



November 18, 2025

**Vote NO on H.R.5107 and H.R.5214**

Dear Representative:

On behalf of the Southern Poverty Law Center, a civil rights organization committed to advancing racial justice, public safety, and democratic accountability, we write to urge you to vote NO on two deeply harmful bills—H.R. 5107 and H.R. 5214—that together constitute a direct assault on the District of Columbia’s right to self-govern and on decades of evidence-based progress in public safety. Far from addressing genuine community needs, these proposals would drag the District backward into punitive “tough on crime” strategies that have already devastated Black and Brown communities nationwide while failing to make anyone safer.

Further criminalization and incarceration are not the answer to complex societal challenges rooted in poverty, inequality, and disinvestment. True public safety comes not from harsh punishment, but from transforming the criminal legal system, investing in community-based supports, and reimagining safety in ways that are fair, effective, and rooted in public health.<sup>1</sup> The District’s recent reforms—including the accountability measures strengthened under the Comprehensive Policing and Justice Reform Amendment Act of 2022, which H.R. 5107 seeks to overturn, and its long-standing risk-based pretrial system, which H.R. 5214 would upend—reflect precisely this kind of thoughtful, data-driven policymaking. These reforms enjoy broad public support,<sup>2</sup> align with national best practices, and have contributed to meaningful gains: D.C.’s crime rate is now the lowest it has been in 30 years, and violent crime fell 35 percent from 2023 to 2024.<sup>3</sup>

These achievements were not accidental. They are the result of decades of community organizing, research-informed policy, and consistent engagement with impacted residents. They reflect a growing national consensus that smart, preventative investments are more effective than reactionary criminalization—and they save taxpayer dollars by shifting scarce resources away from mass incarceration and toward education, housing, mental health, and violence prevention.<sup>4</sup>

H.R. 5107 and H.R. 5214 would undo this progress. By stripping away essential police accountability measures and re-imposing wealth-based pretrial detention, these bills would re-entrench systems that have already been proven ineffective, discriminatory, and fiscally irresponsible. They would override the will of D.C. residents, destabilize communities, and reinstate practices that make the District less safe.



The residents of Washington, D.C., like those of any other jurisdiction, deserve the right to elect leaders who determine their own laws, public safety policies, and budget. Yet these bills, introduced under the guise of improving safety, are part of a broader political effort to impose ideologically driven federal control on Black-led cities and to roll back successful reforms through fear-based narratives about “law and order.” This is not about safety; it is about weaponizing federal power to score political points and undermine civil rights protections. An administration that truly cared about public safety would not have rescinded hundreds of millions of dollars in federal grants for gun violence prevention, victim services, and community-based safety programs.<sup>5</sup>

We urge Congress to reject these attacks on D.C.’s autonomy. Allowing such federal overreach would set a dangerous precedent for undermining local governance nationwide, particularly in jurisdictions with progressive or Black leadership. This fight is not just about the District of Columbia; it is about protecting democracy, equity, and self-determination in communities across the country.

### **Vote NO on H.R. 5214 – “District of Columbia Cash Bail Reform Act of 2025”**

This bill seeks to do two things: create a list of offenses for which a person must be detained for the entire pretrial period based solely on what they were charged with, without regard for the particular circumstances and without providing due process; and create a list of offenses for which a person must pay money in order to be released from pretrial detention, even if they do not pose a risk to public safety or a risk of flight. This bill would create a wealth-based, two-tiered system of justice that benefits the multibillion-dollar for-profit bail industry, all without improving public safety.<sup>6</sup>

#### Money bail creates a two-tiered system of justice without protecting public safety

Money bail has created a two-tiered justice system—one that privileges wealth over safety. It allows people with money to purchase their freedom regardless of the risk they pose to others, while those without financial means remain jailed even when they present no threat. This system doesn’t ask whether someone is dangerous; it only asks whether they can pay. The result is a system where wealth, not justice, determines who waits for trial at home and who waits behind bars.<sup>7</sup>

By setting a price on freedom, cash bail effectively divides our justice system into two: one for the wealthy and one for everyone else. Those who can afford bail walk free; those who cannot are punished for their poverty without even having been convicted of anything. Beyond being fundamentally unfair, this practice undermines public safety. Pretrial detention destabilizes lives—causing people to lose their jobs, homes, or even custody of their children.<sup>8</sup> Research



shows that the likelihood of a future arrest jumps from 24 percent after one day in jail to 45 percent after three days,<sup>9</sup> proof that unnecessary detention fuels instability and recidivism. When someone cannot afford bail, they can sit in jail for days, months, or even years without a conviction.<sup>10</sup> That is not justice—it is punishment for being poor.

#### Jurisdictions that have reformed their bail practices have been successful

Every person deserves to live in a community that is safe, fair, and just. Bail reform advances that goal by ensuring that decisions about pretrial detention are based on public safety—not on a person’s wealth.<sup>11</sup> Across the country, study after study has proven that jurisdictions that have reformed or eliminated cash bail have made their systems fairer without increasing crime.<sup>12</sup> Judges who focus on safety rather than money make decisions that better protect both individuals and their communities.

The results speak for themselves. After Illinois eliminated cash bail, violent crime dropped by 7 percent and property crime by 14 percent.<sup>13</sup> New Jersey’s reforms led to a 20 percent reduction in violent crime while maintaining high court appearance rates.<sup>14</sup> In Harris County, Texas, ending cash bail for most misdemeanors did not increase crime.<sup>15</sup> A nationwide study by the Brennan Center for Justice found the same pattern across nearly two dozen jurisdictions: bail reform does not lead to higher crime.<sup>16</sup> The data is consistent and compelling—bail reform enhances justice and preserves safety, despite fearmongering from its opponents.

#### D.C.’s risk-based bail system has served as a national model since 1992

For more than three decades, Washington, D.C. has shown that a justice system without cash bail can work, and work well. Since 1992, judges in D.C. have made pretrial decisions based on a person’s risk to public safety rather than their ability to pay.<sup>17</sup> The outcomes are impressive: in the last four years, 88 percent of people released pretrial in D.C. remained completely arrest-free, and 98 percent remained free from arrest for violent offenses.<sup>18</sup> These numbers demonstrate that when freedom is tied to fairness, not finances, communities are safer and more stable.

Under D.C.’s system, judges assess risk through evidence-based hearings. Detention is used only when no safe alternative exists, ensuring that pretrial incarceration is a rare and deliberate outcome—not the default. D.C. also invests in supportive pretrial services such as court date reminders, transportation assistance, and access to mental health care.<sup>19</sup> These measures help people appear in court and stay on track, strengthening both accountability and public safety. Transparent hearings and timely decisions make the process fair, fast, and equitable—showing that justice does not have to come at the expense of compassion.



### Mandatory cash bail only benefits the multibillion-dollar for-profit bail industry

Mandatory cash bail doesn't protect communities—it protects profits. The effort to roll back bail reform is a handout to the for-profit bail industry, which thrives on the desperation of working families. Bail bonds function like predatory payday loans: families must pay a nonrefundable fee to a bail bondsman, money they never get back—even if charges are dropped.<sup>20</sup> This \$2 billion-a-year industry depends entirely on maintaining cash bail, because without it, its exploitative business model collapses.<sup>21</sup>

The bail industry has built a powerful political machine to protect its profits. The American Bail Coalition, its chief lobbying group, spends millions to oppose reform efforts across the country.<sup>22</sup> It has partnered with well-funded conservative organizations to push legislation that criminalizes charitable bail funds—programs that help families avoid these predatory practices.<sup>23</sup> In short, mandatory cash bail enriches a few at the expense of justice, safety, and the public good. Congress should not allow corporate greed to dictate who sits in jail and who walks free.

### Mandatory pretrial detention based on charge alone violates the Constitution

The proposed bill's provision requiring automatic pretrial detention based solely on the charge is not only unjust—it is almost certainly unconstitutional. The U.S. Supreme Court made this clear in *United States v. Salerno*, holding that pretrial detention must be a “carefully limited exception,” not the rule.<sup>24</sup> Detaining someone without an individualized hearing strips them of due process and violates one of our most fundamental constitutional rights: the presumption of innocence.<sup>25</sup> Liberty cannot be taken away solely based on accusation, without more.

We are not aware of a single jurisdiction in the country that allows detention based solely on the nature of the charge, and for good reason—it would not withstand constitutional scrutiny.<sup>26</sup> This bill would set a dangerous precedent, eroding basic civil liberties and undermining decades of legal precedent that protect fairness in our criminal justice system.

### **Vote NO on H.R. 5107 - “The Common Sense Law Enforcement and Accountability in D.C. Now Act”**

Congress should reject H.R. 5107 because it would override critical public-safety reforms adopted unanimously by the District of Columbia Council in the Comprehensive Policing and Justice Reform Amendment Act of 2022—reforms designed to hold officers accountable, improve transparency, and strengthen community trust.<sup>27</sup> These are not abstract ideals; they were enacted in response to concrete, well-documented failures within the Metropolitan Police Department.<sup>28</sup>



### The D.C. reforms were necessary to hold officers accountable for serious misconduct

Before the Act, D.C. had no effective mechanism to remove officers who engaged in egregious criminal behavior. A 2021 audit revealed that at least 64 officers were found by internal investigators to have committed criminal misconduct.<sup>29</sup> The department attempted to fire 24 of those officers—but 21 were shielded by procedural barriers, often driven by union intervention.<sup>30</sup> Even more troubling, the department made no attempt to fire more than 40 officers involved in criminal conduct such as drunk driving, harassment, property damage, theft, and stalking.<sup>31</sup> Every officer credibly accused of domestic violence remained on the force, including one officer who admitted to punching his wife so hard in the face that he fractured her eye socket, and another officer who used a car to run over the mother of his child.<sup>32</sup> Some officers remain on the force due to the powerful police union’s refusal to allow officers to be held accountable. This was true for a D.C. officer who, ultimately, remained on the force after having been convicted of sexually assaulting a woman in his patrol car.<sup>33</sup>

The Act responded to these failures by streamlining the process for removing officers who commit serious misconduct and by prohibiting agencies from hiring officers with known records of abuse. It also established a police-misconduct database to prevent the well-documented problem of “wandering officers”—individuals fired or forced out for misconduct who quietly move to new departments.<sup>34</sup> States like Florida and Texas have documented hundreds to thousands of such cases annually. There are almost 1,100 wandering officers in any given year in Florida; in Texas, about a quarter of law enforcement officers fired for misconduct were subsequently hired by another law enforcement agency.<sup>35</sup> Weakening the Act would mean turning a blind eye to the recycling of abusive officers. Databases to keep track of officer misconduct help law enforcement agencies avoid unknowingly hiring an officer with documented behavioral problems.

### The Act includes essential safeguards to address excessive use of force

D.C. law enforcement reports roughly 2,300 use-of-force incidents every year—a number that demands oversight, especially since a small group of officers account for a disproportionate share of these incidents.<sup>36</sup> Eighty-six officers reported five or more uses of force, and 17 reported at least 10.<sup>37</sup> Use of force overwhelmingly targets Black residents, who are the subjects in roughly 94% of documented incidents.<sup>38</sup> Importantly, these numbers reflect only cases officers self-reported, meaning the true numbers are likely far higher.<sup>39</sup>

To confront these issues, the Act created a Use of Force Review Board, required robust de-escalation training, and mandated public release of body-worn camera footage after shootings and other serious events. Jurisdictions that release such footage consistently see improved



community trust and enhanced transparency.<sup>40</sup> Body cameras provide an impartial record, encourage better policing practices, and allow communities to participate meaningfully in oversight. These policies do not endanger public safety—they strengthen it.

Transparency and accountability lead to safer communities

Contrary to fear-based narratives, reforms that require accountability do not undermine law enforcement; they help restore public confidence and encourage collaboration between police and the communities they serve.<sup>41</sup> As the District’s Attorney General has explained, “the Comprehensive Policing and Justice Reform Amendment Act is designed to improve public safety by strengthening cooperation between officers of the Metropolitan Police Department (MPD) and the community they serve. This legislation is essential in ensuring the swift and certain discipline of officers who use excessive force or violate constitutional rights, which will go far to improve trust and mutual respect between police officers and the community.”<sup>42</sup>

By overturning D.C.’s locally enacted reforms, H.R. 5107 would reinstate a system where officers who commit serious misconduct remain on the force, where excessive use of force goes unaddressed, and where transparency is weakened. Congress should respect D.C.’s democratic process, support evidence-based public-safety measures, and vote NO on H.R. 5107.

In this pivotal moment, Congress has a choice: to respect the District’s democratic will and its proven, evidence-based approach to public safety, or to impose regressive federal mandates that endanger civil rights, destabilize communities, and undermine decades of progress. H.R. 5107 and H.R. 5214 are not solutions—they are setbacks that would weaken accountability, revive discriminatory practices, and replace effective reforms with policies long discredited by research and experience. We urge you to stand with the residents of Washington, D.C., to uphold the principles of local self-governance, and to vote NO on these bills. The nation is watching, and your leadership in defending justice, equity, and democracy is essential. For more information, please contact Aiden Cotter, Senior Policy Counsel for Decarceration and Decriminalization, [aiden.cotter@splcenter.org](mailto:aiden.cotter@splcenter.org).

Best regards,

A handwritten signature in cursive script that reads "LaShawn Warren".

LaShawn Warren  
Chief Policy Officer

A handwritten signature in cursive script that reads "Sakira Cook".

Sakira Cook  
Federal Policy Director



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