



Advisory Neighborhood Commission 2A

“Serving the Foggy Bottom and West End communities of Washington, D.C.”

May 2, 2023

Councilmember Brooke Pinto
Chair, Committee on the Judiciary and Public Safety
Council of the District of Columbia
1350 Pennsylvania Avenue NW, Suite 106
Washington, DC 20004
bpinto@dccouncil.gov

RE: DC Council’s Budget Oversight Hearing for the Criminal Code Reform Commission (CCRC)

Dear Councilmember Pinto,

At its regular meeting on April 19, 2023, Advisory Neighborhood Commission 2A (“ANC 2A” or “Commission”) considered the above-referenced matter. With seven of nine commissioners present, a quorum at a duly-noticed public meeting, the Commission voted (5-0-2), after a motion made by Commissioner Bandy and seconded by Commissioner Patel, to adopt the following resolution:

WHEREAS, on March 22, 2023, the Mayor submitted her proposed FY 2024 budget, which eliminates the Criminal Code Reform Commission (CCRC) by stating “[p]ursuant to legislation, the CCRC is a temporary agency,”¹

WHEREAS, the Mayor’s justification is in direct conflict with the legislative history of D.C. Code § 3-151 et seq making CCRC permanent in the bill that the Mayor later signed,²

WHEREAS, in 2016, the DC Council created the CCRC as an independent agency and directed it to provide recommendations that improve the clarity, consistency, completeness, organization, and proportionality of criminal statutes,³

WHEREAS, the statute creating CCRC also established an advisory group with connections throughout the criminal justice community to:

- provide comments on all of the agency’s draft revisions,

¹ See Fiscal Year 2024 Proposed Budget for the Criminal Code Reform Commission, Summary of Services, available at <https://cfo.dc.gov/node/1650886>

² See D.C. Code § 3-152(d); Committee of the Whole, Report on Bill 23-0760, the “Fiscal Year 2021 Budget Support Act of 2020” at 14 (stating: “Subtitle A. Criminal Code Reform Commission Amendment Act of 2020: Eliminates the sunset provision for the Commission, making it a permanent agency, clarifies its ongoing duties, and requires annual reporting to the Council of its activities.”).

³ § 3-151. [Establishment of the Criminal Code Reform Commission.](#) | D.C. Law Library (dccouncil.gov)



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- to examine model codes and best practices in other jurisdictions, as well as relevant court statistics,

WHEREAS, for a decade the advisory group members conducted over 50 monthly meetings that contained informed and thorough feedback from critical stakeholders with both consensus and competing views, with the feedback being submitted to the DC Council after intensive research and review,

WHEREAS, the CCRC helped the DC Council make textual changes to the Revised Criminal Code Act of 2022 (RCCA) after the submission of recommendations that actually accomplished their legislative goals and aligned with their values without unintended consequences to other statutes,

WHEREAS, the passage of an amended RCCA requires the type of detailed and expert understanding of every aspect of the revised criminal code that only comes from the type of continuity of work on the code performed by CCRC, as the RCCA was a massive bill – 273 pages – that affected not only the entire criminal code but statutes throughout the entire D.C. Code,

WHEREAS, the CCRC will play a critical role in advising the DC Council on amendments to a new version of the RCCA when it is introduced to ensure consistency with existing provisions, as well as on implementation of the new law through trainings to practitioners, community outreach, and expert oversight advice, and

WHEREAS, the CCRC has a critical role to play as an independent agency in revising other statutes and making recommendations for other criminal code reforms beyond the RCCA.

THEREFORE, BE IT FURTHER RESOLVED that ANC 2A does not support the elimination of the Criminal Code Reform Commission.

Commissioners Trupti Patel (2A03@anc.dc.gov) and Jim Malec (2A02@anc.dc.gov) are the Commission’s representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

Jim Malec
Vice Chairperson