

Congressional Briefing RE: “Disapproving the action of the District of Columbia Council in approving the Revised Criminal Code Act of 2022.”
Statement of Bridgette Stumpf, *Network for Victim Recovery of DC’s Executive Director*
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Good afternoon. My name is Bridgette Stumpf and I am the co-founder and executive director at Network for Victim Recovery of DC (NVRDC). While crime victims’ rights and specifically crime victims’ attorneys may seem like a new phenomenon to some, NVRDC has helped more than 8,800 crime victims since our inception in 2012. We are one of the leading victims’ advocacy organizations in the country, and one of the few providing legal representation to victims in criminal trials to enforce their rights under the federal Crime Victims’ Rights Act (CVRA) that applies in most local DC prosecutions. NVRDC’s work has been nationally recognized with honors from the American Bar Association and others. We are here today urging Congress to respect DC’s decision to pass the Revised Criminal Code Act (RCCA).

Our organization supported the RCCA because its development and intended impacts align with the [5 trauma-informed principles](#) required when creating victim-centered experiences. I am going to focus on three of those concepts that ground us in how we support survivors: **1. Choice;** **2. Empowerment;** and **3. Safety.** It is in this context that we want you to understand why DC’s effort to coalesce multiple stakeholders in support of the RCCA, validated by unanimous passage by the DC Council in November of 2022, and broadly supported by District residents, is consistent with a thoughtful approach to ensuring our laws reflect the realities of our time.

Choice: When we hear victim perspectives and justice as a reason to prevent options and choices for those who have been harmed from violence, a trauma-informed lens would require us to evaluate whether the policy produces more or less agency for those impacted. While there is criticism that the RCCA fails to protect crime victims and is contrary to the goals of public safety,

this perspective perpetuates a false binary that criminal legal reform necessarily benefits the parties accused of harm and risks the safety of victims. This blanket characterization lacks the nuance and respect owed to crime victims by assuming that they are a monolith and desire the same outcome in a criminal prosecution—despite the many differences in their identities, circumstances, and lived experiences.

Some opposition to the RCCA has assumed all victims will want the person who harmed them to be incarcerated or to have the highest sentence possible, yet fails to cite any basis for this assumption. Having directly represented hundreds of victims in the District of Columbia, we can confidently say that this is not representative of the entirety of survivors' experiences. We have represented clients who have requested alternatives to incarceration (such as restorative justice, alternative resolution, mental health treatment, and probation), have requested lower sentences, or supported resentencing efforts. The diversity of victims' desires matters because healing is not, and cannot, be a one-size fits all approach. We feel strongly that the RCCA allows for greater flexibility in what victims can represent as their preference related to sentencing and rehabilitation, which in turn creates the space for victims to become more active participants.

Empowerment: While NVRDC will always advocate for the greater inclusion of victims as a matter of policy, their inclusion is also a matter of federal and local law. In DC, crime victims have powerful substantive and procedural rights that derive from the federal Crime Victims' Rights Act (CVRA) and the DC Crime Victims' Bill of Rights (DCCVBR). The CVRA is specifically applicable to criminal cases in DC courts and provides victims with the right to participate in criminal proceedings, on their own standing and independent of the prosecutor, at both the trial and appellate levels. This law grants victims the right to be heard throughout all phases of the criminal legal process, including at sentencing. Outdated practices like mandatory minimum

sentences deprive victims of their right to be heard in a meaningful manner by stripping victims from a real ability to impact the court's consideration at sentencing.

Much of the research we have on victim satisfaction in the criminal legal system has found that victims who are afforded rights on paper, only to be denied them in practice, are more likely to have a negative experience with the criminal justice system. The elimination of mandatory minimum sentences, as seen in the RCCA, is integral to ensuring existing victims' rights align with how victims will experience those rights in reality, as it allows courts to directly hear from, and consider, how a victim defines justice, rather than prescribing how justice was defined by a 121-year-old statute.

Safety: Contrary to the distorted narrative that harsh sentences enhance community safety, the first-ever national [survey of victims' views](#) on criminal justice, commissioned by Alliance for Safety and Justice, found that victims of violent crime widely support reducing incarceration to invest in prevention and rehabilitation. This survey found that 61 percent of crime victims support shorter prison sentences and more spending on prevention and rehabilitation. By a margin of 3 to 1, victims preferred alternatives to incarceration, such as mental health treatment, drug treatment, community supervision, and community service. In fact, 77 percent of survivors of the most serious violent crimes said that prosecutors should focus more on solving neighborhood problems and stopping repeat crimes through rehabilitation, even if it meant fewer convictions. The Vera Institute of Justice conducted a [national poll](#) of 4,000 voters spanning the political spectrum, oversampling in the most politically diverse states. The results, found jobs, housing, community infrastructure, and schools are the top factors when asked what truly creates safety. Both public support and research suggest that investing in improvements around social determinants of health and safety could better contribute to keeping individuals, families, and communities safer.

Furthermore, reform efforts (like the RCCA) that eliminate mandatory minimums are broadly supported by experts, stakeholders, and Washingtonians. Opposition to this particular change is in conflict with well-informed and widely embraced views expressed by leading legal organizations (e.g., the [American Bar Association](#)), and it contradicts the political opinions of citizens of the District. For example, a DC [poll produced by HIT Strategies](#) found that more than 83 percent of District voters supported the passage of the RCCA.

The suggestion to strip DC of the autonomy and agency to implement its own laws is consistent with the paternalistic and misguided view that the criminal legal system commands public safety. This belief has historically prevented alternative restorative justice approaches, defined for victims—without asking them—what healing must look like after violence, and has used tough-on-crime policies in the defense of victims, with no objective supporting data that this actually creates individual or community safety.

As an organization that supports many of the needs of crime victims, we do not see the solutions to our clients' problems being in prescribed sentences or antiquated laws but instead in wider system transparency and accountability. We need to look at how the laws that claim to protect victims on paper, like the CVRA, are failing them in practice. If the concerns about the District's safety and crime victims are sincere, meaningful CVRA reform that mandates system accountability is a change that would significantly and directly lead to their betterment. This is one of the many reasons we, as a victim serving organization, are advocating for the RCCA—trauma-informed care requires that the laws in our code reflect how victims can expect to experience the system. Thank you for your time and consideration, I am happy to answer any questions you have.