

TO REPEAL THE SECOND CHANCE AMENDMENT ACT OF
2022 AND THE INCARCERATION REDUCTION AMEND-
MENT ACT OF 2016

OCTOBER 14, 2025.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. COMER, from the Committee on Oversight and Government
Reform, submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 5242]

[Including cost estimate of the Congressional Budget Office]

The Committee on Oversight and Government Reform, to whom
was referred the bill (H.R. 5242) to repeal the Second Chance
Amendment Act of 2022 and the Incarceration Reduction Amend-
ment Act of 2016, having considered the same, reports favorably
thereon with an amendment and recommends that the bill as
amended do pass.

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The amendment is as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. REPEAL OF SECOND CHANCE AMENDMENT ACT OF 2022 AND INCARCERATION REDUCTION AMENDMENT ACT OF 2016.

(a) **SECOND CHANCE AMENDMENT ACT OF 2022.**—The Second Chance Amendment Act of 2022 (D.C. Law 24–284) is hereby repealed, and any provision of law amended or repealed by such Act is restored or revived as if such Act had not been enacted into law.

(b) **INCARCERATION REDUCTION ACT OF 2016.**— The Incarceration Reduction Amendment Act of 2016 (title III of the Comprehensive Youth Justice Amendment Act of 2016; D.C. Law 21–238) is hereby repealed, and any provision of law amended or repealed by such Act is restored or revived as if such Act had not been enacted into law.

SEC. 2. TERMINATION OF AUTOMATED TRAFFIC ENFORCEMENT SYSTEM.

Title IX of the Fiscal Year 1997 Budget Support Act of 1996 (sec. 50–2209.01 et seq., D.C. Official Code) is hereby repealed.

SEC. 3. ELIMINATING RESTRICTIONS ON RIGHT TURNS AT RED TRAFFIC SIGNALS.

Section 9e of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (sec. 50– 2201.04e, D.C. Official Code) is repealed.

SEC. 4. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall apply with respect to criminal conduct that occurred after the date of the enactment of this Act.

SUMMARY AND PURPOSE OF LEGISLATION

H.R. 5242 repeals the Incarceration Reduction Amendment Act of 2016 (IRAA; title III of the Comprehensive Youth Justice Amendment Act of 2016, D.C. Law 21–238), passed by the D.C. Council in 2016. The Incarceration Reduction Act allows individuals convicted of certain serious crimes committed before their 18th birthday to petition the court for a sentence reduction after serving at least 15 years. In repealing the IRAA, the D.C. Code will reflect the codified language predating the passage of the Act and all subsequent amendments. This bill also repeals the Second Chance Amendment Act (SCAA) of 2022 (D.C. Law 24–284) which expanded D.C.’s expungement and sealing process to allow more individuals to petition the District for expungement or sealing of prior conviction records as well as the automatic expungement or sealing for certain other convictions, including marijuana possession. The bill also repeals provisions of D.C. Code authorizing the District’s use of automated traffic enforcement systems and the requirement for the District to prohibit right turn on red signage on D.C. streets.

BACKGROUND AND NEED FOR LEGISLATION

The District of Columbia has seen a staggering juvenile crime rate since the pandemic. In 2023, over 500 arrests of minors were made on robbery charges alone, rising to levels not seen since the 1990s.¹ In 2023, most carjackers were under the age of 17.² A poll given by Fox 5 DC asked, “Should juveniles who commit violent

¹*Id.*

²*The Top 3*, FOX 5 DC, at 0:44 (Apr. 26, 2023) [hereinafter “The Top 3”], at 4:20.

crimes face tougher punishments?”³ 98% of respondents said yes.⁴ There is an overwhelming desire from the public to find a solution to this crime epidemic, yet the D.C. Council continues to push lenient legislation, and AG Schwalb continues to fail to hold juveniles accountable. In response to an outbreak of juvenile arrests over the Fourth of July weekend in 2025,⁵ Mayor Bowser signed emergency legislation, passed by the D.C. Council, that implemented and expanded the pre-existing summer curfew across the District.⁶

The “Enclave Clause”—as articulated in Article I, Section 8, Clause 17 of the United States Constitution—provides Congressional authority to “exercise exclusive Legislation in all Cases whatsoever, over such District.” And the District of Columbia Home Rule Act (Home Rule Act), which was signed into law in 1973, provides a charter for the local government of the District of Columbia granting a degree of self-governance to D.C. officials, including the authority to legislate, conduct elections, and otherwise govern local municipal affairs.⁷ Under the Home Rule Act, Congress has the right to enact legislation for D.C. on any subject, including legislation to amend or repeal any law in force in the District, prior to or after enactment, and any act passed by the D.C. Council.⁸ Congress also retains control over the District’s budget,⁹ and the President appoints the District’s judges.¹⁰ Section 740 of the Home Rule Act explicitly grants the President the authority to assume control of the Metropolitan Police force as the President deems necessary and appropriate to respond to “special conditions of an emergency nature”.¹¹ If the President deems it necessary to extend this appropriation of control beyond 48 hours, he must notify the Chairmen and Ranking Members of the House Oversight and Government Reform and Senate Homeland Security and Governmental Affairs Committees of his reasoning for exercising this authority and the period of time which the need for such services is likely to continue.¹² The emergency use of the Metropolitan Police force shall terminate upon the end of such an emergency, the expiration of thirty days following when the Metropolitan Police were first made available, or upon the adoption of a resolution to terminate by either the Senate or House, whichever comes first.¹³ The Senate and House may approve of use extending beyond a thirty day period through a concurrent resolution.¹⁴

On August 11, 2025, President Trump announced major steps to address out-of-control crime in the District.¹⁵ President Trump declared a public safety emergency over the city (EO 14333—*Declaring a Crime Emergency in the District of Columbia*) and, pursuant

³ *Id.* at 5:15.

⁴ *Id.*

⁵ Press Release, Metro. Pol. Dep’t, MPD Provides Update on Response to Navy Yard Unlawful Activity (July 7, 2025).

⁶ Luke Lukert, *DC mayor toughens summer curfew after 20 teens charged with fireworks offenses*, WTOP NEWS (Jul. 8, 2025).

⁷ District of Columbia Home Rule Act, Pub. L. No. 93–198 § 601; 87 Stat. 774 (1973).

⁸ *Id.*

⁹ *Id.* § 603.

¹⁰ *Id.* § 433.

¹¹ *Id.* § 740(a).

¹² *Id.*

¹³ *Id.* § 740(c).

¹⁴ *Id.* § 740(d).

¹⁵ *President Trump Holds a Press Conference, Aug. 11, 2025*, THE WHITE HOUSE (Aug. 11, 2025). [hereinafter “White House Press Conference”].

to authority granted to the President under Section 740 of the Home Rule Act, took control of the MPD.¹⁶ This is the first time a President has invoked Section 740. President Trump subsequently signed a memorandum to permit Secretary of Defense Hegseth to deploy the National Guard into D.C. to support the work of local law enforcement and to enforce law and order.¹⁷ Additionally, hundreds of federal agents were deployed into the District by the Department of Justice (DOJ) from such agencies as the Federal Bureau of Investigation (FBI), Bureau of Arms, Tobacco, and Firearms (ATF), and more.¹⁸

President Trump additionally signed two Executive Orders to solidify the Administration's work with the District. Building upon the first EO exercising control over the District's police force, the President issued EO 14339 (*Additional Measures To Address the Crime Emergency in the District of Columbia*) which addresses restoring safety as well as prioritizing the re-beautification of the District.¹⁹ The President also signed EO 14340 (*Measures To End Cashless Bail and Enforce the Law in the District of Columbia*) addressing cashless bail and unwarranted pretrial release practices in the District.²⁰

Following the President's orders, the Chairman of the DC Police Union said the union, "acknowledges and supports the President's announcement this morning to assume temporary control of the MPD in response to the escalating crime crisis in Washington, D.C."²¹ Mayor Muriel Bowser contends that D.C. is safer than in the 2023 crime spike but otherwise said that she would work with President Trump as Home Rule requires.²²

Following this announcement, U.S. Attorney for the District of Columbia Jeanine Pirro blamed the D.C. Council and D.C. Attorney General Schwalb for the crime crisis. Citing lack of prosecutions of juveniles and rising violent crime in the District, Pirro called for the Council and AG Schwalb to make immediate changes to stop the crime crisis in D.C.²³ Mayor Bowser agreed with some of U.S. Attorney Pirro's concerns while committing to examine laws at issue and potentially address these concerns in an omnibus package.²⁴

On August 27, Mayor Bowser held a press conference where she credited the Trump Administration's deployment of federal law enforcement personnel with a dramatic decrease in crime between August 11 and August 25.²⁵ Carjackings had decreased 87% during this period.²⁶ Nearly 1,200 arrests have been made since President Trump's actions, including members of designated foreign terrorist

¹⁶ Exec Order No. 14333, 90 Fed. Reg. 39301 (Aug. 14, 2025).

¹⁷ White House Press Conference, *supra* note 15.

¹⁸ *Id.*

¹⁹ Exec. Order No. 14339, 90 Fed. Reg. 42121 (Aug. 28, 2025).

²⁰ Exec. Order No. 14340, 90 Fed. Reg. 42125 (Aug. 28, 2025).

²¹ Spencer Allen Brooks (@SpencerSays), X, (Aug. 11, 2025, 1:06 PM), available at <https://x.com/SpencerSays/status/1954952652887834716>.

²² Meagan Flynn, et al., *D.C. Mayor Bowser sticks with cautious approach amid Trump's takeover*, THE WASH. POST (Aug. 11, 2025).

²³ *Id.*

²⁴ *Id.*

²⁵ Rebecca Shabad, *Bowser says Trump's police takeover has lowered D.C. crime*, NBC NEWS (Aug. 27, 2025).

²⁶ Rebecca Shabad, *Mayor Muriel Bowser says Trump's surge of federal law enforcement has lowered crime in D.C.*, YAHOO! NEWS (Aug. 27, 2025).

organizations MS-13 and Tren de Aragua.²⁷ During this time, federal law enforcement also seized nearly 120 illegal firearms²⁸ and busted a drug trafficking ring attempting to smuggle fentanyl, PCP, and cocaine into D.C.²⁹ A joint effort by ICE and MPD resulted in the arrest of an illegal alien previously charged with sex crimes against a child.³⁰ Most notably, D.C. went a full 12 days without a single homicide.³¹ U.S. Attorney Pirro reported that 88% of arrests made between the start of the federal deployment on August 11 and August 25 resulted in charges being filed³² representing a substantially higher than in 2024 where the Biden-appointed U.S. Attorney charged suspects only 57% of the time.³³ Clearly the Executive actions taken by the Trump Administration are working.

In 2016, the D.C. Council passed the IRAA, providing criminals convicted of serious crimes committed before their 18th birthday to petition the court for a sentence reduction after serving at least 15 years, regardless of mandatory minimum sentences. Since then, violent crime in Washington, D.C. has soared, particularly carjacking, among juvenile offenders. Former D.C. Police Chief Peter Newsham has publicly stated: “These young people knew they could get away with it . . . There was very little consequence, and it spiraled out of control.”³⁴ Metropolitan Police carjacking task force leader, Lieutenant Scott Dowling has said “the same people were committing multiple, multiple, multiple offenses,” mentioning one 2023 case where just three people were arrested for suspicion of carrying out roughly 50 carjackings and thefts.³⁵ Furthermore, the SCAA expanded expungement and records sealing for more individuals, as well as expanded automatic expungement for certain crimes.

Collectively, these D.C. laws have created an environment where convicted criminals in the District are not held fully accountable for their crimes. Notably, United States Attorney for the District of Columbia Jeanine Ferris Pirro has expressed strong concern about these current laws, calling on the DC Council “to immediately reconsider the” legislation while her two predecessors have also echoed many of her concerns with the SCAA, specifically.³⁶ Pirro stresses the problems with using limited criminal justice resources on the process “sealing past convictions rather than addressing present threats and prosecuting crime.”³⁷

By repealing these two laws, H.R. 5242 would help restore justice and accountability by better ensuring that the criminals in our nation’s capital remain in jail until the sentence imposed by the

²⁷ Cameron Arcand, *Trump’s DC crime crackdown busts another alleged Tren de Aragua gang member: ‘Make DC Safe Again,’* FOX NEWS (Aug. 26, 2025).

²⁸ *Id.*

²⁹ Shabad, *supra* note 25.

³⁰ Press Release, U.S. Immigrations and Customs Enforcement, ICE, Metro PD arrest illegal Mexican alien previously charged with sex crimes against a Virginia child (Aug. 27, 2025).

³¹ Sam Kosmas, *Trump’s executive orders target DC crime as city hits 12 days without a homicide*, FOX 5 WASHINGTON, D.C. (Aug. 25, 2025).

³² Nick Beake & Lucy Gilder, *Has crime in Washington fallen two weeks on from Trump’s crackdown?*, BBC (Aug. 27, 2025).

³³ OFF. OF THE U.S. ATT’Y FOR D.C., 2024 VIOLENT CRIME OUTCOMES (Dec. 31, 2024), at 3.

³⁴ Rich Schapiro, *Carjacked in the capital: The ‘crime of the pandemic’ is still roiling D.C.*, NBC NEWS (Aug. 24, 2025).

³⁵ *Id.*

³⁶ Letter from Jeanine Ferris Pirro, United States Attorney, District of Columbia, to the Council of the District of Columbia (Aug. 6, 2025), <https://www.justice.gov/usao-dc/media/1410891/dl>.

³⁷ *Id.*

criminal justice system is fully realized. The effects of H.R. 5242 will apply to criminal conduct occurring after the date of enactment of the act so as to not impact those who have already utilized the IRAA and the SCAA.

In addition to addressing juvenile crime in the District of Columbia by repealing these two existing laws, the bill, as reported by the Committee, also repeals two other provisions in local D.C. law dealing with local traffic management. Specifically, the bill repeals Title IX of the Fiscal Year 1997 Budget Support Act of 1996 (sec. 50–2209.01 et seq., D.C. Official Code), which relates to automated traffic enforcement by striking both the mayor’s authorization to use automated traffic enforcement systems and the liability for an owner of a vehicle to pay fines associated with a traffic infraction from an automated traffic enforcement system. Furthermore, the bill repeals section 9e of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (sec. 50–2201.04e, D.C. Official Code) which provides for the District’s ability to erect signage prohibiting right turns on red, prohibits right turns on red, and requires an education campaign on the law. It is the Committee’s view that—rather than relying on traffic enforcement systems that do less to advance traffic safety than harass unsuspecting citizens and visitors to bridge budget gaps—the Washington, D.C. municipal government should implement sound budget policies that match modest spending levels with proper revenue sources.

SECTION-BY-SECTION ANALYSIS

Section 1. Repeal of Second Chance Amendment Act of 2022 and Incarceration Reduction Amendment Act of 2016

Subsection (a) repeals the Second Chance Amendment Act of 2022 (D.C. Law 24–284) to restore the D.C. Code to reflect the codified language predating the passage of the Act.

Subsection (b) repeals the Incarceration Reduction Amendment Act of 2016 (title III of the Comprehensive Youth Justice Amendment Act of 2016; D.C. Law 21–238) to restore the D.C. Code to reflect the codified language predating the passage of the Act.

Section 2. Termination of automated traffic enforcement system

Repeals Title IX of the FY 1997 Budget Support Act of 1996 (sec. 50–2209.01 et seq., D.C. Official Code), which relates to automated traffic enforcement. The amendment strikes the mayor’s authorization to use automated traffic enforcement systems and strikes the requirement for an owner of a vehicle to pay fines associated with a traffic infraction from an automated traffic enforcement system.

Section 3. Eliminating restrictions on right turns at red traffic signals.

Repeals section 9e of the District of Columbia Traffic Act, 1925 (sec. 50–2201.04e, D.C. Official Code) which directs the District government to erect signage prohibiting right turns on red and requires an education campaign on the law.

Section 4. Effective date

Clarifies that the bill applies to criminal conduct occurring after the date of enactment.

LEGISLATIVE HISTORY

H.R. 5242, to repeal the Second Chance Amendment Act of 2022 and the Incarceration Reduction Amendment Act of 2016, was introduced on September 10, 2025, by Representative David Kustoff (R-TN). The following Representative is a cosponsor of the bill: Joe Wilson (R-SC). The bill was referred to the Committee on Oversight and Government Reform. The Committee considered H.R. 5242 at a business meeting on September 10, 2025, and ordered the bill, as amended, favorably reported by a recorded vote.

COMMITTEE CONSIDERATION

On September 10, 2025, the Committee met in open session and ordered the bill, H.R. 5242, favorably reported, by a roll call vote of 24–20, a quorum being present.

ROLL CALL VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the following roll call votes occurred during the Committee's consideration of H.R. 5242:

The first roll call vote was on Amendment #1 offered by Mr. Comer to H.R. 5242. The amendment was agreed to by voice vote.

The second roll call vote was on Amendment #1 offered by Mr. Perry to H.R. 5242. The amendment was agreed to in a recorded vote of 25–20.

The third roll call vote was on Amendment #2 offered by Mr. Perry to H.R. 5242. The amendment was not agreed to in a recorded vote of 25–20.

The fourth roll call vote was on favorably reporting H.R. 5242. The bill was agreed to in a recorded vote of 24–20.

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

119TH CONGRESS

RATIO 26-21

ROLL CALL

Vote on: Perry Amendment #1 to H.R. 5242

Date: 9/10/2025

VOTE #: 20

Republicans	Aye	No	Present	Democrats	Aye	No	Present
MR. COMER (KY) <i>(Chairman)</i>	X			MR. GARCIA (CA) <i>(Ranking Member)</i>		X	
MR. JORDAN (OH)	X			MS. NORTON (DC)		X	
MR. TURNER (OH)	X			MR. LYNCH (MA)		X	
MR. GOSAR (AZ)	X			MR. KRISHNAMOORTHY (IL)		X	
MS. FOXX (NC)	X			MR. KHANNA (CA)		X	
MR. GROTHMAN (WI)	X			MR. MFUME (MD)		X	
MR. CLOUD (TX)	X			MS. BROWN (OH)		X	
MR. PALMER (AL)	X			MS. STANSBURY (NM)		X	
MR. HIGGINS (LA)	X			MR. FROST (FL)		X	
MR. SESSIONS (TX)	X			MS. LEE of PENNSYLVANIA (PA)		X	
MR. BIGGS (AZ)	X			MR. CASAR (TX)		X	
MS. MACE (SC)	X			MS. CROCKETT (TX)		X	
MR. FALLON (TX)	X			MS. RANDALL (WA)		X	
MR. DONALDS (FL)	X			MR. SUBRAMANYAM (VA)		X	
MR. PERRY (PA)	X			MS. ANSARI (AZ)		X	
MR. TIMMONS (SC)	X			MR. BELL (MO)		X	
MR. BURCHETT (TN)	X			MS. SIMON (CA)		X	
MS. GREENE OF GEORGIA (GA)	X			MR. MIN (CA)		X	
MS. BOEBERT (CO)	X			MS. PRESSLEY (MA)		X	
MRS. LUNA (FL)				MS. TLAIB (MI)		X	
MR. LANGWORTHY (NY)	X			VACANCY			
MR. BURLISON (MO)	X						
MR. CRANE (AZ)	X						
MR. JACK (GA)	X						
MR. MCGUIRE (VA)	X						
MR. GILL (TX)	X						

Roll Call Totals:

Ayes: 25

Nays: 20

Present:

Passed: X Failed:

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

119TH CONGRESS

RATIO 26-21

ROLL CALL

Vote on: Perry Amendment #2 to H.R. 5242

Date: 9/10/2025

VOTE #: 21

Republicans	Aye	No	Present	Democrats	Aye	No	Present
MR. COMER (KY) <i>(Chairman)</i>	X			MR. GARCIA (CA) <i>(Ranking Member)</i>		X	
MR. JORDAN (OH)	X			MS. NORTON (DC)		X	
MR. TURNER (OH)	X			MR. LYNCH (MA)		X	
MR. GOSAR (AZ)	X			MR. KRISHNAMOORTHY (IL)		X	
MS. FOXX (NC)	X			MR. KHANNA (CA)		X	
MR. GROTHMAN (WI)	X			MR. MFUME (MD)		X	
MR. CLOUD (TX)	X			MS. BROWN (OH)		X	
MR. PALMER (AL)	X			MS. STANSBURY (NM)		X	
MR. HIGGINS (LA)	X			MR. FROST (FL)		X	
MR. SESSIONS (TX)	X			MS. LEE of PENNSYLVANIA (PA)		X	
MR. BIGGS (AZ)	X			MR. CASAR (TX)		X	
MS. MACE (SC)	X			MS. CROCKETT (TX)		X	
MR. FALLON (TX)	X			MS. RANDALL (WA)		X	
MR. DONALDS (FL)	X			MR. SUBRAMANYAM (VA)		X	
MR. PERRY (PA)	X			MS. ANSARI (AZ)		X	
MR. TIMMONS (SC)	X			MR. BELL (MO)		X	
MR. BURCHETT (TN)	X			MS. SIMON (CA)		X	
MS. GREENE OF GEORGIA (GA)	X			MR. MIN (CA)		X	
MS. BOEBERT (CO)	X			MS. PRESSLEY (MA)		X	
MRS. LUNA (FL)				MS. TLAIB (MI)		X	
MR. LANGWORTHY (NY)	X			VACANCY			
MR. BURLISON (MO)	X						
MR. CRANE (AZ)	X						
MR. JACK (GA)	X						
MR. MCGUIRE (VA)	X						
MR. GILL (TX)	X						

Roll Call Totals:

Ayes: 25

Nays: 20

Present:

Passed: X Failed:

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

119TH CONGRESS

RATIO 26-21

ROLL CALL

Vote on: Final Passage – H.R. 5242, Repeal Second Chance Amd Act of 2022 and
Incarceration Reduction Amd Act of 2016

Date: 9/10/2025

VOTE #: 22

Republicans	Aye	No	Present	Democrats	Aye	No	Present
MR. COMER (KY) <i>(Chairman)</i>	X			MR. GARCIA (CA) <i>(Ranking Member)</i>		X	
MR. JORDAN (OH)	X			MS. NORTON (DC)		X	
MR. TURNER (OH)	X			MR. LYNCH (MA)		X	
MR. GOSAR (AZ)	X			MR. KRISHNAMOORTHY (IL)		X	
MS. FOXX (NC)	X			MR. KHANNA (CA)		X	
MR. GROTHMAN (WI)	X			MR. MFUME (MD)		X	
MR. CLOUD (TX)				MS. BROWN (OH)		X	
MR. PALMER (AL)	X			MS. STANSBURY (NM)		X	
MR. HIGGINS (LA)	X			MR. FROST (FL)		X	
MR. SESSIONS (TX)	X			MS. LEE of PENNSYLVANIA (PA)		X	
MR. BIGGS (AZ)	X			MR. CASAR (TX)		X	
MS. MACE (SC)	X			MS. CROCKETT (TX)		X	
MR. FALLON (TX)	X			MS. RANDALL (WA)		X	
MR. DONALDS (FL)	X			MR. SUBRAMANYAM (VA)		X	
MR. PERRY (PA)	X			MS. ANSARI (AZ)		X	
MR. TIMMONS (SC)	X			MR. BELL (MO)		X	
MR. BURCHETT (TN)	X			MS. SIMON (CA)		X	
MS. GREENE OF GEORGIA (GA)	X			MR. MIN (CA)		X	
MS. BOEBERT (CO)	X			MS. PRESSLEY (MA)		X	
MRS. LUNA (FL)				MS. TLAIB (MI)		X	
MR. LANGWORTHY (NY)	X			VACANCY			
MR. BURLISON (MO)	X						
MR. CRANE (AZ)	X						
MR. JACK (GA)	X						
MR. MCGUIRE (VA)	X						
MR. GILL (TX)	X						

Roll Call Totals:

Ayes: 24

Nays: 20

Present:

Passed: X Failed:

EXPLANATION OF AMENDMENTS

During Committee consideration of the bill, Representative James Comer (R-KY), Chairman of the Committee, offered an amendment to H.R. 5242 that would make a technical change and add an effective date. The amendment passed by voice vote.

Representative Scott Perry (R-PA) offered an amendment to H.R. 5242 that would terminate the automated traffic enforcement system. The amendment passed by recorded vote.

Representative Scott Perry (R-PA) offered an amendment to H.R. 5242 that would eliminate restrictions on right turns at red traffic signals. The amendment passed by recorded vote.

LIST OF RELATED COMMITTEE HEARINGS

In accordance with House rule XIII, clause 3(c)(6), (1) the following hearing was used to develop or consider H.R. 5242:

On March 11, 2025, the Committee on Oversight and Government Reform subcommittee on Federal Law Enforcement held a legislative hearing titled “Enhancing Federal, State, and Local Coordination in the Fight Against Criminal Illegal Aliens” with Joseph Humire, Executive Director, The Center for a Secure Free Society; the Honorable Bob Gaultieri, Sheriff, Pinellas County, Florida; and Kerry E. Doyle, Former Principal Legal Advisor, U.S. Immigration and Customs Enforcement.

(2) The following related hearing was held:

On March 11, 2025, the Committee on Oversight and Government Reform subcommittee on Federal Law Enforcement held a legislative hearing titled “Enhancing Federal, State, and Local Coordination in the Fight Against Criminal Illegal Aliens” with Joseph Humire, Executive Director, The Center for a Secure Free Society; the Honorable Bob Gaultieri, Sheriff, Pinellas County, Florida; and Kerry E. Doyle, Former Principal Legal Advisor, U.S. Immigration and Customs Enforcement.

STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee’s oversight findings and recommendations are reflected in the Background and Need for Legislation section above.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee’s performance goals or objectives of this bill are to repeal the Second Chance Amendment Act of 2022 and the Incarceration Reduction Amendment Act of 2016.

APPLICATION OF LAW TO THE LEGISLATIVE BRANCH

Section 102(b)(3) of Public Law 104–1 requires a description of the application of this bill to the legislative branch where the bill relates to the terms and conditions of employment or access to public services and accommodations. This bill does not relate to em-

ployment or access to public services and accommodations in the legislative branch.

DUPLICATION OF FEDERAL PROGRAMS

In accordance with clause 3(c)(5) of rule XIII no provision of this bill establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

FEDERAL ADVISORY COMMITTEE ACT STATEMENT

Pursuant to section 5(b) of Public Law 92–463 (5 U.S.C. 1004(b)), the Federal Advisory Committee Act, the Committee finds that this Committee Print does not direct the establishment of an advisory committee.

UNFUNDED MANDATES REFORM ACT STATEMENT

Pursuant to section 423 of the *Congressional Budget Act of 1974* the Committee has included a letter received from the Congressional Budget Office below.

EARMARK IDENTIFICATION

This bill does not include any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the House of Representatives.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d) of rule XIII of the Rules of the House of Representatives, the Committee includes below a cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the *Congressional Budget Act of 1974*.

NEW BUDGET AUTHORITY AND CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Pursuant to clause 3(d)(1) of House rule XIII, the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974 is as follows:

At a Glance

District of Columbia Legislation

As ordered reported by the House Committee on Oversight and Government Reform on September 10, 2025

On September 10, 2025, the House Committee on Oversight and Government Reform ordered reported 14 bills related to the District of Columbia. This comprehensive document provides estimates for 9 of those bills. Details of the estimated costs of each bill are discussed in the text.

None of the bills would increase direct spending or revenues; thus, pay-as-you-go procedures do not apply.

CBO estimates H.R. 5103, H.R. 5179, and H.R. 5183 would each increase spending subject to appropriation by less than \$500,000 over the 2026-2030 period.

CBO estimates that none of the bills would increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2036.

Six of the bills contain intergovernmental mandates as defined in the Unfunded Mandates Reform Act. None of the bills contain private-sector mandates.

Bill	Net Increase or Decrease (-) in the Deficit Over the 2026-2035 Period (Millions of Dollars)	Changes in Spending Subject to Appropriation Over the 2026-2030 Period (Outlays, Millions of Dollars)	Mandate Effects?
H.R. 2693	0	0	No
H.R. 5103	0	*	No
H.R. 5107	0	0	Yes
H.R. 5163	0	0	No
H.R. 5172	0	0	Yes
H.R. 5179	0	*	Yes
H.R. 5183	0	*	Yes
H.R. 5214	0	0	Yes
H.R. 5242	0	0	Yes

* = between zero and \$500,000.

Summary of legislation: On September 10, 2025, the House Committee on Oversight and Government Reform ordered 14 bills to be reported. This document provides estimates for nine of those bills.

Estimated Federal cost: The costs of the legislation fall within budget function 800 (general government) and 300 (natural resources and environment).

Basis of estimate: For this estimate, CBO assumes that each bill will be enacted by the end of calendar year 2025 and that the estimated amounts will be appropriated each year. This cost estimate does not include any effects of interactions among the pieces of legislation. If all nine bills were combined and enacted as a single piece of legislation, the effects could be different from the sum of the separate estimates, although CBO expects that any differences would be small.

Spending subject to appropriation: CBO estimates that implementing three of the bills, H.R. 5103, H.R. 5179, and H.R. 5183, would increase spending subject to appropriation by insignificant amounts. Any related spending for those bills would be subject to the availability of appropriated funds. We further estimate that implementing the other six bills, H.R. 2693, H.R. 5107, H.R. 5163, H.R. 5172, H.R. 5214, and H.R. 5242, would have no effect on spending subject to appropriation.

H.R. 2693, the District of Columbia Electronic Transmittal of Legislation Act of 2025, would amend the District of Columbia

Home Rule Act to explicitly allow the chair of the Council of the District of Columbia to electronically transmit to the Congress any act passed by the council; under current law physical copies must be delivered. CBO estimates enacting H.R. 2693 would have no cost to the federal government.

H.R. 5103, the Make the District of Columbia Safe and Beautiful Act of 2025, would expand Executive Order 14252 to require the Department of the Interior to implement a beautification program in the district. The bill also would establish within the executive branch the District of Columbia Safe and Beautiful Commission to develop and coordinate priorities for the full enforcement of federal and local laws within the District of Columbia. The bill also would require the commission to report its findings to the Congress. The authority for the program and the commission would end on January 2, 2029. Based on the cost of similar activities, CBO estimates that the cost of implementing H.R. 5103 would be insignificant over the 2026–2030 period.

H.R. 5107, the CLEAN DC Act of 2025, would repeal sections of the Comprehensive Policing and Justice Reform Amendment Act of 2022 (D.C. Law 24–345), which established certain restrictions and requirements for the Metropolitan Police Department. Because the bill would affect only the District of Columbia, CBO estimates that enacting H.R. 5107 would have no cost to the federal government.

H.R. 5163, the Clean and Managed Public Spaces Act, would impose civil and criminal penalties for camping on public property within the District of Columbia. Because the bill would affect only the District of Columbia, CBO estimates that enacting H.R. 5163 would have no cost to the federal government.

H.R. 5172, the Strong Sentences for Safer D.C. Streets Act of 2025, would make changes to the District of Columbia Code regarding mandatory minimum sentencing guidelines for various violent offenses. Because the bill would affect only the District of Columbia, CBO estimates that enacting H.R. 5172 would have no cost to the federal government.

H.R. 5179, the District of Columbia Attorney General Appointment Reform Act of 2025, would amend the District of Columbia Home Rule Act by overturning the election of the current attorney general for the District of Columbia and authorizing the President to appoint a new attorney general. The current attorney general's appointment would terminate on the date of enactment. Based on the cost of similar activities, CBO estimates that the cost of implementing H.R. 5179 would be insignificant over the 2026–2030 period.

H.R. 5183, the District of Columbia Home Rule Improvement Act of 2025, would amend the District of Columbia Home Rule Act to establish a uniform 60-day Congressional review period for all legislation, regulations, and executive actions of the District of Columbia; create a line-item veto during Congressional review; eliminate the ability of the Council of the District of Columbia to extend emergency laws; prohibit the council from withdrawing legislation from the Congressional review process; and prohibit the council from passing laws that are substantially similar to legislation disapproved by the Congress. The bill also would provide for expedited consideration of resolutions of disapproval within the House and the Senate. Based on the cost of similar activities, CBO estimates

that the cost of implementing H.R. 5183 would be insignificant over the 2026–2030 period.

H.R. 5214, the District of Columbia Cash Bail Reform Act of 2025, would amend the Code of the District of Columbia to require mandatory pretrial detention for defendants charged with certain violent crimes and require mandatory cash bail or bail bonds for all defendants charged with other specified crimes. Because the bill would affect only the District of Columbia, CBO estimates that enacting the bill would have no cost to the federal government.

H.R. 5242, a bill to repeal the Second Chance Amendment Act of 2022 and the Incarceration Reduction Amendment of 2016, would repeal two laws that reduced criminal penalties for youth offenders in the District of Columbia. Because the bill would affect only the District of Columbia, CBO estimates that enacting the bill would have no cost to the federal government.

Pay-as-you-go considerations: The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. None of the bills would affect direct spending or revenues; thus, pay-as-you-go procedures do not apply.

Increase in long-term net direct spending and deficits. CBO estimates that none of the bills would increase net direct spending or deficits in any of the four consecutive 10-year periods beginning in 2036.

Mandates: CBO has determined that six of the nine bills would impose intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). Only one, H.R. 5242, would impose mandates that exceed the annual intergovernmental threshold established in UMRA (\$103 million in 2025, adjusted annually for inflation).

H.R. 5242 would impose intergovernmental mandates as defined in UMRA by preempting some laws of the District of Columbia. CBO considers such preemptions to be intergovernmental mandates under UMRA. The bill would repeal two laws that reduced criminal penalties for youth offenders. H.R. 5242 also would prohibit the city from operating an automated traffic enforcement system and from restricting right turns on red traffic lights. Using budget documents from the District of Columbia, CBO estimates that automatic traffic enforcement generates about \$300 million annually and that the city would lose that amount of revenue under the bill.

CBO has determined that the following bills also would impose intergovernmental mandates but estimates that the cost of the mandates in each bill would not exceed the annual threshold established in UMRA:

- H.R. 5107 would repeal most of the Comprehensive Policing and Justice Reform Amendment Act of 2022 (D.C. Law 24–345).
- H.R. 5172 would increase mandatory minimum sentences for certain crimes in the District of Columbia.
- H.R. 5179 would preempt D.C. law by repealing the local election of the current attorney general for the District of Columbia and giving authority to the President to appoint someone to that position.

- H.R. 5183 would expand Congressional review over the District of Columbia’s laws and regulations, limit the city’s emergency authority, and create a line-item veto during Congressional review.

- H.R. 5214 would require mandatory pretrial detention for defendants charged with violent crimes and require cash bail or bail bonds for defendants charged with other crimes as designated by the bill.

CBO has determined that none of the nine bills would impose a private-sector mandate as defined in UMRA.

Estimate prepared by: Federal costs: Matthew Pickford, Alaina Rhee; Mandates: Andrew Laughlin.

Estimate reviewed by: Ann Futrell, Chief, Natural and Physical Resources Cost Estimates Unit; Kathleen FitzGerald, Chief, Public and Private Mandates Unit; H. Samuel Papenfuss, Deputy Director of Budget Analysis.

Estimate approved by: Phillip L. Swagel, Director, Congressional Budget Office.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets and existing law in which no change is proposed is shown in roman):

SECOND CHANCE AMENDMENT ACT OF 2022

Be It Enacted By The Council of the District of Columbia, [That this Act may be cited as the “Second Chance Amendment Act of 2022”].

[TITLE I—CRIMINAL RECORD SEALING AND EXPUNGEMENT

[SEC. 101. Title 16 of the District of Columbia Official Code is amended as follows:

[(a) The table of contents is amended by striking the phrase “8. Criminal Record Sealing” and inserting the phrase “8. Criminal Record Sealing and Expungement” in its place.

[(b) Chapter 8 is amended to read as follows:

["CHAPTER 8—CRIMINAL RECORD SEALING AND EXPUNGEMENT

[§ 16-801. Definitions

[" For the purposes of this chapter, the term:

【“(1) ‘Clerk’ means the Clerk of the Superior Court of the District of Columbia.

【“(2) ‘Completion of the sentence’ means the person has been unconditionally discharged from incarceration, commitment, probation, parole, or supervised release, whichever is latest; provided, that nonpayment of fines, restitution, or any other monetary assessments imposed by the Court shall not prevent completion of a sentence.

【“(3) ‘Conviction’ means the entry of judgment on a verdict or a finding of guilty, a plea of guilty or a plea of nolo contendere, or a plea or verdict of not guilty by reason of insanity.

【“(4) ‘Court’ means the Superior Court of the District of Columbia.

【“(5) ‘Public’ means any person, agency, organization, or entity other than any:

【“(A) Court;

【“(B) Federal, state, or local prosecutor;

【“(C) Law enforcement agency;

【“(D) Licensing agency, with respect to a criminal offense that may disqualify a person from obtaining that license;

【“(E) Licensed school, day care center, before or after school facility or other educational or child protection agency or facility; and

【“(F) Government employer or nominating or tenure commission with respect to:

【“(i) Employment of a judicial or quasi-judicial officer; or

【“(ii) Employment at a senior-level, executive-grade government position.

【§ 16-802. Automatic expungement of criminal records

【“(a) The Court shall order automatic expungement of all criminal records and court proceedings related only to citations, arrests, charges, or convictions for the commission of a criminal offense that has subsequently been decriminalized, legalized, or held to be unconstitutional by the Court of Appeals for the District of Columbia or the Supreme Court of the United States, or records related only to simple possession for any quantity of marijuana in violation of § 48-904.01(d)(1) before February 15, 2015, if:

【“(1) The case was terminated by the prosecutor or otherwise reached a final disposition; and

【“(2) The prosecutor has not:

【“(A) Filed a written motion, which may be made ex parte, to:

【“(i) Retain and sequester the record for a limited period of time; or

【“(ii) Contest that a particular person qualifies for expungement under this section; and

【“(B) Demonstrated by clear and convincing evidence that:

【“(i) Retention is necessary for a lawful purpose, such as:

["(I) Investigating, prosecuting, or defending another criminal case;

["(II) Complying with disclosure obligations in another criminal case; or

["(III) Determining the person's suitability for diversion, release, sentencing reduction, or record sealing in another case; or

["(ii) The person does not qualify for expungement under this section.

["(b) Eligible criminal records and court proceedings related to citations, arrests, charges, and convictions shall be expunged pursuant to subsection (a) of this section by January 1, 2025, or within 90 days after termination of the case by the prosecutor or final disposition, whichever is later.

["§ 16-803. Expungement of criminal records by motion

["(a) The Court shall order expungement of all criminal records and court proceedings related only to citations, arrests, or charges for the commission of a criminal offense on the grounds of actual innocence if:

["(1) The case was terminated by the prosecutor or otherwise reached a final disposition and did not result in a conviction or acquittal pursuant to § 24-501; and

["(2) The person cited, arrested, or charged files a written motion and demonstrates, by a preponderance of the evidence, that the offense for which the person was cited, arrested, or charged:

["(A) Did not occur; or

["(B) Was not committed by the person.

["(b) A motion filed pursuant to subsection (a)(2) of this section:

["(1) Shall state:

["(A) The grounds upon which eligibility for expungement is based; and

["(B) Facts in support of the movant's claim; and

["(2) May be:

["(A) Accompanied by a statement of points and authorities in support of the motion, and any appropriate exhibits, affidavits, and supporting documents; and

["(B) Filed at any time.

["(c) A copy of the motion and any amended motion shall be served upon the prosecutor.

["(d)(1) If it plainly appears from the face of the motion, any accompanying exhibits, affidavits, and documents, and the record of any prior proceedings in the case, that the movant is not eligible for relief or not entitled to relief, the Court may dismiss or deny the motion.

["(2) If the motion is not dismissed or denied after initial review, the Court:

["(A) Shall determine whether a hearing on the motion is required; and

["(B) May:

["(i) Order the prosecutor to file a response to the motion; and

["(ii) Set a deadline by which the response shall be filed.

[(3) At any hearing on the motion, the movant and the prosecutor may present witnesses and information by proffer or otherwise. Hearsay evidence shall be admissible.

[(4) An order dismissing, granting, or denying the motion shall be:

[(A) In writing and include reasons for the decision;

[(B) A final order for purposes of appeal; and

[(C) Issued no later than 180 days after the motion is filed, unless there exists good cause for delay.

[(5) A motion made pursuant to this section may be dismissed without prejudice to permit the movant to renew the motion after further passage of time.

[(6) If the Court denies the motion, the Court shall entertain a second motion for the same relief no sooner than one year after the date on which the order on the initial motion was resolved, unless the second motion raises grounds different than the first motion, in which case, it shall be entertained at any time. If the Court denies the movant's second motion, the Court shall entertain a third and final motion no sooner than one year after the date on which the order on the second motion was resolved, unless the third motion raises grounds different than the first 2 motions, in which case, it shall be entertained at any time.

[(7) If the Court grants the motion, it shall summarize in the order the factual circumstances of the challenged citation, arrest, or charge and any post-arrest occurrences it deems relevant, and shall rule as a matter of law that the movant did not commit the offense for which the movant was arrested or that no offense had been committed.

[(e) An acquittal or dismissal shall not establish a presumption that the movant is innocent or entitled to relief pursuant to this section.

[(f) Eligible criminal records and court proceedings related to citations, arrests, and charges shall be expunged pursuant to subsection (a) of this section within 90 days after a motion is granted.

[§ 16-804. Effect of expungement of criminal records

[(a) The effect of expungement shall be to restore a person, in the contemplation of the law, to the status they occupied before being cited, arrested, charged, or convicted.

[(b) No person as to whom criminal record expungement relief has been granted shall be held thereafter under any provision of law to be guilty of perjury or otherwise giving a false statement by reason of failure to acknowledge or disclose that citation, arrest, charge, prosecution, disposition, or conviction, in response to any inquiry made of them for any purpose.

[(c) If the Court orders that a criminal record be expunged:

[(1) The Clerk and each prosecutor and law enforcement, corrections, pretrial, and community supervision agency shall:

[(A) Eliminate from all publicly available physical and computerized records any references that identify the person as having been cited, arrested, prosecuted, or convicted;

["(B) Be entitled to retain records relating to the person's citation, arrest, prosecution, and conviction in a non-public, restricted access file; and

["(C) Reply in response to public inquiries concerning the existence of the records that no records are available;

“(2) Each prosecutor and law enforcement, corrections, pre-trial, and community supervision agency shall file a certification with the Court within 90 days after an order to expunge is issued that, to the best of its knowledge and belief, all references that identify the person as having been cited, arrested, prosecuted, or convicted have been expunged;

["(3) The Clerk shall:

“(A) Retain a nonpublic record, appropriately and securely indexed to protect its confidentiality, containing records retrieved pursuant to this section and the certifications filed pursuant to paragraph (2) of this subsection; and

“(B) Make reasonable efforts to provide a copy of the order to expunge and the certifications filed pursuant to paragraph (2) of this subsection to the person who was cited, arrested, charged, or convicted, or their counsel:

["(i) When the Court issues the order;

["(ii) When the certifications are filed pursuant to paragraph (2) of this subsection; and

["(iii) At any time, upon proper identification, without a showing of need;

“[(4) In a case involving co-defendants in which the Court orders the person’s criminal records be expunged, the Court shall order, to the extent practicable:

1. **“(A) That only those records, or portions thereof, relating solely to the person be redacted;**

["(B) That the person's name be redacted from records that are not expunged; and

“(C) The redaction of references to the person that appear in a transcript of court proceedings involving co-defendants; and

["(5) The Court shall not be required to order the redaction of the person's name from any published opinion of the trial or appellate courts that refers to the person.

["(d)(1) Records retained in a nonpublic file pursuant to this section shall only be available to:

【“(A) The person who was cited, arrested, charged, or convicted, or their counsel;

“(B) A prosecutor, defense attorney, law enforcement, corrections, pretrial, or community supervision agency, for the purpose of:

【(i) Investigating, prosecuting, or defending another criminal case;

["(ii) Complying with disclosure obligations in another criminal case; or

["(iii) Determining the person's suitability for diversion, release, sentencing reduction, or record sealing in another case; and

["(C) Other persons or entities for the purpose of:

[(i) Use in civil litigation related to the citation, charge, arrest, or conviction; or

[(ii) Upon order of the Court for good cause shown, such as for anonymized records for academic or journalistic purposes.

[(2) A request for access to or to disclose expunged records may be made ex parte and may be granted by the Court for good cause shown.

[(3) If the Court permits a requestor to access or disclose expunged records, the Court and the requestor shall take all reasonable measures to ensure that the records are secure and that the contents are not identifiably disclosed, published, or redistributed, such as by issuing a protective order or electronically limiting access to verified viewers.

[(4) A person, upon making inquiry of the Court concerning the existence of criminal records involving an individual, shall be entitled to rely, for any purpose under the law, upon the clerk's response that no records are available with respect to any issue about that person's knowledge of the individual's record.

[§ 16-805. Automatic sealing of criminal records

[(a) Except as otherwise provided in this chapter and in subsection (b) of this section, the Court shall order automatic sealing of all criminal records and court proceedings related to:

[(1) Citations, arrests, or charges for the commission of a criminal offense; provided, that the case was terminated by the prosecutor or otherwise reached a final disposition and did not result in a conviction or acquittal pursuant to § 24-501; and

[(2) Citations, arrests, charges, and convictions for the commission of a misdemeanor offense that resulted in a conviction; provided, that a waiting period of at least 10 years has elapsed since completion of the sentence.

[(b) The Court shall not order automatic sealing pursuant to this section if the citation, arrest, charge, or conviction is for:

[(1) An intrafamily offense, as defined in § 16-1001(8);

[(2) Parental kidnapping, as described in § 16-1022;

[(3) Criminal abuse of a vulnerable adult or elderly person, as described in § 22-933;

[(4) Financial exploitation of a vulnerable adult or elderly person, as described in § 22-933.01;

[(5) Refusal or neglect of a guardian to provide for child under 14 years of age, as described in § 22-1102;

[(6) Incest, as defined in § 22-1901;

[(7) Misdemeanor sexual abuse, as defined in § 22-3006;

[(8) Violation of Chapter 30A of Title 22;

[(9) Violation of Chapter 31 of Title 22;

[(10) Violation of Chapter 31A of Title 22;

[(11) An offense for which sex offender registration is required pursuant to Chapter 40 of Title 22, and the registration period has not expired;

[(12) Violation of Chapter 40 of Title 22, as described in § 22-4015;

[(13) A dangerous crime, as defined in § 23-1331(3);

[(14) A crime of violence, as defined in § 23-1331(4);

【“(15) Driving under the influence (known as DUI) of alcohol or a drug, as described in § 50-2206.11;

【“(16) Driving under the influence of alcohol or a drug; commercial vehicle, as described in § 50-2206.12; or

【“(17) Operating a vehicle while impaired, as described in § 50-2206.14.

【“(c) Criminal records and court proceedings:

【“(1) Related to citations, arrests, and charges sealed pursuant to subsection (a)(1) of this section:

【“(A) For which the case was terminated by the prosecutor or otherwise reached a final disposition and did not result in a conviction or acquittal pursuant to § 24-501 prior to the effective date of the Second Chance Amendment Act of 2022, passed on 2nd reading on December 20, 2022 (Enrolled version of Bill 24-63), shall be sealed by January 1, 2027, or within 90 days after termination of the case by the prosecutor or final disposition, whichever is later; and

【“(B) For which the case was terminated by the prosecutor or otherwise reached a final disposition and did not result in a conviction or acquittal pursuant to § 24-501 on or after the effective date of the Second Chance Amendment Act of 2022, on 2nd reading on December 20, 2022 (Enrolled version of Bill 24-63), shall be sealed within 90 days after termination of the case by the prosecutor or final disposition, whichever is later; and

【“(2) Related to citations, arrests, charges, and convictions sealed pursuant to subsection (a)(2) of this section shall be sealed by January 1, 2027, or within 90 days after the expiration of the waiting period, whichever is later.

【§ 16-806. Sealing of criminal records by motion

【“(a) The Court shall order the sealing of all criminal records and court proceedings related to:

【“(1) Citations, arrests, and charges for the commission of a criminal offense; provided, that:

【“(A) The case was terminated by the prosecutor or otherwise reached a final disposition and did not result in a conviction or acquittal pursuant to § 24-501;

【“(B) The offense is an offense listed in § 16-805(b); and

【“(C) The person cited, arrested, or charged files a written motion demonstrating, by a preponderance of the evidence, that it is in the interests of justice to seal the records;

【“(2) Citations, arrests, and charges only for being a fugitive from justice; provided, that:

【“(A) The person was arrested in the District as a fugitive from justice;

【“(B) The person waived an extradition hearing pursuant to § 23-702(f)(1) and was released pursuant to § 23-702(f)(2) or detained pursuant to § 23-702(f)(3);

【“(C) The fugitive case was terminated by the prosecutor or otherwise reached a final disposition; and

[(D) The person cited, arrested, or charged files a written motion demonstrating, by a preponderance of the evidence, that:

[(i) They have appeared before the proper official in the jurisdiction from which they were a fugitive; and

[(ii) It is in the interests of justice to seal the records; and

[(3) Citations, arrests, charges, and convictions for the commission of a criminal offense that resulted in a conviction; provided, that:

[(A)(i) For a misdemeanor offense, a waiting period of at least 5 years has elapsed since completion of the sentence; and

[(ii) For a felony offense, a waiting period of at least 8 years has elapsed since completion of the sentence; except, that an offense in Offense Severity Group 1, 2, or 3 of the Master Grid, developed by the District of Columbia Sentencing Commission, at the time of the effective date of the Second Chance Amendment Act of 2022, passed on 2nd reading on December 20, 2022 (Enrolled version of Bill 24-63), shall not be eligible for sealing; and

[(B) The person cited, arrested, charged, or convicted files a written motion demonstrating, by a preponderance of the evidence, that it is in the interests of justice to seal the records.

[(b)(1) The Court shall grant a motion to seal pursuant to subsection (a) of this section if it is in the interests of justice to do so.

[(2) In making a determination to grant a motion to seal, the Court:

[(A) Shall weigh:

[(i) The interests of the movant in sealing the publicly available records of their citations, charges, arrests, or convictions;

[(ii) The community's interest in furthering the movant's rehabilitation and enhancing the movant's reintegration into society through education, employment, and housing; and

[(iii) The community's interest in retaining access to those records, including the interest of current or prospective employers in making fully informed hiring or job assignment decisions and the interest in promoting public safety; and

[(B) May consider:

[(i) The nature and circumstances of the offense;

[(ii) The movant's role in the offense or alleged offense;

[(iii) The history and characteristics of the movant, including the movant's:

[(I) Character;

[(II) Physical and mental condition;

[(III) Employment history;

[(IV) Prior and subsequent conduct;

[(V) History relating to substance abuse or dependence and treatment opportunities;

[(VI) Criminal history; and

[(VII) Efforts at rehabilitation;

【(iv) The time that has elapsed since the offense;

["(v) Any statement made by the victim of the offense;

["(vi) The position of the prosecutor, if any; and

["(vii) Any other information it considers relevant.

["(c)(1) A motion to seal filed pursuant to this section:

["(A) Shall state:

“(i) All of the movant’s unsealed and unexpunged citations, arrests, charges, and convictions, as reasonably known to the movant;

【“(ii) The grounds upon which eligibility for sealing is based; and

【(iii) Facts in support of the movant’s claim; and

["(B) May be accompanied by a statement of points and authorities in support of the motion, and any appropriate exhibits, affidavits, and supporting documents.

“(2)(A) If the Court determines that the motion filed pursuant to this section does not comply with the requirements of paragraph (1) of this subsection, the movant shall have 30 days after being notified by the Court of the noncompliance to amend their original motion to include all of their citations, arrests, charges, and convictions.

["(B) If the movant fails to amend their original motion within 30 days after notification by the Court, then the motion shall be dismissed without prejudice.

["(d) A copy of the motion and any amended motion shall be served upon the prosecutor; provided, that the prosecutor shall not be required to respond to the motion unless ordered to do so by the Court.

“(e) The waiting periods in subsection (a)(3)(A) of this section may be waived by the prosecutor in writing.

“(f)(1) If the movant files a motion to seal a record that is not in the Court database or a record and related court proceedings that are not in a publicly available database, the motion to seal and responsive pleadings shall not be available publicly.

["(2) If the Court grants a motion to seal, it shall order that the motion and responsive pleadings be sealed to the same extent and in the same manner as the records pertaining to the record and related court proceedings.

“(3) If the Court denies a motion to seal, the Court, the United States Attorney’s Office, the Office of the Attorney General, and the law enforcement agency that arrested the movant shall be entitled to retain any and all records relating to the motion in a non-public file.

1. “(g) A person to whom a District arrest has been attributed, who attests under oath that the person was incorrectly identified or named, may file a motion to correct publicly available records of the arrest if the law enforcement agency did not take fingerprints at the time of the arrest and no other form of reliable identification was presented by the person who was arrested.

["(h) A movant shall not be required to:

“(1) Satisfy the waiting periods in subsection (a)(3)(A) of this section with respect to all of the movant’s citations, arrests, charges, and convictions; or

["(2) Seek relief with respect to all the arrests, charges, or convictions eligible for relief.

["(i)(1) If it plainly appears from the face of the motion, any accompanying exhibits, affidavits, and documents, and the record of any prior proceedings in the case, that the movant is not eligible for relief or not entitled to relief, the Court may dismiss or deny the motion.

["(2) If the motion is not dismissed or denied after initial review, the Court:

["(A) Shall determine whether a hearing on the motion is required; and

["(B) May:

["(i) Order the prosecutor to file a response to the motion; and

["(ii) Set a deadline by which the response shall be filed.

["(3) At any hearing on the motion, the movant and the prosecutor may present witnesses and information by proffer or otherwise. Hearsay evidence shall be admissible.

["(4) An order dismissing, granting, or denying the motion shall be:

["(A) In writing and include reasons for the decision.;

["(B) A final order for purposes of appeal; and

["(C) Issued no later than 180 days after the motion is filed, unless there exists good cause for delay.

["(5) A motion made pursuant to this section may be dismissed without prejudice to permit the movant to renew the motion after further passage of time.

["(6) If the Court denies the motion, the Court shall entertain a second motion no sooner than one year after the date on which the order on the initial motion was resolved. If the Court denies the movant's second motion, the Court shall entertain a third and final motion no sooner than one year after the date on which the order on the second motion was resolved.

["(j) Criminal records and court proceedings related to citations, arrests, charges, and convictions sealed pursuant to subsection (a) of this section shall be sealed within 90 days after a motion to seal is granted.

["§ 16-807. Effect of sealing of criminal records

["(a) The effect of criminal record sealing shall be to remove all records related to a citation, arrest, charge, prosecution, disposition, or conviction from public view and to permit restricted, non-public access by specific parties for specific purposes.

["(b) No person as to whom criminal record sealing relief has been granted shall be held thereafter under any provision of law to be guilty of perjury or otherwise giving a false statement by reason of failure to recite or acknowledge or disclose that citation, arrest, charge, prosecution, disposition, or conviction, in response to any inquiry made of them for any purpose.

["(c) If the Court orders that a criminal record be sealed:

["(1) The Clerk and each prosecutor and law enforcement, corrections, pretrial, and community supervision agency shall:

["(A) Eliminate from all publicly available physical and computerized records any references that identify the person as having been cited, arrested, prosecuted, or convicted;

“(B) Be entitled to retain records relating to the person’s citation, arrest, prosecution, and conviction in a non-public, restricted access file; and

["(C) Reply in response to public inquiries concerning the existence of the records that no records are available;

“(2) Each prosecutor and law enforcement, corrections, pre-trial, and community supervision agency shall file a certification with the Court within 90 days after an order to seal is issued that, to the best of its knowledge and belief, all references that identify the person as having been cited, arrested, prosecuted, or convicted have been sealed;

["(3) The Clerk shall:

“(A) Retain a nonpublic record, appropriately and securely indexed to protect its confidentiality, containing records retrieved pursuant to this section and the certifications filed pursuant to paragraph (2) of this subsection; and

["(B) Make reasonable efforts to provide a copy of the order to seal and the certifications filed pursuant to paragraph (2) of this subsection to the person who was cited, arrested, charged, or convicted, or their counsel:

【“(i) When the Court issues the order;

["(ii) When the certifications are filed pursuant to paragraph (2) of this subsection; and

1. ["(iii) At any time, upon proper identification, without a showing of need;

["(4) In a case involving co-defendants in which the Court orders the person's criminal records be sealed, the Court shall order, to the extent practicable:

["(A) That only those records, or portions thereof, relating solely to the person be redacted;

¶“(B) That the person’s name be redacted from records that are not sealed; and

“(C) The redaction of references to the person that appear in a transcript of court proceedings involving co-defendants; and

["(5) The Court shall not be required to order the redaction of the person's name from any published opinion of the trial or appellate courts that refer to the person.

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【(A) The person who was cited, arrested, charged, or convicted, or their counsel;

["(B) A prosecutor, defense attorney, law enforcement, corrections, pretrial, or community supervision agency, for any lawful purpose, including:

["(i) Investigating, prosecuting, or defending another criminal case;

["(ii) Complying with disclosure obligations in another criminal case;

["(iii) Determining the person's suitability for diversion, release, sentencing reduction, sealing, or expungement in another case;

["(iv) The determination of conditions of release for a subsequent arrest;

[(v) The determination of whether a person has committed a second or subsequent offense for charging or sentencing purposes;

[(vi) Determining an appropriate sentence if the person is subsequently convicted of another crime;

[(vii) Employment decisions;

[(viii) Sex offender registration and notification;

[(ix) Gun offender registration; or

[(x) In determining whether a person has been in possession of a firearm in violation of § 22-4503;

[(C) Except for records sealed pursuant to § 16-806(a)(2), a person or entity identified in § 16-801(5)(D), (E), or (F), but only to the extent that such records would have been available to that person or entity before relief was granted. Such records may be used for any lawful purpose, including:

[(i) The determination of whether a person is eligible to be licensed in a particular trade or profession; or

[(ii) Employment decisions; and

[(D) Other persons or entities for the purpose of:

[(i) Use in civil litigation related to the citation, charge, arrest, or conviction; or

[(ii) Upon order of the Court for good cause shown, such as anonymized records for academic or journalistic purposes.

[(2) A request for access to or to disclose sealed records may be made ex parte and may be granted for good cause shown.

[(3) If the Court permits a requestor to access or disclose sealed records, the Court and the requestor shall take all reasonable measures to ensure that the records are secure and that the contents are not identifiably disclosed, published, or redistributed, such as by issuing a protective order or electronically limiting access to verified viewers.

[(4) A person, upon making inquiry of the Court concerning the existence of criminal records involving an individual, shall be entitled to rely, for any purpose under the law, upon the clerk's response that no records are available with respect to any issue about that person's knowledge of the individual's record.

[(§ 16-808. Applicability

[(The sealing and expungement relief available under this chapter shall apply retroactively.

[(§ 16-809. Savings provision

[(This chapter shall not supersede any other provision of the District of Columbia Official Code providing for the expungement, sealing, or setting aside of criminal citations, arrests, charges, or convictions.”.

[TITLE II—CRIMINAL HISTORY REPORTS

[SEC. 201. DEFINITIONS.

[(For the purposes of this title, the term:

[(1) “Criminal history provider” means a person or organization that compiles criminal history reports, which include information about District of Columbia Official Code or District of Columbia Municipal Regulations criminal records or the criminal records of District residents, and either uses the reports or provides the reports to a third party. The term “criminal history provider” does not include a government agency or a person or organization that provide reports solely to a government agency for purposes other than determining suitability for government employment.

[(2) “Criminal history report” means criminal history information that has been compiled for the purposes of evaluating a person’s character or eligibility for employment, housing, or participation in any activity or transaction; except, that information collected or disseminated solely for journalistic purposes shall not be a criminal history report.

[(3) “Government agency” means any office, department, division, board, commission, or other agency of the District government, the government of the United States, or the government of another jurisdiction within the United States.

[SEC. 202. RESTRICTIONS ON CRIMINAL HISTORY REPORTS.

[A criminal history provider:

[(1) Shall, unless otherwise prohibited by District or federal law:

[(A) Provide the subject of a criminal record with a copy of the criminal history report the criminal history provider used or provided;

[(B) State the source of reported information and the date on which the information was received from the source in a criminal history report; and

[(C) Use 2 identifiers, such as date of birth and name, before reporting a person’s criminal record; and

[(2) Shall not, unless otherwise required by District or federal law:

[(A) Provide information relating to the following:

[(i) A criminal record that has been expunged, sealed, or set aside; and

[(ii) A criminal record that the criminal history provider knows is inaccurate; or

[(B) Include criminal history information in a criminal history report if the criminal history information has not been updated to reflect changes to the criminal history information occurring 30 days or more before the date the criminal history report is provided.

[SEC. 203. FILING A COMPLAINT WITH THE OFFICE OF HUMAN RIGHTS; EXCLUSIVE REMEDY.

[(a) A person claiming to be aggrieved by a violation of this title may file an administrative complaint with the Office of Human Rights within one year after the unlawful discriminatory act, or discovery thereof, in accordance with the procedures set forth in Title III of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1403.01 et seq.).

[(b) The administrative remedies in subsection (a) of this section are exclusive. A person claiming to be aggrieved by a violation of

this title shall not have a private cause of action in any court based on a violation of this title.

[SEC. 204. PENALTIES.

[(a) Except as provided in subsection (b) of this section, if the Office of Human Rights determines that there is probable cause to believe that a violation of this title has occurred, it shall certify the complaint to the Commission on Human Rights, which may impose the following penalties, of which half shall be awarded to the complainant and half shall be awarded to the District and deposited into the General Fund:

[(1) For a first violation, a fine of up to \$1,000; and

[(2) For a second or subsequent violation, a fine of up to \$5,000.

[(b) For any violation of this title that occurs within 6 months after the applicability date of the Second Chance Amendment Act of 2022, passed on 2nd reading on December 20, 2022 (Enrolled version of Bill 24-63), the Commission on Human Rights shall issue warnings and orders to correct instead of imposing a penalty pursuant to subsection (a) of this section.

[TITLE III—APPLICABILITY; FISCAL IMPACT STATEMENT; EFFECTIVE DATE

[SEC. 301. APPLICABILITY.

[(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

[(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

[(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

[(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

[SEC. 302. FISCAL IMPACT STATEMENT.

[The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

[SEC. 303. EFFECTIVE DATE.

[This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.]

INCARCERATION REDUCTION AMENDMENT ACT OF 2016

**[TITLE III—INCARCERATION
REDUCTION**

[SEC. 301. SHORT TITLE.

 [This title may be cited as the “Incarceration Reduction Amendment Act of 2016”.

 [SEC. 302. Section 101(a) of the attorney general for the district of columbia clarification and elected term amendment act of 2010, effective may 27, 2010 (d.c. law 18-160; d.c. official code § 1-301.81(a)), is amended by adding a new paragraph (3) to read as follows:

 [“(3) By October 1, 2018, the Attorney General shall develop a pilot program, in collaboration with community partners, to provide victim-offender mediation as an alternative to the prosecution of juveniles in cases deemed appropriate by the Attorney General; provided, that participation in the mediation pilot program established pursuant to this paragraph shall be voluntary for both the victim and the offender.”.

 [SEC. 303. Section 386 of the revised statutes of the district of columbia (d.c. official code § 5-113.01), is amended as follows:

 [(a) Designate the existing text as subsection (a).

 [(b) A new subsection (b) is added to read as follows:

 [“(b) The Metropolitan Police force shall cooperate with the Criminal Justice Coordinating Council by sharing records to the extent otherwise permissible under the law for the purpose of preparing the report described in section 1505(b-3) of the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 22-4234(b-3)).”.

 [SEC. 304. Of the criminal justice coordinating council for the district of columbia establishment act of 2001, effective october 3, 2001 (d.c. law 14-28; d.c. official code § 22-4234), is amended by adding new subsections (b-2) and (b-3) to read as follows:

 [(a) New subsections (b-2) and (b-3) are added to read as follows:

 [“(b-2) By October 1, 2018, and every 2 years thereafter, the CJCC shall conduct a voluntary survey of individuals under 21 years of age currently committed to the Department of Youth Rehabilitation Services or incarcerated at the Department of Corrections on their perspective on the causes of youth crime and the prevalence of adverse childhood experiences, such as housing instability, childhood abuse, family instability, substance abuse, mental illness, family criminal involvement, or other factors deemed relevant by the CJCC.

 [“(b-3) On October 1, 2018, and every 2 years thereafter, the CJCC shall submit a report to the Mayor and the Council containing an analysis of the root causes of youth crime and the prevalence of adverse childhood experiences among justice-involved youth, such as housing instability, childhood abuse, family instability, substance abuse, mental illness, family criminal involvement, or other factors deemed relevant by the CJCC that incorporates the results of the survey conducted pursuant to subsection (b-2) of this section.”.

【SEC. 305. Section 2(b) of an act to create a department of corrections in the district of columbia, approved june 27, 1946 (60 stat. 320; d.c. official code § 24-211.02(b)), is amended as follows:

【(a) Paragraph (4) is amended by striking the phrase “; and” and inserting a semicolon in its place.

【(b) Paragraph (5) is amended by striking the period and inserting the phrase “; and” in its place.

【(c) A new paragraph (9) is added to read as follows:

【“(9) Cooperating with the Criminal Justice Coordinating Council by sharing data and allowing access to individuals under 21 years of age to the extent otherwise permissible under the law for the purpose of preparing the report described in section 1505(b-3) of the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 22-4234(b-3)).”.

【SEC. 306. An act to establish a board of indeterminate sentence and parole for the district of columbia and to determine its functions, and for other purposes, approved july 15, 1932 (47 stat. 697; d.c. official code § 24-403 et seq.), is amended as follows:

【(a) Section 3a (D.C. Official Code § 24-403.01) is amended as follows:

【(1) Subsection (c) is amended to read as follows:

【“(c)(1) Except as provided under paragraph (2) of this subsection, a sentence under this section of imprisonment, or of commitment pursuant to section 4 of the Youth Rehabilitation Amendment Act of 1985, effective December 7, 1985 (D.C. Law 6-69; D.C. Official Code § 24-903), shall be for a definite term, which shall not exceed the maximum term allowed by law or be less than any minimum term required by law.

【“(2) Notwithstanding any other provision of law, if the person committed the offense for which he or she is being sentenced under this section while under 18 years of age:

【“(A) The court may issue a sentence less than the minimum term otherwise required by law; and

【“(B) The court shall not impose a sentence of life imprisonment without the possibility of parole or release.”.

【(2) A new subsection (c-1) is added to read as follows:

【“(c-1) A person sentenced under this section to imprisonment, or to commitment pursuant to section 4 of the Youth Rehabilitation Amendment Act of 1985, effective December 7, 1985 (D.C. Law 6-69; D.C. Official Code § 24-903), shall serve the term of imprisonment or commitment specified in the sentence, less any time credited toward service of the sentence under subsection (d) of this section and subject to section 3c, if applicable.”.

【(3) Subsection (e) is amended by striking the phrase “person convicted of” wherever it appears and inserting the phrase “person who was over 18 years of age at the time of the offense and was convicted of” in its place.

【(4) Subsection (f) is amended by striking the phrase “person convicted of” and inserting the phrase “person who was over 18 years of age at the time of the offense and was convicted of” in its place.

【(b) A new section 3c is added to read as follows:

["SEC. 3c. MODIFICATION OF AN IMPOSED TERM OF IMPRISONMENT FOR VIOLATIONS OF LAW COMMITTED BEFORE 18 YEARS OF AGE

["(a) Notwithstanding any other provision of law, the court may reduce a term of imprisonment imposed upon a defendant for an offense committed before the defendant's 18th birthday if:

["(1)(A) The defendant was sentenced pursuant to section 3 and has served at least 20 years in prison and not yet become eligible under section 4 for release on parole from the sentence imposed; or

["(B) The defendant was sentenced pursuant to section 3a or was committed pursuant to section 4 of the Youth Rehabilitation Amendment Act of 1985, effective December 7, 1985 (D.C. Law 6-69; D.C. Official Code § 24-903), and has served at least 20 years in prison; and

["(2) The court finds, after considering the factors set forth in subsection (c) of this section, that the defendant is not a danger to the safety of any person or the community and that the interests of justice warrant a sentence modification.

["(b)(1) A defendant convicted as an adult of an offense committed before his or her 18th birthday may file an application for a sentence modification under this section. The application shall be in the form of a motion to reduce the sentence. The application may include affidavits or other written material. The application shall be filed with the sentencing court and a copy shall be served on the United States Attorney.

["(2) The court may direct the parties to expand the record by submitting additional written materials related to the motion. The court shall hold a hearing on the motion at which the defendant and the defendant's counsel shall be given an opportunity to speak on the defendant's behalf. The court may permit the parties to introduce evidence.

["(3) The defendant shall be present at any hearing conducted under this section unless the defendant waives the right to be present. Any proceeding under this section may occur by video teleconferencing and the requirement of a defendant's presence is satisfied by participation in the video teleconference.

["(4) The court shall issue an opinion in writing stating the reasons for granting or denying the application under this section.

["(c) The court, in determining whether to reduce a term of imprisonment pursuant to subsection (a) of this section, shall consider:

["(1) The defendant's age at the time of the offense;

["(2) The nature of the offense and the history and characteristics of the defendant;

["(3) Whether the defendant has substantially complied with the rules of the institution to which he or she has been confined and whether the defendant has completed any educational, vocational, or other program, where available;

["(4) Any report or recommendation received from the United States Attorney;

["(5) Whether the defendant has demonstrated maturity, rehabilitation, and a fitness to reenter society sufficient to justify a sentence reduction;

["(6) Any statement, provided orally or in writing, provided pursuant to D.C. Official Code § 23-1904 or 18 U.S.C. § 3771

by a victim of the offense for which the defendant is imprisoned, or by a family member of the victim if the victim is deceased;

【“(7) Any reports of physical, mental, or psychiatric examinations of the defendant conducted by licensed health care professionals;

【“(8) The defendant’s family and community circumstances at the time of the offense, including any history of abuse, trauma, or involvement in the child welfare system;

【“(9) The extent of the defendant’s role in the offense and whether and to what extent an adult was involved in the offense;

【“(10) The diminished culpability of juveniles as compared to that of adults, and the hallmark features of youth, including immaturity, impetuosity, and failure to appreciate risks and consequences, which counsel against sentencing them to a lifetime in prison; and

【“(11) Any other information the court deems relevant to its decision.

【“(d) If the court denies the defendant’s 1st application under this section, a court shall entertain a 2nd application under this section no sooner than 5 years after the date that the order on the initial application becomes final. If a sentence has not been reduced after a 2nd application, a court shall entertain a 3rd and final application under this section no sooner than 5 years following the date that the order on the 2nd application becomes final. No court shall entertain a 4th or successive application under this section.

【“(e) Any defendant whose sentence is reduced under this section shall be resentenced pursuant to section 3, section 3a, or section 4 of the Youth Rehabilitation Amendment Act of 1985, effective December 7, 1985 (D.C. Law 6-69; D.C. Official Code § 24-903), as applicable.”.】

CHAPTER 22 OF TITLE 50 OF THE DISTRICT OF COLUMBIA OFFICIAL CODE

* * * * *

Subchapter I—GENERAL PROVISIONS

* * * * *

PART A—TRAFFIC ACT, 1925

【§ 50-2209.01. Authorized; violations as moving violations; evidence; definition

【(a) The Mayor is authorized to use an automated traffic enforcement system to detect moving infractions. Violations detected by an automated traffic enforcement system shall constitute moving violations. Proof of an infraction may be evidenced by information obtained through the use of an automated traffic enforcement system. For the purposes of this subchapter, the term “automated traffic enforcement system” means equipment that takes a film or digital camera-based photograph which is linked with a violation detection

system that synchronizes the taking of a photograph with the occurrence of a traffic infraction.

[(b) Recorded images taken by an automated traffic enforcement system are prima facie evidence of an infraction and may be submitted without authentication.

[(c) An individual's driver's license or privilege to operate a motor vehicle in the District shall not be suspended for a violation detected by an automated traffic enforcement system for failure to:

- [(1) Timely answer a notice of infraction;
- [(2) Appear, without good cause, at a scheduled hearing; or
- [(3) Timely pay any civil fine or penalty.

[§ 50–2209.02. Liability for fines; notice of infraction; hearing

[(a) Absent an intervening criminal or fraudulent act, the owner of a vehicle issued a notice of infraction shall be liable for payment of the fine assessed for the infraction.

[(b) When a violation is detected by an automated traffic enforcement system, the Mayor shall mail a summons and a notice of infraction to the name and address of the registered owner of the vehicle on file with the Department of Motor Vehicles or the appropriate state motor vehicle agency. The notice shall include the date, time, and location of the violation, the type of violation detected, the license plate number, and state of issuance of the vehicle detected, and a copy of the photo or digitized image of the violation.

[(b-1) Not Funded.

[(c) An owner or operator who receives a citation may request a hearing which shall be adjudicated pursuant to subchapter I of Chapter 23 of this title.

[(d) The owner or operator of a vehicle shall not be presumed liable for violations in the vehicle recorded by an automated traffic enforcement system when yielding the right of way to an emergency vehicle, when the vehicle or tags have been reported stolen prior to the citation, when part of a funeral procession, or at the direction of a law enforcement officer.

[§ 50–2209.03. Agreement with private entity to provide records and services

[The Mayor may enter an agreement with a private entity to obtain relevant records regarding registration information or to perform tasks associated with the use of an automated traffic enforcement system, including, but not limited to, the operation, maintenance, administration or mailing of notices of violations.

[§ 50–2209.04. Access to automated traffic enforcement and district-owned camera photographs and video footage

[(a) If an automated traffic enforcement camera or other District-owned camera captures a photograph or video footage of a collision handled by the Metropolitan Police Department Major Crash Unit, the Mayor shall:

- [(1) Within 14 business days of the collision, inform the person or persons involved in the collision of the existence of the photograph or video footage;

[(2) Ensure the preservation of the photograph or video footage for 6 months from the date the photograph or video footage was created; and

[(3) Within 14 business days of the request of a person involved in the collision, provide access to the photograph or video footage; provided, that where the photograph or video footage is evidence in a criminal proceeding, access to the photograph or video footage shall be handled through the existing discovery process for criminal cases.

[(b) Nothing in this section shall be construed to alter or impair the rights of any person under subchapter II of Chapter 5 of Title 2.

[(c) The Mayor, pursuant to subchapter I of Chapter 5 of Title 2, may issue rules to implement the provisions of this section.

[(d) For the purposes of this section, the term “District-owned camera” shall not include a body-worn camera.

§ 50-2209.05. ATE reporting to council

[(a) Beginning January 1, 2021, the District Department of Transportation, in consultation with the Department of Motor Vehicles, shall report to the Council on a semi-annual basis the following information:

[(1) The top 15 automated traffic enforcement (“ATE”) locations by value of citations generated in the District;

[(2) The breakdown of the jurisdictions where those receiving ATE citations and with outstanding ATE citation debt have their vehicles registered;

[(3) The locations where cameras have been added in the last 6 months and the reasons why those locations were chosen; and

[(4) The amount of ATE citations issued in total and by location.]

* * * * *

§ 50-2201.04e. Traffic control at intersections

[(a) DDOT shall erect signage prohibiting right turns when facing a red traffic control signal at an intersection that:

[(1) Is within 400 feet of a playground;

[(2) Is within 400 feet of an elementary or middle school or a high school;

[(3) Has a bike lane running through it;

[(4) Is within 400 feet of a recreation center;

[(5) Is within 400 feet of a library; or

[(6) Is within 400 feet of a Metrorail station entrance.

[(c) Beginning January 1, 2025, a motor vehicle operator shall not make a turn when facing a steady red traffic control signal unless DDOT has installed signage, pursuant to subsection (d) of this section, permitting a turn when facing a steady red traffic control signal at that intersection.

[(d)(1) DDOT may install signage at any intersection allowing motor vehicle operators to make a turn when facing a steady red traffic control signal only if DDOT:

[(A) Determines that allowing a motor vehicle operator to make a turn when facing a steady red traffic control sig-

nal at the intersection would improve safety at that intersection; and

[(B) Updates the information required by subsection (f) of this section.

[(2) DDOT shall not use automobile delay, as described by level of service or similar measures of vehicular capacity or traffic congestion, as the basis for the determination made under paragraph (1)(A) of this subsection.

[(e) By January 1, 2025, DDOT shall undertake a public education campaign on the provisions of this section.

[(f) DDOT shall maintain, update within 30 days after the installation of signage permitting a turn on red, and post publicly on its website:

[(1) A list of intersections where turns on red are allowed;

[(2) DDOT's rationale pursuant to subsection (d)(1)(A) of this section for each intersection listed pursuant to paragraph (1) of this subsection; and

[(3) The date of the signage installation allowing turns on red.]

* * * * *

MINORITY VIEWS

Committee Democrats strongly oppose H.R. 5242, which would repeal two laws enacted by the District of Columbia (D.C.): the Second Chance Amendment Act of 2022 and the Incarceration Reduction Amendment Act of 2016. The bill is opposed by D.C. Mayor Muriel Bowser, the entire D.C. Council, and D.C. Attorney General Brian Schwalb.¹

The purpose of the D.C. Home Rule Act (HRA) is to “grant to the inhabitants of the District of Columbia powers of local self-government” and “relieve Congress of the burden of legislating upon essentially local District matters.”² The bill would undermine the purpose of the HRA.

The Second Chance Amendment Act is a criminal record sealing law. All 50 states and the federal government have criminal record sealing laws, though the specifics vary.³ Twelve states have criminal record sealing laws that meet the bipartisan Clean Slate Initiative’s minimum criteria.⁴ Four Republicans on the Committee are from states whose laws meet that criteria.

A criminal record, including for a mere arrest, has collateral consequences, such as making it more difficult to get a job or housing. The Second Chance Amendment Act seals certain criminal records from public view, but not from law enforcement, the courts, or other eligible entities. Under the Second Chance Amendment Act, the availability of criminal record sealing depends on the type of crime, the type of record, and, in the case of a conviction, the length of time since the completion of a sentence.

For example, a conviction for certain felonies, such as 1st degree murder, is not eligible for sealing. In the case of an eligible felony, the court cannot order sealing earlier than eight years after the completion of the sentence. In making such determinations, the court is required to weigh the interests of the individual in sealing the records, the community’s interest in furthering the individual’s rehabilitation and reintegration into society, and the community’s interest in retaining access to the records. The court may also consider seven factors, ranging from the nature of the crime to the individual’s history and characteristics.

¹Letter from District of Columbia Mayor Muriel Bowser to Chairman James Comer and Ranking Member Robert Garcia, House Committee on Oversight and Government Reform (Sept. 10, 2025); Letter from Council of the District of Columbia to Chairman James Comer and Ranking Member Robert Garcia, House Committee on Oversight and Government Reform (Sept. 8, 2025); Letter from District of Columbia Attorney General Brian Schwalb to Chairman James Comer and Ranking Member Robert Garcia, House Committee on Oversight and Government Reform (Sept. 9, 2025).

²Pub. L. No. 93–198 (1973).

³Collateral Consequences Resource Center, *50-State Comparison: Expungement, Sealing & Other Record Relief* (online at www.ccrsourcecenter.org/state-restoration-profiles/50-state-comparison-judicial-expungement-sealing-and-set-aside/) (accessed Sept. 20, 2025).

⁴The Clean Slate Initiative, *Clean Slate in States* (online at www.cleanslateinitiative.org/states) (accessed Sept. 20, 2025).

The Incarceration Reduction Amendment Act is a sentence review law. Twenty-five states and the federal government have such policies, though the specifics vary. Sentence review laws are premised on, among other things, the evidence on brain development by age, the deterrence effect of lengthy sentences, and the age-crime curve.⁵

The Incarceration Reduction Amendment Act permits an individual who is convicted of a crime committed before age 25 and has served at least 15 years in prison to petition the court to reduce the term of imprisonment. To reduce the term, the court, after considering enumerated factors, must find that the individual is not a danger and that the interests of justice warrant a reduction.

Instead of meddling in local D.C. matters, Congress should pass the D.C. statehood bill.

ROBERT GARCIA,
Ranking Member.



⁵ Sara Cohbra and Becky Feldman, *The Second Look Movement: An Assessment of the Nation's Sentence Review Laws* (Aug. 27, 2025) (online at www.sentencingproject.org/reports/the-second-look-movement-a-review-of-the-nations-sentence-review-laws/).