Seller	Program Code	Activity	Funding Source	Description	Total Amount	Dates
OCTO	800178	1010	Local Funds	IT and telephone assessment	\$7617	10/1/2022-9/30/2023
OCP	800178	1010	Local Funds	Agency P-Card purchases	\$10,000	10/1/2022-9/30/2023

CCRC as Buyer agency FY 2024

Seller	Program Code	Activity	Funding Source	Description	Total Amount	Dates
OCTO	800178	1010	Local Funds	IT and telephone assessment	\$8407	10/1/2023-9/30/2024
OCP	800178	1010	Local Funds	Agency P-Card purchases	\$10,000	10/1/2023-9/30/2024

J&PS Performance Oversight Questions (FY23-24)

CCRC

11. Please provide a list of all MOUs in place during FY 2023 and FY 2024, to date, that are not listed in response to the question above.

As noted in response to Question #5 above, the CCRC has a no cost restricted data use agreement with D.C. Superior Court that allows the agency to have access to certain court data and to conduct limited analyses. The current version of the restricted data use agreement was entered into 4/14/19 and does not have an expiration date.

12. Please identify any special purpose revenue accounts maintained by, used by, or available for use by your agency during FY 2023 and FY 2024, to date. For each account, please list the following:

The agency does not maintain or use any special purpose revenue accounts.

13. Please provide a list of all projects for which your agency currently has capital funds available. Please include the following:

The CCRC does not have any projects for which capital funds are available.

14. Please provide a complete accounting of all federal grants received for FY 2023 and FY 2024, to date, including the amount, the purpose for which the funds were granted, whether those purposes were achieved and, for FY 2023, the amount of any unspent funds that did not carry over.

The CCRC has not received any federal grants for FY23 or FY24 to date.

15. Please list each contract, procurement, lease, and grant (“contract”) awarded, entered into, extended and option years exercised, by your agency during FY 2023 and FY 2024, to date. For each contract, please provide the following information, where applicable:

The agency entered into one contract for services in this timeframe; it exercised one option year for FY23 on a contract that had been in effect from prior years. The contract expired at the end of FY23.

- a. The party: The Justice Policy Institute
- b. Nature: Strategic communications and public relations services
- c. Amount for FY23: \$100,000
- d. Term of the contract: 10/1/21 to 9/30/23 (option year for FY23 exercised under contract begun in FY21)
- e. Whether the contract was competitively bid or not: No, sole source contracting procedures were followed by OCP
- f. The name of the agency’s contract monitor and the results of any monitoring activity; Contract Officer OCP Xanya Sanders; Contract Administrator CCRC Jinwoo Park – No issues to date

J&PS Performance Oversight Questions (FY23-24)

CCRC

- g. Funding source: Local funds.
- h. Whether the contract is searchable: The contract is not searchable on the Contracts and Procurement Transparency Portal.

16. Please provide the details of any surplus in the agency's budget for FY 2023, including:

- a. Total surplus of \$36,875.
- b. The surplus was mostly due to an FTE vacancy in early FY23. The CCRC had a vacancy to begin FY23, and the senior attorney advisor who was hired to fill the role began working in December of 2022. Approximately \$27,000 of the total surplus was due to this vacancy. Had the role been filled to begin FY23, the CCRC's total surplus would have been roughly \$10,000, slightly more than 1% of the total local budget.

17. For FY 2023 and FY 2024 to date, please provide the number of contracts and procurements executed by your agency. Please indicate how many contracts and procurements were for an amount under \$250,000, how many were for an amount between \$250,000-\$999,999, and how many were for an amount over \$1 million.

The CCRC exercised an option year for FY23 on its pre-existing contract with the Justice Policy Institute. This option year cost \$100,000.

The CCRC has not entered into any other contracts and did not execute any procurements in FY23 or in FY24 to date.

**LAWS, AUDITS, AND STUDIES**

18. Please list and describe any ongoing investigations, audits, or reports on your agency or any employee of your agency, or any investigations, studies, audits, or reports on your agency or any employee of your agency that were completed during FY 2023 or FY 2024, to date.

There are no ongoing investigations, audits, or reports on the CCRC or any employees of the CCRC, and none were completed in FY23 or FY24 to date.

19. Please list any reports the agency is required by Council legislation to prepare and whether the agency has met these requirements.

There are no reports the CCRC is required by Council legislation to prepare.

20. Please list all lawsuits filed in FY23 or FY24, to date that name the agency as a party, and provide the case name, court where claim was filed, case docket number, and a brief description of the case.

The CCRC is not party to any lawsuits filed in FY23 or FY24 to date.

21. Please list all settlements entered into by the agency or by the District on behalf of the agency in FY 2023 or FY 2024, to date, including any covered by D.C. Code § 2-402(a)(3), and provide the parties' names, the amount of the settlement, and if related to litigation, the case name and a brief description of the case. If unrelated to litigation, please describe the underlying issue or reason for the settlement (e.g. administrative complaint, etc.).

## J&PS Performance Oversight Questions (FY23-24)

### CCRC

The CCRC did not enter into any settlements, and the District did not enter into any settlements on behalf of the CCRC, in FY23 or FY24 to date.

22. Please list any administrative complaints or grievances that the agency received in FY 2023 and FY 2024, to date, broken down by source. Please describe the process utilized to respond to any complaints and grievances received and any changes to agency policies or procedures that have resulted from complaints or grievances received. For any complaints or grievances that were resolved in FY 2023 or FY 2024, to date, describe the resolution.

The CCRC did not receive any administrative complaints or grievances in FY 2023 or FY 2024 to date. Should a complaint or grievance arise, the agency would follow standard District Personnel Manual practices and procedures.

### WORKPLACE ISSUES AND EQUITY

23. Please describe the agency's procedures for investigating allegations of sexual harassment or misconduct committed by or against its employees. List and describe any allegations received by the agency in FY 2023 and FY 2024, to date, and whether and how those allegations were resolved.

The agency policy is to follow the District Personnel Manual in investigating complaints and grievances. The agency has coordinated with DCHR so that their designated Sexual Harassment Officer is available to any CCRC employee. Although the CCRC is a small, independent agency not subordinate to the Mayor, this action was taken to comply with the 12/18/17 Mayor's Order regarding Sexual Harassment Officers.

No allegations of sexual harassment or misconduct committed by or against CCRC employees were received in FY 2023 or FY 2024 to date.

24. The District defines racial equity as "the elimination of racial disparities such that race no longer predicts opportunities, outcomes, or the distribution of resources for residents of the District, particularly for persons of color and Black residents." What are three areas, programs, or initiatives within your agency where you see the most opportunity to make progress toward racial equity?

Consistent with its statutory mandate, the CCRC does not have any programs or initiatives that are specifically directed at improving racial equity. However, the criminal justice system, and the District's criminal code, disproportionately affects racial minorities. Accordingly, the CCRC's efforts to improve the clarity, proportionality, and completeness of the District's criminal code may also improve racial equity. Due to the realities of the District's criminal justice system, nearly all of the CCRC's initiatives have the opportunity to improve racial equity.

25. In FY23 and FY24, to date, what are two ways that your agency has addressed racial inequities internally or through the services you provide?

The CCRC does not provide services directly to District residents, but provides guidance and assistance to the Council. However, as noted above because of inherent inequities

## J&PS Performance Oversight Questions (FY23-24)

### CCRC

within the criminal justice system, the CCRC's legal and policy recommendations that are facially neutral as to race will improve racial equity. The following are just two examples from FY23 and FY24 to date:

1. The CCRC's work related to the RCCA was not specifically designed to address racial inequity. However, as the criminal justice system disproportionately affects persons of color, RCCA's improvements to clarity, completeness, and proportionality would have improved racial equity.
2. The CCRC advised this Committee on the inclusion of merger provisions in specific offenses, such as the new strangulation offense. These merger provisions ensure proportionate penalties by preventing stacking duplicative charges for overlapping offenses that criminalize the same or similar conduct. Based on data provided by D.C. Superior Court, a significant majority of defendants charged with and convicted of felony assault are persons of color. Accordingly, it is likely that providing proportionately severe penalties for the strangulation offense, while barring duplicative stacking of separate offenses, improves racial equity.

### AGENCY-SPECIFIC QUESTIONS

26. The CCRC fulfilled its statutory mandate of issuing criminal code reform recommendations through its submission of a report on March 31, 2021. Please describe any work the CCRC conducted related to that mandate in FY23 and FY24, to date.

Although the CCRC fulfilled its statutory mandate of issuing criminal code reform recommendations through its submission on a report on March 31, 2021, the CCRC still spent nearly half of FY23 focused on criminal code reform. Beginning in 2022, the CCRC was heavily involved in efforts to make additional amendment and revisions to the RCCA in preparation for final votes before the D.C. Council. This included making edits to statutory text in consultation with Councilmembers, MPD, and the Council's general counsel's office.

After the D.C. Council unanimously voted in favor of the RCCA, Congress took up efforts to block the RCCA from going to effect. As the disapproval resolutions moved before the U.S. House of Representatives and the U.S. Senate, the CCRC was heavily involved in efforts to inform members of Congress about the true substance of the bill. This included holding briefing meetings with Congressional staff, and producing numerous fact sheets and summaries of the bill to be distributed to members of Congress and their staff. Unfortunately, Congress did pass a disapproval resolution which was signed by President Biden on March 20, 2023. These efforts to assist in passage of the RCCA before the D.C. Council, and to prevent federal government interference consumed roughly half of FY23.

Over the second half of FY23 and in FY24 to date, the CCRC has undertaken several efforts to fulfill its statutory mandate of criminal code revision. First, the CCRC has moved forward to begin revising clusters of offenses that were not included in the RCCA. Had Congress not struck down the RCCA, these additional clusters of revised offenses were to



## J&PS Performance Oversight Questions (FY23-24)

### CCRC

have been added as amendments to the RCCA prior to its applicability date in October of 2025. The CCRC has produced reports related to Animal Cruelty offenses, and is still in the process of researching and drafting a report related to public corruption offenses.

In addition, the CCRC has engaged in significant research and analysis of law and sentencing practices across the nation. Part of the *political* failing of the RCCA was an inaccurate perception that the bill provided uniquely or unusually lenient sentences. The maximum sentences authorized under the RCCA were, in nearly all cases, higher than even the longest sentences imposed under current District law. However, the CCRC has undertaken steps to demonstrate that the RCCA is also consistent with *national* law and sentencing practices. To this end, the CCRC began two major research and analysis projects in FY23 that have continued into FY24.

First, the CCRC has begun thoroughly researching maximum allowable penalties across the 50 states to demonstrate that RCCA maximum penalties are consistent with national norms. The CCRC relied on a decade of sentencing data provided by D.C. Superior Court to demonstrate that in virtually all cases the RCCA's penalties were as high or higher than even the longest sentences imposed under current law. In addition, preliminary research performed by the CCRC also demonstrated that the RCCA's penalties are consistent with national norms. As each state has its own complex criminal code and sentencing laws, determining the maximum applicable sentence for a given offense in all 50 states is a very time-consuming task. The CCRC has been thoroughly researching these comparable penalties across the nation to demonstrate definitively that the RCCA's recommendations are squarely within national norms.

Secondly, the CCRC has begun analysis of nationwide sentencing *practices* to determine if the penalties authorized under the RCCA are consistent with actual sentences imposed across the nation. The CCRC was able to obtain access to data from the National Corrections Reporting Program's Prison Term Record File. This file includes sentencing data from nearly 14 million cases compiled over prior decades from a majority of states. The data includes both the initial sentence imposed, as well as prison admission and release dates which can be used to determine the actual amount of time served in each case. The CCRC is currently analyzing this data, but when the analysis is complete the CCRC will be able to provide extremely detailed analysis of actual sentencing practices from across the nation. The report will provide sentencing quantiles for select offenses based on a series of parameters, such as whether the defendant was convicted of multiple offenses in a given case, or had prior convictions. For example, the CCRC will be able to determine the median sentence imposed for armed robbery in a particular state in cases in which the defendant was not convicted of any separate offenses but had prior convictions. This will provide a clearer view of how long similarly situated defendants convicted of a given crime actually serve in prison across the nation. Based on the CCRC's research, this will be an unprecedented database of actual sentencing practices.

Although these legal and data analyses have not yet been completed, preliminarily they indicate that the RCCA's penalty recommendations were within national norms.

J&PS Performance Oversight Questions (FY23-24)

CCRC

27. Please list any Council hearings at which CCRC offered testimony in FY23 or FY24, to date.

The CCRC provided testimony at the following Council hearings in FY23 and FY24 to date:

1. February 15, 2023, Testimony at the CCRC Performance Oversight Hearing
2. April 13, 2023, Testimony at the CCRC's Budget Oversight Hearing
3. May 17, 2023 Hearing on B25-0041, the "Forbid Lewd Activity and Sexual Harassment Act of 2023"
4. June 27, 2023 Hearing on B25-0291, the "Stronger Safer Amendment Act of 2023"
5. June 27, 2023 Hearing on B25-0247, the "Female Genital Mutilation Prohibition Act of 2023"
6. September 18, 2023 Hearing on B25-0345, the "Accountability and Victim Protection Amendment Act of 2023"
7. October 4, 2023 Hearing on B25-0421, the "License Suspension Reform Amendment Act of 2023" and B25-0425,
8. October 4, 2023 "Strengthening Traffic Enforcement, Education, and Responsibility ("STEER") Amendment Act of 2023"
9. November 8, 2023 Hearing on B25-0479, the "Addressing Crime through Targeted Interventions and Violence Enforcement ("ACTIVE") Amendment Act of 2023"
10. November 29, 2023 Hearing on B25-0555, the "Addressing Crime Trends (ACT) Now Amendment Act of 2023."

28. In preparing testimony on bills before the Council, what goals or policy outcomes is the CCRC working to advance?

As per the CCRC's statutory mandate set forth under D.C. Code § 3-152, the in preparing testimony on bills before the Council, the CCRC seeks to improve the clarity and proportionality of the criminal code, and to reduce or eliminate unnecessary overlap and gaps between offenses. The CCRC also identifies provisions that may violate the Constitution.

29. Please list any reports or analyses the CCRC released in FY23 or FY24, to date, and any reports or analyses the Commission plans to release in the remainder of FY24.

The CCRC has produced the following reports:

1. Report #79 - Animal Cruelty Offenses (First Draft)

The CCRC plans to produce the following reports and analyses in FY24:

2. Final Draft of Animal Cruelty Offense Revisions
3. First Draft of Bribery and Public Corruption Offense Revisions

J&PS Performance Oversight Questions (FY23-24)

CCRC

4. First Draft of Artificial Intelligence Related Offenses
5. First Draft of Traffic Offense Revisions
6. Comparative 50 State Maximum Sentence Analysis
7. Tentatively, a report on sentencing norms based on data from other states described above in response to Question #26. Note that this analysis is not yet complete, and given the scope of the data to be analyzed, this report may not be finalized until FY25.

30. Please describe any changes made to the CCRC's operations in FY23 or FY24, to date.

There have been no major changes to the CCRC's operations in FY23 and FY24 to date. However, the CCRC has spent significantly more time preparing testimony related to pending legislation before the Council and advising the Council on specific changes to text in individual pieces of legislation as compared to prior years.

31. The Fiscal Year 2021 Budget Support Act of 2020 (D.C. Law 23-149; 67 DCR 14601) made the CCRC a permanent agency and expanded its mandate to include providing "a legal or policy analysis of proposed legislation or best practices concerning criminal offenses, procedures, or reforms, including information on existing District law, the laws of other jurisdictions, and model legislation." What legal or policy analyses has the agency conducted under that authority in FY23 or FY24, to date?

The written and oral testimonies listed above under Question #27 all included thorough legal and policy analysis of proposed legislation. In addition, the CCRC has remained available to provide analysis to individual Councilmembers and their staff. The CCRC has provided legal analysis to members and staff serving on this Committee to further assist with drafting criminal legislation, including portions of Secure DC which is currently pending before the Council.

32. As you know, in March 2023, Congress passed, and President Biden signed, a disapproval resolution preventing the Revised Criminal Code Act of 2022 from taking effect. This marked the first time in three decades that a bill passed by the Council has been overturned by the federal government.

33. Has the Commission engaged in a "post-mortem" analysis of the RCCA to better understand the reasons the bill failed and how we might avoid a similar outcome in the future?

Although the CCRC has not engaged in a formal "post-mortem" analysis, the agency and its staff have spent a significant amount of time thinking and discussing why the bill failed and how to avoid a similar outcome in the future. I believe that there were three main interrelated reasons that the bill was struck down by the federal government: 1) there was an inadequate understanding of the vast improvements that the bill would have made to the District's criminal code in terms of clarity and proportionality, the overwhelming majority of which are entirely *uncontroversial*; 2) changes to penalties for a small handful of offenses, which would have had at most a minimal effect on actual sentencing and likely *no effect* on public safety came to dominate both descriptions in news media and the public perceptions of the bill; and 3) ongoing lack

of support and respect within the legislative and executive branches of the Federal government for District autonomy.

These three main causes were interrelated and all contributed to the RCCA being struck down by the federal government. Because there was inadequate understanding of the RCCA's immense improvements to clarity, proportionality and completeness, criticisms of a handful of provisions—mostly related to penalty changes that would have had a minimal effect on actual sentences—came to dominate perceptions of the bill. Instead of being described as a bill that would adopt best practices from around the nation to modernize the code, or a bill that would *increase* penalties for many significant offenses, the RCCA was often branded simply as a bill that would lower penalties for carjacking and other violent offenses. While technically accurate, this description was highly misleading as the RCCA's penalties were as high or higher than the longest sentences imposed under current law and maximum sentences allowed in many states. As a result, there was a perceived risk that opposition to the disapproval resolution would lead members of Congress and the President to be labeled as insufficiently tough on crime. While many members of Congress voted against the disapproval resolution, for too many the the perceived political risk outweighed principled support for District autonomy.

34. Does the Commission have any recommendations to the Council regarding possible avenues to pass an amended RCCA that could withstand scrutiny from federal lawmakers, given current political dynamics and the state of crime in the District? Please discuss both the procedural and substantive aspects of enacting a criminal code reform law.

As noted above in response to Question #33, the main three reasons for the RCCA's failure was a lack of understanding of the uncontroversial improvements that the bill would have made to the criminal code; a false perception that the RCCA was radically lenient on crime in a manner that would undermine public safety; and a lack of respect for District autonomy from federal law makers. The CCRC has several recommendations of how to pass an amended RCCA that will address these three major factors.

The CCRC, and other branches of District government, should undertake greater efforts to inform the public and media about the uncontroversial benefits of the RCCA. Throughout 2021 and 2022, there was minimal local media coverage of the RCCA and accordingly there was limited public understanding of the bill's value. In a second attempt to pass the bill, the CCRC, in cooperation with other branches of the District government, could be more active in informing the media and public. This could involve more in-depth discussions with reporters, as well as holding information sessions with the public. For example, the CCRC did attend an ANC meeting and a Citizens' Advisory Council meeting to discuss the merits of the RCCA and answer questions. The CCRC could be more active in this regard and schedule and attend many more meetings.

The RCCA must undergo substantive changes to prevent the same critiques that were raised when the RCCA was passed in 2022. As Mayor Bowser noted in her letter to Chairman Mendelson when she initially vetoed the bill, there was "consensus

agreement” on “95% of the bill,”<sup>1</sup> and that the RCCA represented a “significant and much-needed update to our criminal code.”<sup>2</sup> The CCRC is in complete agreement with Mayor Bowser on this point, and I believe that compromise can be reached with respect to the relatively contentious 5% of the bill, while retaining the 95% that represents a consensus, common-sense improvement to our Code. While the CCRC cannot at this time present the specific changes that would need to be made to reach consensus agreement, it seems likely that passage will require changes relating to penalties for a handful of serious offenses.

The District must present a unified front in passing a second version of the RCCA. The Mayor was of course within her rights in exercising the executive prerogative to veto legislation with which she had points of disagreement. However, especially when there had been limited local reporting on the bill, disagreement between the Council and the Executive had the effect of highlighting the small number of points of disagreement. The veto may have provided assurance to members of Congress who otherwise might have been inclined to support District autonomy, but felt that their support of the disapproval resolution was merely furthering the policy goals of the District’s elected executive. I am hopeful that through compromise discussed in the prior paragraph, the Council and Mayor can reach an agreement on a version of the RCCA that comprehensively modernizes the District’s criminal code, while satisfying the parties’ views and interests as to the small minority of most contentious issues. I believe that with unified support, it will be clearer to the public, media, and our federal partners that this bill is a moderate and much-needed modernization, rather than a supposedly radical departure from local and national sentencing norms.

Finally, there may need to be a more concerted effort to communicate with our federal partners. The disapproval resolution blocking the RCCA marked the first time in more than 30 years that Congress has struck down a piece of local legislation. Since disapproval resolutions had been so rare, it is understandable that there was insufficient attention paid to the risk of federal interference. However, Congress has demonstrated an increased willingness to interfere with even minute details of local governance. As this willingness has grown, the Council may wish to increase communications with members of Congress to limit the scope of the interference, or to find terms under which members will feel comfortable to support District autonomy. Trust may be limited at this time, and it is unfortunate that the District should have to resort to these measures in order to be granted the same freedom of self-governance assured to all other Americans, but it may be a step in ensuring that the District is able to enact its own policy preferences.

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<sup>1</sup> Letter from Mayor Muriel E. Bowser to Chairman Phil Mendelson (Jan. 4, 2023) at 1.

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