

December 9, 2016

Senator Grassley
Chairman
Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

Senator Leahy
Ranking Member
Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

Representative Goodlatte
Chairman
House of Representatives Committee on the Judiciary
2138 Rayburn House Office Building
Washington, DC 20515

Representative Conyers
Ranking Member
House of Representatives Committee on the Judiciary
2426 Rayburn House Office Building
Washington, DC 20515

Dear Senator Grassley, Senator Leahy, Representative Goodlatte, and Representative Conyers,

I am writing to you today on behalf of my constituents and neighbors in Washington, DC. Pervasive crime is threatening the safety of our community and we need your help in solving the problem.

The U.S. Department of Justice is responsible for prosecuting the violent crimes that occur in Washington, DC. As you know, murder, rape, aggravated assaults, kidnappings, and armed carjackings are not uncommon occurrences in this city. In fact, many of these crimes take place within sight of the Capitol building and White House.

My constituents are upset and perplexed with the manner in which DOJ goes about prosecuting some of these cases. DOJ attorneys generally do not communicate with victims prior to entering into plea agreements with defendants, leaving residents wondering whose interests DOJ primarily represents. This unusual practice was highlighted in a December 4th article in the *Washington Post*. See https://www.washingtonpost.com/investigations/the-crimes-against-them-were-terrifying-but-the-judicial-system-made-it-worse/2016/12/04/89395554-99e9-11e6-a0ed-ab0774c1caa5_story.html?utm_term=.00a0ad091a0f.

In addition, DOJ sometimes allows youthful offenders to continue to walk the streets of DC despite having multiple convictions for violent crimes on their record and who have threatened to commit additional violent acts while under federal supervision. One example is Anwon Pitt, who in October

2015 beat and raped a Capitol Hill woman inside her house.

The July 29th *Washington Post* article entitled “How An Inmate Who Repeatedly Threatened To Rape His Guards Ended Up On a Bus Back to D.C.” provides chilling details of that case and the failures of the criminal justice system. Despite Mr. Pitt having been accused of sodomizing a young boy; and threatening to rape female corrections officers and accumulating over 20 disciplinary offenses while in prison which the Federal Bureau of Investigation was called in to review, Mr. Pitt was returned to Washington under minimal supervision. Within weeks he began another crime spree that ended with the vicious rape of a mother of two young children. See https://www.washingtonpost.com/investigations/how-an-inmate-who-repeatedly-threatened-to-rape-his-guards-ended-up-on-a-bus-back-to-dc/2016/07/29/82e28f28-3a2f-11e6-8f7c-d4c723a2becb_story.html?tid=a_inl&utm_term=.3258ee349328

The Department of Justice is not alone in failing to do its job. Judges are too. There is a frequently misapplied law in DC called the Youth Rehabilitation Act. It allows violent offenders to receive lenient sentences if they are under the age of 22. Currently, the only limitation is that the law does not apply to first and second degree murder. Therefore, it's possible for an individual to be convicted of rape, kidnapping, armed carjacking, aggravated assault, and other violent offenses but still be eligible to receive a less than minimum sentence because of their age. Over time, those convictions also get expunged from their record.

Surprisingly, the Youth Rehabilitation Act gives judges the leeway to reduce sentences for the same individual multiple times. What's more, no one keeps track of how many times defendants receive the benefit of the lenient sentence. Again, the *Washington Post* documents this abuse of the law in a December 3rd article. See https://www.washingtonpost.com/investigations/second-chance-law-for-young-criminals-puts-violent-offenders-back-on-dc-streets/2016/12/02/fcb56c74-8bc1-11e6-875e-2c1bfe943b66_story.html?tid=a_inl&utm_term=.dcc2bc3c62d4

I will be working with my fellow ANC Commissioners to plug these loopholes in the law. We will ask the District of Columbia's City Council to amend the Youth Rehabilitation Act by limiting its applicability to non-violent offenders. We also believe this should be a one time only waiver. As one relative stated in disbelief to the *Washington Post*, “You're telling me that you can come back out of the streets and rob again, hold people hostage again, kill again – because of the Youth Act ?” Yes and that revolving door needs to be closed.

We also would like Congress to exercise greater oversight over the judges and prosecutors in the District of Columbia. You can require the Department of Justice to communicate with victims prior to entering into plea deals. Victims of crimes often suffer physical and emotional harm. Their voices deserve to be heard when justice is applied. Freezing them out of sentencing decisions and negotiations leaves them feeling victimized a second time.

Likewise, Congress can play a role in encouraging District judges to strike a better balance between compassion for youthful offenders and the safety of the community at large. Judges are nominated by the President but must be confirmed by the Senate. During the confirmation process, please ask them to describe their philosophy for sentencing young offenders. How is mercy thoughtfully applied? The *Post's* investigation showed that District judges granted lenient sentences to 631 defendants under the age of 22 who subsequently committed weapon-related crimes. That high number implies that not enough thought is going into these light sentences.

On behalf of my constituents and neighbors, thank you for giving attention to this matter. We would welcome the opportunity to meet with you and members of your respective staffs to discuss ways to make the nation's capital a safer place for everyone.

Sincerely,

A handwritten signature in black ink that reads "K. Denise Rucker Krepp". The signature is written in a cursive style with a large initial "K".

K. Denise Rucker Krepp
ANC6B10 Commissioner
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