

November 18, 2025

The Honorable Mike Johnson
Speaker of the House
H-232, The Capitol
Washington, DC 20515

The Honorable Hakeem Jeffries
House Minority Leader
2267 Rayburn House Office
Building Washington, DC 20515

Re: “Vote No” on H.R. 5107 and H.R. 5214

Dear Speaker Johnson and Minority Leader Jeffries:

The NAACP Legal Defense and Educational Fund, Inc. (LDF)¹ strongly opposes The Common Sense Law Enforcement and Accountability in D.C. Now Act (H.R. 5107), and The D.C. Cash Bail Reform Act (H.R. 5214). These bills will make the District of Columbia (D.C. or the District) less safe and just.² Congress must cease these repeated attempts—against the will of D.C. residents and locally elected leadership—to override D.C. laws that were enacted by and for the District.³ We urge all members to “Vote No” on these harmful bills.⁴

Commonsense policing reforms have not hindered historic low crime rates in D.C.

H.R. 5107 would strike down, without sufficient justification, the majority of Comprehensive Policing and Justice Reform Amendment Act of 2022 (CPJRAA), which enacted police transparency and accountability measures informed by the recommendations of the D.C. Police Reform Commission, a body of retired law enforcement, community leaders, experts, and directly impacted residents.⁵ While only two years of crime data is available since

¹ Founded in 1940 by Justice Thurgood Marshall, the NAACP Legal Defense & Educational Fund, Inc. (LDF) is the nation’s first and foremost civil rights law organization. Through litigation, advocacy, public education, and outreach, LDF strives to secure equal justice under the law for Black people in America, and to break down barriers that prevent them from realizing their basic civil and human rights. LDF has a long history of challenging the arbitrary and pernicious influence of racial discrimination in the criminal legal system.

² See, e.g. Terry-Ann Craigie & Ames Grawert, *Bail Reform and Public Safety*, BRENNAN CTR. FOR JUST. (Aug. 15, 2024), <https://www.brennancenter.org/our-work/research-reports/bail-reform-and-public-safety>.

(“there is no statistically significant difference in crime rates between cities that reformed their bail policies and those that did not.”), Bill Hutchison, *Providing police with military gear does not reduce crime or protect officers: studies*, ABC News (Dec. 8, 2020), <https://abcnews.go.com/US/providing-police-military-gear-reduce-crime-protect-officers/story?id=74518923>; *Legislative Reforms to Strengthen Accountability, Reduce Reliance on Policing, and Invest in Black and Brown Communities*, NAACP LEGAL DEF. FUND, <https://www.naacpldf.org/george-floyd-anniversary/>. (last accessed Nov. 4, 2025).

³ See Press Release, Muriel Bowser, D.C. Mayor, District leaders issue a joint statement opposing bills to amend D.C. laws (Nov. 17, 2025) <https://mayor.dc.gov/release/district-leaders-issue-joint-statement-opposing-bills-amend-dc-laws>.

⁴ H.R. 5107, 119th Cong. (2025), available at <https://www.congress.gov/bill/119th-congress/house-bill/5107/text/ih>.

⁵ D.C. Police Reform Commission Report, *Decentering Police to Improve Public Safety* (Apr. 1, 2021), <https://dccouncil.gov/police-reform-commission-full-report/>.

the implementation of the CPJRAA, that data shows drops in violent crime each year following the passage of the law in 2024 and again in 2025.⁶ Therefore, the CPJRAA's passage, at a minimum, had no negative impact on public safety in D.C. In fact, after the CPJRAA was enacted, D.C. saw a 30-year low in violent crime and thus the law is associated with MPD's successful crime reduction efforts.⁷

The 2022 D.C. statute also includes measures D.C. residents deemed important such as mandatory public release of body worn camera footage within five days of officer-involved deaths or serious bodily injury, strengthened civilian oversight of police use of force, limitations on consent searches, requiring additional law enforcement training on racial bias and de-escalation tactics, the creation of public databases of sustained officer misconduct cases, and the prohibition of the possession or acquisition of military weapons by law enforcement agencies.⁸

Historically criminal justice laws and policies have been determined by local jurisdiction based on their specific needs. Several other jurisdictions have enacted policies similar to those in the CPJRAA. States across the country have enacted policies like these⁹ because many believe that holding law enforcement accountable for abuse of power and racial bias can deter misconduct. Some jurisdictions have seen reduction of crime after holding law enforcement accountable for violating the law and their department policies.¹⁰

Moreover, the power provided through the CPJRAA to remove disciplinary matters from collective bargaining was much-needed. Before the law's enactment, a 2022 report from the Office of the District of Columbia Auditor found that the reinstatement of 36 fired Metropolitan Police Department D.C. (MPD) officers had cost the city \$14.3 million in back pay.¹¹ Notably, 15 of the reinstated officers had been terminated for misconduct classified as a "threat to safety" which includes cases when an officer imposed risk or harm to people, through action or inaction, including physical or sexual violence and mishandling firearms.¹² The CPJRAA, by excluding disciplinary matters from collective bargaining, offered an opportunity to improve MPD's accountability system which benefits the public and officers alike. The reinstatement of "bad cops" has also been shown to demoralize officers who observe their colleagues return to the force despite their failure to abide by policies or laws.¹³

⁶ Metropolitan Police Department, Washington D.C. *2025 Year to Date Crime Comparison*, District Crime Data at a Glance, <https://mpdc.dc.gov/dailycrime>, (last visited Nov. 18, 2025).

⁷ U.S. Attorney's Office District of Columbia, *Violent Crime in D.C. Hits 30-year low* (Jan. 3, 2025), <https://www.justice.gov/usao-dc/pr/violent-crime-dc-hits-30-year-low>.

⁸ D.C. Law 24-345 (2022), available at <https://code.dccouncil.gov/us/dc/council/laws/24-345>.

⁹ See, e.g., NAACP LEGAL DEF. FUND, *supra* note 2.

¹⁰ Kenny Lo & Sarah Figgatt, *Violent Crime Rates Declined in 10 Jurisdictions Following Comprehensive Police Reform*, CTR. FOR AM. PROGRESS (Nov. 16, 2020), <https://www.americanprogress.org/article/violent-crime-ratesdeclined-10-jurisdictions-following-comprehensive-police-reform/>.

¹¹ *36 Fired MPD Officers Reinstated; Receive \$14 Million in Back Pay*, OFF. D.C. AUDITOR (Oct. 6, 2022), <https://dcauditor.wpenginepowered.com/wp-content/uploads/2023/08/MPD.Personnel.Settlements.Report.10.6.22.pdf>.

¹² *Id.*

¹³ *Id.* at 4.

Without due process mandatory pretrial detention jeopardizes liberty.

H.R. 5214 would reinstitute cash bail and create mandatory detention for a person charged with certain offenses before even going to trial.¹⁴ Requiring a person merely charged with an offense to be detained pretrial with no opportunity for a hearing to challenge the detention raises serious due process concerns, as there is no opportunity for the court to determine if this serious deprivation of liberty is justified. This legislation would significantly change the system D.C. has had in place since 1992, that has produced higher appearance rates than the national average without wealth-based pretrial detention.¹⁵ Between 1990 and 2009 the number of people charged with an offense who received cash bail jumped from 37 percent to 61 percent.¹⁶ Cash bail has, historically, disproportionately impacted low-income Black communities while disparities in the Black-white wealth gap persists amidst racially discriminatory policies that have not been fully addressed.¹⁷ Overall Black and Brown defendants are 10-25 percent more likely than white defendants to be held pretrial, and that number skyrockets to 50 percent for young Black men compared with white defendants.¹⁸ Not only would Black men be placed in pretrial detention at a disproportionate rate, but in 2022, The U.S. Commission on Civil Rights found that Black men received bail amounts 35 percent higher than white men and 16 percent higher than Latino men.¹⁹ The presence of cash bail destabilizes people's lives, with pretrial detention increasing the probability of both being convicted and being imprisoned,²⁰ and contributes to the cycle of limiting upward mobility for Black people in D.C by potentially hindering employment while jailed.

Further, the rationale behind reinstituting cash bail is to protect public safety by ensuring that law enforcement is not forced to repeatedly arrest the same “dangerous individuals.”²¹ However, in D.C., of the 88 percent of individuals who are released before trial,

¹⁴ H.R. 5214, 119th Cong. (2025), available at <https://www.congress.gov/bill/119th-congress/house-bill/5214>

¹⁵ See, Brian Reaves U.S. DEPT. OF JUSTICE, BUREAU OF JUSTICE STATISTICS, *Felony Defendants in Large Urban Counties, 2009 – Statistical Tables* 39 (Dec. 13, 2013), <https://bjs.ojp.gov/content/pub/pdf/fdluc09.pdf>. (failure to appear was estimated to be 17 percent) and Fiscal Year 2026 Congressional Budget Justification and Fiscal year 2024 Agency Performance Report, Pretrial Services Agency for the District of Columbia, 26 Table 5, Performance indicators for Strategic Goal 4 (May 30, 2025), <https://www.psa.gov/sites/default/files/2025-09/PSA-FY2026-Congressional-Budget-Justification-and-FY-2024-Performance-Report.pdf> (D.C. court appearance rate in FY 2024 was 86 percent, signifying the failure to appear rate was 14 percent, 3 percentage points below the estimated failure to appear rate of 75 of the largest cities in the U.S.)

¹⁶ U.S. DEP'T OF JUSTICE, BUREAU OF JUSTICE STATISTICS, *supra* note 15.

¹⁷ Andre M. Perry, Hannah Stephens, and Manann Donoghoe, *Black Wealth is Increasing, but so is the Racial Wealth Gap*, The Brookings Institute, (January 9, 2024), <https://www.brookings.edu/articles/black-wealth-is-increasing-but-so-is-the-racial-wealth-gap/>

¹⁸ Wendy Sawyer, *How Race Impacts Who is Detained Pretrial*, PRISON POL'Y INITIATIVE (Oct. 9, 2019), https://www.prisonpolicy.org/blog/2019/10/09/pretrial_race/.

¹⁹ U.S. Comm'n on C.R., *The Civil Rights Implications of Cash Bail* (Jan. 2022), <https://www.usccr.gov/files/2022-01/USCCR-Bail-Reform-Report-01-20-22.pdf>.

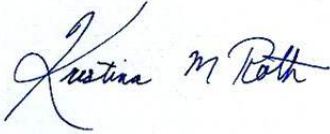
²⁰ Mark Gius, *The Determinants of Pretrial Detention and its Effect on Conviction and Sentencing Outcomes*, 16 JUST. POL'Y J. 1 (2018), https://www.cjcj.org/media/import/documents/determinants_of_pretrial_detention_gius.pdf.

²¹ *Fact Sheet: President Donald J. Trump Imposes Measures to End Cashless Bail and Enforce the Law in Washington, D.C.*, WHITE HOUSE (Aug. 25, 2025), <https://www.whitehouse.gov/fact-sheets/2025/08/fact-sheet-president-donald-j-trump-imposes-measures-to-end-cashless-bail-and-enforce-the-law-in-washington-d-c/>.

89 percent remain arrest-free, with only 1 percent arrested for a violent crime.²² Nationwide, this trend is consistent, with no statistically significant link between bail reform and increases in crime.²³ In fact, data shows that placing someone in pre-trial detention for any length of time actually increases the likelihood that they will be re-arrested and sentenced to prison in the future.²⁴ As a result, H.R. 5214 will not live up to its purpose, and will instead, create further barriers for the low-income Black community in D.C.

We all want our communities to feel safe for all who reside and visit, and the District of Columbia is no different. The changes proposed by these bills have proven to be ineffective in deterring crime and will only further the loss of key community resources. Additionally, data shows that members of the D.C. community know best when addressing criminal justice policies within their community. They deserve the right to determine their own policies and laws. We strongly urge all members to vote “NO” on H.R. 5107, and H.R. 5214. If you have any questions, please contact Kristina Roth, Senior Policy Associate, at kroth@naacpldf.org.

Sincerely,



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²² *The Case Against Pretrial Risk Assessment Instruments*, PRETRIAL JUST. INSTITUTE (Nov., 2020), <https://www.pretrial.org/files/resources/thecaseagainstopretrialriskassessmentinstruments--pii2020.pdf> at 3; *Risk-Based Pretrial Detention in D.C.*, COUNCIL FOR CT. EXCELLENCE (2025), https://cdn.prod.website-files.com/659c0df344c9c8325dd821ca/68c07f1b413f38651022a24c_Pretial%20Release%20Fact%20Sheet%20-%20CCE%202025.pdf at 2.

²³ BRENNAN CTR. FOR JUST., at 1 *supra* note 2.

²⁴ Sarah Staudt, *Releasing people pretrial doesn't harm public safety*, PRISON POL'Y INITIATIVE (July 3, 2023), <https://www.prisonpolicy.org/blog/2023/07/06/bail-reform/>.