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Testimony of the Council for Court Excellence

Before the Committee on Facilities

Performance Oversight Hearing on the Department of General Services

January 29, 2025

Thank you Chairperson Lewis George and members of the Committee for the opportunity to present this testimony. My name is Crystal Jones Nieves and I am the Criminal Justice Open Horizon Fellow for the Council for Court Excellence (CCE). We appreciate the opportunity to testify at today's Performance Oversight Hearing on the Department of General Services (DGS). CCE is a nonpartisan, nonprofit organization with the mission to enhance justice in the District of Columbia. For more than 40 years, CCE has worked to improve the administration of justice through research and policy analysis, convening diverse stakeholders, and creating educational resources for the public. Our 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. Please note that in accordance with our policy, no judicial member of CCE participated in the formulation or approval of this testimony. This testimony does not reflect the specific views of, or endorsement by, any judicial member of CCE.

DGS oversees all of the public buildings in the District of Columbia, including shared responsibility of conducting certain repairs in buildings run by the D.C. Department of Corrections (DOC), which includes the D.C. jail's Central Detention Facility (CDF) and Correctional Treatment Facility (CTF), as well as the Central Cell Block (CCB), where arrested individuals are detained prior to their first court appearance. Most of my testimony concerns the jail, but I will also touch on issues raised by the Corrections Information Council (CIC) and in community meetings regarding CCB's conditions.

D.C. Jail

DOC and DGS are jointly responsible when it comes to the distribution of maintenance responsibilities for the D.C. jail. In the past, DGS has been in charge of mold remediation, electrical services above the difficulty of changing a light bulb, HVAC services, and interior services. Despite having two of D.C.'s agencies working to maintain the jail, D.C. jail residents have continued to bear unsafe and unsanitary conditions. The primary focus of my testimony is to describe DGS's current responsibilities to DOC facilities and raise some areas for improvement, particularly regarding HVAC maintenance and mold abatement.

In May 2025, the Council for Court Excellence conducted an audit on behalf of the Office of the District of Columbia Auditor (ODCA) entitled "Urgent Need for New D.C. Jail." CCE took an in-depth look at conditions in the jail between July 1, ⁱ and June 30, 2024 and, to some extent, the more recent periods since that time. ODCA's report found that the chronic poor conditions that were documented in ODCA's 2019 audit persisted, with roughly 1,600ⁱⁱ one year audit period, based on DOC's own internal records. These maintenance reports cover areas that are DGS's responsibility including mold, temperature control, and electrical issues. Also, note that these are just the issues formally reported, and not necessarily inclusive of every incident or problem that may not have been able to be memorialized. Indeed, other reports, including those by the Department of Health and the Corrections Information Council (CIC), reflect many of these issues, too, and many that remain ongoing at the jail.

One particularly concerning finding from the audit period was the prevalence of mold within the jail – and ⁱⁱⁱThe audit showed that there were 72 mold inspections during the audit period and in ^{iv} CCE’s review of official inspection reports showed that mold was found in 60% of the 72 mold inspections conducted during the audit period. In at least two cases, abatement was not conducted for over eight months. ^v These concerns regarding mold are not new, with various reports of mold concerns being well publicized in years past. ^{vi} Mold conditions have also continued to be found passed the audit period. While ODCA’s audit covered a period prior to the past fiscal year, more recent reports found that several cells housing residents had mold. CIC inspectors themselves were the ones who discovered mold in certain cells with CDF leading to all residents housed on that side of the housing unit to be moved to other cells. ^v

Mold can be particularly dangerous to those who spend extensive time indoors, like individuals who are incarcerated, as it can result in Tight or Sick Building Syndrome. ^{vi} Consistent mold exposure threatens the health of both jail residents and DOC staff, with serious side effects like headaches and sore throats, mental health issues, and effects on the immune system. ^{vii} Long term exposure to mold also lead to non-physical ailments like cognitive and emotional problems such as anxiety, depression, and stress. ^{viii} Mold can also exacerbate asthma and other respiratory diseases. ^{ix}

There are many other environmental factors related to building maintenance that can affect the health of residents, including exposure to improper temperatures. DGS is responsible for the maintenance of the HVAC system within the DC jail, which has struggled to maintain consistent and healthy temperatures in both CDF and CTF. CCE’s review of grievances found that one of the most frequent complaints by residents were references to the facilities being too hot. Residents stated that it is at times so hot that they were unable to sleep and that the heat worsened some of their preexisting conditions. ^x There were also discrepancies in temperature between areas of the DC jail itself, some residents ^x that while one area is extremely hot the other area could be extremely cold with air conditioning on year-round, including the winter ^x.

We were heartened to see in the FY 2026 Performance Plan for DGS that preventative maintenance on HVAC system for non-DCPS locations was specifically mentioned. ^{xi} This is an important step to make sure that all HVAC systems are properly and consistently working. Currently, there is a proposed completion date of September 30th, 2026, for this project. ^{xii} While we understand that it is important that all D.C. buildings have proper and functioning HVAC systems, we would hope that the HVAC systems in DOC facilities would be prioritized. DOC facilities are some of the only facilities in DC where individuals are held every hour of the day and every month of the year. While we applaud DGS for their goal of completing all maintenance by the end of September, it is imperative that the maintenance on the HVAC system in DOC facilities is completed before the summer heat arrives .

We are also grateful to DGS for being involved with the planning and creation of the new D.C. jail set to provide a modernized facility that centers successful rehabilitation and reentry. CCE recommended in our audit that the new facility will have an HVAC system that will be adequate not just on Day One, but in the years ahead, as climate change may make our area even hotter, and include elements such as green roofs and passive cooling that would decrease the need for air conditioning. With elements that would reduce the need for air conditioning like cool roofs, green roofs, and passive cooling. It is our hope that with the implementation of these new and innovative techniques DGS will be able to better maintain the HVAC system, creating a better living environment, and protecting the health of all D.C. jail residents.

In addition to the findings of the 2025 audit, CCE has also recommended the creation of a Community Advisory Board (CAB) that would provide greater transparency and community

participation in the planning process for a new jail. In an email to this committee, CGS stated that the Administration has no intention of creating such a board. We highly recommend that a CAB be required by the Council and created early in the planning process with any future architects and developers. Additionally, creating a Board need not necessarily wait until new jail planning has resumed; rather, this board mandate could also include issues involving the current jail. We would note that the Administration often cites their public presentations as evidence of community involvement. First, we would like to highlight that an information session has not been held in many months; when they were held there was often insufficient notice leading to a lack of community input, and no meaningful opportunity to provide feedback. At the very least, CCE believes that more frequent, more robust, and truly collaborative and two-way community sessions be held moving forward. Ideally, there will also be a CAB that has a meaningful decision-making or input role going forward as it relates to incarceration in D.C.

Central Cell Block

CCE also has concerns regarding the conditions inside of CCB, where DGS is in charge of all maintenance requests. CCE has attended meetings where individuals that have been detained at CCB spoke about their experiences being held at CCB. Some of these experiences included HVAC issues, rodent and insect infestations, and a general disregard for sanitation and hygiene. Specifically, individuals who had been held at CCB mentioned that it would get incredibly hot in the summer, and the floor was often covered in urine and feces. While some of these issues may have been resolved at this point, recent inspections indicate that some persist.

In their July and March 2025 inspections, CIC found multiple issues with the conditions in CCB. These issues include toilet plumbing issues, cleanliness concerns, and inoperable cells. In one instance, the fire department was called to pry open^{xiii} inside. This is a major safety concern and could have led to more dire consequences had there been an emergency situation for the individual locked in the cell. Furthermore, the wheelchair lifts were broken for over a year and repairs were never completed due to the^{xiv} temporary relocation of CCB that is not slated to happen until May 2026.^{xv} While we applaud DGS for having exterminators treat CCB twice a month,^{vi} repairs that impact safety and accessibility should be completed as priorities now, despite plans for relocation.

In closing, while we appreciate the work the DGS has already done and plans to do to fix the conditions within DOC facilities, CCE believes that maintenance issues should be addressed in a more timely fashion, with more preventative measures in order to protect both jail residents and those who work there. Indeed, one of – if not the – most serious powers our government holds is the detention of people charged with or convicted of crimes – and with that great power to control someone’s body, comes a great duty to provide for safe and humane conditions at all times, even when expensive, inconvenient, or difficult. Thank you for your continued interest and oversight, and please know we will be happy to assist you and the Council in any way to ensure a new D.C. jail is built that is safe and protects the health of both jail residents and employees, and that conditions in the current facilities are addressed in a timely manner.

ⁱ “Urgent Need for New D.C. Jail,” Council for Court Excellence on behalf of the Office of the D.C. Auditor (ODCA), May 28, 2025, https://cdn.prod.websitefiles.com/659c0df344c9c8325dd821ca/6837197775af1c53f8f34cf0_JailUpdate_Web_v5.pdf.

ⁱⁱ Ibid.

ⁱⁱⁱ Ibid.

^{iv} Ibid.

^v District of Columbia Corrections Information Council, “Department of Corrections, Central Detention Facility, Correctional Treatment Facility, and Central Cell Block Report on Findings and Recommendations” August 21, 2025

https://cic.dc.gov/sites/default/files/dc/sites/cic/page_content/attachments/DOC%20CDF%20CTF%20CCB%20FY25Q2%208.21.25.pdf

^{vi} Panagioti Tsolkas, “‘It Smelled Like Death’ Reports of Mold Contamination in Prisons and Jails,” Prison Legal News, April 2, 2019. <https://www.prisonlegalnews.org/news/2019/apr/2/it-smelled-death-reports-mold-contamination-prisons-and-jails/>.

^{vii} National Institute of Environmental Health Sciences, National Institute of Health. “Mold.”. <https://www.niehs.nih.gov/health/topics/agents/mold>

^{viii} National Institute of Environmental Health Sciences, “Mold and Your Health,” September 2024. https://www.niehs.nih.gov/sites/default/files/health/materials/mold_508.pdf

^{ix} National Institute of Environmental Health Sciences, National Institute of Health. “Mold.”

^x Ibid.

^{xi} Department of General Services, “Department of General Services FY 2026 Performance Plan” November 26, 2025.

^{xii} Ibid.

^{xiii} District of Columbia Corrections Information Council, “Department of Corrections, Central Detention Facility, Correctional Treatment Facility, and Central Cell Block Report on Findings and Recommendations” November 17, 2025

https://cic.dc.gov/sites/default/files/dc/sites/cic/page_content/attachments/DOC%20CDF%20CTF%20CCB%20FY25Q4.pdf

^{xiv} District of Columbia Corrections Information Council, “FY2024 Annual Report on DC Department of Corrections” December 5, 2024.

https://cic.dc.gov/sites/default/files/dc/sites/cic/page_content/attachments/DOC%20Annual%20Rep%20FY24_12.5.24.pdf

^{xv} District of Columbia Corrections Information Council, “Department of Corrections, Central Detention Facility, Correctional Treatment Facility, and Central Cell Block Report on Findings and Recommendations” November 17, 2025