

D.C.'s Incarceration Reduction Amendment Act and Second Look Amendment Act

What do these laws do? Is D.C. in line with the rest of the U.S.? How have they been working? What does research say?

1. What are these D.C. laws? How do they work?

Current D.C. law allows those who were convicted of crimes who a) were under the age of 25 at the time of the offense and 2) have already spent at least 15 years in prison to go before a judge for a potential sentence reconsideration. The **Incarceration Reduction Amendment Act of 2016 (IRAA)** focused on those who were under 18 at the time of the crime and were transferred to the adult justice system for prosecution. The **Second Look Amendment Act of 2019 (SLAA)** extended the applicability of IRAA to young adults (ages 18–24).

IRAA and SLAA petitions are never automatically granted. In determining whether to grant a petition for sentencing relief, a judge must consider many factors, including:

- any victim's statement;
- any report or recommendation from the United States Attorney's Office;
- the applicant's role in the offense;
- the applicant's age at the time of the offense;
- the applicant's conduct in prison;
- the applicant's history and characteristics;
- the applicant's family and community circumstances, including any history of abuse, trauma, or involvement in the child welfare system;
- the applicant's maturity, rehabilitation, and a fitness to reenter society;
- the applicant's conduct in prison; physical and mental health;
- the diminished culpability of juveniles and persons under age 25, compared to older adults; &
- any other information that the judge deems to be pertinent.

A person can apply for IRAA/SLAA three times, with a required break of 3 years before submitting a new request. If granted relief, they are generally put on a period of community supervision upon release.

2. How do D.C.'s laws compare to other places in the United States?

A number of states and the federal government have created re-sentencing options for individuals who were teenagers or young adults at the time of their crimes, including California, Colorado, Connecticut, Delaware, Florida, Illinois, Maryland, Minnesota, New York, North Dakota, Oklahoma, Oregon, and Washington. Judicial sentence review is supported by the Model Penal Code (utilized by states all over the country to as a neutral basis for their criminal laws), which recommends review at 15 years, and the American Bar Association, which recommends sentence review after 10 years of incarceration.

3. What do we know about the recent use of IRAA and the Second Look Act?

As of July 19, 2021, 74 people had petitioned for release under IRAA and 65 people had been released.^[i] With the SLAA expansion up to age 25 in 2021, over 500 additional people became eligible for sentence reconsideration.^[ii] As of March 4, 2025, a total of 368 IRAA or SLAA petitions resulted in early release by a D.C. Superior Court Judge after a hearing and consideration of all of the legally-required factors in each case.

Less than 3% of the people granted early release under either law have been rearrested and convicted of any new crime in the time since they have returned to the community.^[iii]

4. What does the data and research on this issue show?

The research is consistent that longer prison sentences do little to deter crime.^[iv] Additionally, after having been incarcerated for 15 or more years, most people have aged out of criminal activity; arrest data shows that people aged 20–39 are responsible for about 59% of violent arrests, compared to only 16% for people ages 45–64.^[v] In terms of recidivism, **data demonstrated that over half of those incarcerated on federal charges under age 35 at release were rearrested, compared with less than one in four aged 51 or older at the time of release.**^[vi] As indicated above, the initial data about recidivism of D.C.'s IRAA and SLAA recipients is significantly more promising than an average older releasee.

Additionally, long term incarceration is expensive. The average cost to house a person in federal prison in FY 2023 was roughly \$44,000/year, with higher costs for older people with more intensive health needs. Additionally, **research has shown that over three in five crime survivors support shorter prison sentences and spending more on prevention and rehabilitation programs**, compared to only one in four who would rather see prison sentences that keep people in prison as long as possible.^[vii]

[i] <https://justicepolicy.org/wp-content/uploads/2021/07/Voices-for-Reform-in-DC-2021.pdf>

[ii] <https://www.sentencingproject.org/app/uploads/2025/03/The-Second-Look-Movement-A-Review-of-the-Nations-Sentence-Review-Laws.pdf>

[iii] United States Attorney's Office (USAO), quoted in Washington Post, March 2025.

[iv] <https://nij.ojp.gov/topics/articles/five-things-about-deterrence#one>

[v] <https://ucr.fbi.gov/crime-in-the-u.s/2019/crime-in-the-u.s.-2019/topic-pages/tables/table-38>

[vi] Recidivism Among Federal Offenders: A Comprehensive Overview

[vii] <https://allianceforsafetyandjustice.org/crimesurvivorsspeak/>

Our Mission

Council for Court Excellence's (CCE's) mission is to bring people together to conduct research, educate, and advocate to make D.C.'s unique legal systems more just, equitable, and accountable to the community.



Visit Our Website