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From: Tim Huether, Jojo Schmidt, Max Staloff

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RE: Project Summary: Team CCE Fall 2016

Exploring Clemency Solutions for DC

The Client:

Founded in 1982, the Council for Court Excellence (CCE) is a nonprofit, nonpartisan civic organization that envisions a justice system in the District of Columbia that equitably serves the public and creates stronger and more prosperous communities. CCE identifies and proposes solutions by collaborating with diverse stakeholders to conduct research, advance policy, educate the public, and increase civic engagement.

The Problem:

Clemency is an umbrella term that encompasses pardons, reprieves, and sentence commutations. It is a tool intended to provide a check on the criminal justice system and as a way to show leniency and mercy to offenders. Currently clemency for individuals who violate the D.C. Code (D.C. Code offenders) is nearly nonexistent. The Mayor’s ability to grant clemency for misdemeanors has never been exercised. And the U.S. President has authority to grant clemency for felonies committed in violation of the D.C. Code. However, the President has only exercised the ability to grant clemency to a D.C. Code offender once since 1989, despite granting clemency to 1,556 federal offenders. CCE retained The Community Justice Project (CJP) to examine methods of enhancing access to clemency for D.C. Code offenders and to create a detailed proposal for what this clemency system could look like.

The Outcome:

The CJP team researched federal law on clemency, state law on clemency, the clemency structures and procedures used in all fifty states, and interviewed DC stakeholders to determine what would make a fair, efficient, and effective clemency system that local stakeholders could support. Using this information, the CJP team crafted a proposal for a clemency solution for DC, presented that proposal to CCE leaders, and created materials to advocate for that proposal, as well as a detailed report that includes the research, criteria, and analysis which led to the final proposal. This proposal will be used by CCE to further advocate locally and federally for a clemency solution for DC.