



Now Is the Time to *Invest* in D.C.'s Youth Rehabilitation Act, Not Roll It Back

April 2024

Introduced in Congress in March 2024, H.R. 7530 threatens to gut one of the most promising hybrid systems of justice for emerging adults in the country. The Bill would lower the upper age limit of the District of Columbia's Youth Rehabilitation Act (YRA) from age 24 to 18 and would remove judges' discretion to issue a sentence lower than the mandatory-minimum term for an eligible young person. Consequently, if enacted, the Bill would set D.C. back to the mid-20th century, well behind many other states that recently expanded and improved their hybrid system or are currently proposing to do so. Such dramatic and regressive provisions in this unprecedented Bill are also likely to increase recidivism and worsen public safety in the District.

The YRA is a Public Safety Initiative

The Emerging Adult Justice Project at Columbia University's Justice Lab recently completed a comprehensive national scan and analysis of "[hybrid systems](#)" of justice (also known as "youthful offender" laws) for emerging adults (ages 18-25).ⁱ The DC's YRA is one of the seven hybrid systemsⁱⁱ in the United States that improve public safety through developmentally appropriate—and therefore more effective—criminal legal system responses for emerging adults. Research shows that the vast majority of emerging adults, like younger adolescents, will mature and "age out" of lawbreaking if given the opportunity. By providing tailored alternatives to traditional criminal legal responses, the YRA allows young people the chance to achieve the developmental milestones that have been shown to lead to desistance.ⁱⁱⁱ These include education, employment, stable relationships such as family and parenting, all of which are hampered by life-long adverse consequences of traditional adult system responses on emerging adults.

Like other hybrid systems in the United States, the YRA does not expand the age range of the juvenile justice system; rather it creates a *distinct* path by lessening some of the harmful effects of the adult system and treating emerging adults in a partially mitigated, more developmentally appropriate fashion. For example, the YRA *allows* (but does not require) judges to impose an imprisonment sentence less than the mandatory-minimum term or suspend an imprisonment sentence and instead place the young person on probation at their discretion. This allows young people who would be best served by supports and services in the community to avoid the lifelong harms that incarceration imposes. The YRA also creates a mechanism for the young person's criminal record to be "set aside" (akin to expungement), which reduces the collateral consequences of legal system involvement that harm a young person's ability to desist from crime and become a productive member of their community. **According to an empirical analysis by the DC's Criminal Justice Coordinating Council, YRA's**

discretionary sentencing and especially set-aside provisions have proven to reduce recidivism: Youth who were sentenced under YRA and similarly situated with non-YRA sentenced youth were less likely to be rearrested within two years. Further, youth who were granted a set-aside were 48% less likely to be re-arrested and 78% less likely to be reconvicted within two years of the set-aside or expiration of the case. In addition, the data showed reductions in recidivism for *all* types of cases, including felony, violent, and weapon offenses when a youth's conviction is set aside under YRA.^{iv}

The YRA is a Smart Strategy for Washington, D.C.

Because of their important potential to enhance public safety and communities, several states across the country have implemented and, over time, expanded hybrid systems. For example, like D.C., Michigan and Vermont recently expanded their hybrid system by raising their upper age of eligibility to include more young people and made their jurisdictions safer. New York has active bills that seeks to do the same.^v

Despite the strengths and benefits of the YRA, there is room for further improvement of the Act. We developed a model statute for hybrid systems based on the information gleaned from our national research on existing hybrid systems. For example, YRA's discretionary set aside provision can be made automatic upon successful completion of a sentence under the Act, as exists in several other hybrid systems, to benefit many more young people stuck unnecessarily with a criminal record, reduce recidivism and improve public safety even to a greater degree. Also, the implementation of YRA can, and should, be significantly improved. The YRA law (and the corresponding [Strategic Plan](#)) outlines a continuum of supports and services that should be available to young people, but they have yet to be fully created, funded, and implemented.^{vi} While the 2024 Secure D.C. law established a new [Director of Emerging Adult Services](#) position, a small but important step towards full implementation of the YRA, the Mayor needs to fully fund the position as well as appropriate community programs and services that will be created under the Director's guidance.

The research does not support H.R. 7530: Washington, D.C. is more likely to improve public safety by increasing its investment in and fully implementing the YRA, not by rolling it back.

ⁱ Selen Siringil Perker and Lael E.H. Chester, *Time for Change: A National Scan and Analysis of Hybrid Justice Systems for Emerging Adults*. New York, NY: Columbia University, 2023. Available at <https://www.eajustice.org/hybrid-systems>. For a detailed analysis of DC's YRA, see *id* at 91-106.

ⁱⁱ These jurisdictions, in addition to D.C., are Alabama, Florida, Michigan, New York, South Carolina, and Vermont.

ⁱⁱⁱ Robert J. Sampson and John H. Laub, *Crime in the Making: Pathways and Turning Points Through Life* (Cambridge, MA: Harvard University Press, 1993).

^{iv} Ellen P. McCann, *The District's Youth Rehabilitation Act: An Analysis* (Washington, DC: Criminal Justice Coordination Council, 2017), pp. 27, 28, 31. <https://cjcc.dc.gov/page/districts-youth-rehabilitation-act-analysis>.

^v The text of New York Senate Bill 3426 and Assembly Bill 4238 are available at: <https://www.nysenate.gov/legislation/bills/2023/S3426#:~:text=New%20York%20must%20update%20its,youth%20until%20their%2026th%20birthday>.

^{vi} Justice Policy Institute, *Emerging Adult Strategic Plan 2020-2025* (Washington, DC: Justice Policy Institute, 2021), https://justicepolicy.org/wp-content/uploads/2022/06/DC_YRA_Strategic-Plan_2020-2025.pdf