

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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<https://oversight.house.gov>

April 19, 2021

The Honorable Muriel Bowser
Mayor of Washington, D.C.
1350 Pennsylvania Ave NW #406
Washington, D.C. 20004

Dear Mayor Bowser:

Today, the *Washington Post* released reporting that details how for over one year, 1,500 men and women at the District of Columbia (D.C.) jail have been locked in cells 23 hours a day.¹ Under the cover of COVID-19 restrictions, “[v]isits were halted. The libraries were closed. So was the barber prompting some men to grow long hair and beards;” some inmates now sleep at odd hours and talk to themselves due to the confinement, the *Post* reports. If true, this represents a severe dereliction of duty and failure by the D.C. government to provide basic, humane conditions for D.C. residents held in its custody.

The treatment of D.C.’s incarcerated population represents what appears to be the D.C. government committing a severe breach in human rights. The *Post* details that for almost 400 straight days, D.C. residents in the custody of the D.C. jail have been subjected to “essentially a form of mass solitary confinement – without some of the basic services afforded even to those in solitary during normal times.”² This is something to be expected of authoritarian governments such as Russia—not the local government that serves as the center of the free world.

The cure cannot be worse than the disease, but apparently basic human rights in D.C. are now disposable in the name of absolute safety. The *Post* reports “[d]uring the one hour of the day that their confinement is easier, inmates until recently were prevented from going outdoors.”³ Sometimes the one hour outside of a prisoner’s cell was at 3 a.m.⁴ This kind of treatment is an extraordinary distinction from other jurisdictions’ treatment of their incarcerated populations; one expert noted that D.C. jail is the only jail she had reviewed that had adopted such draconian measures.⁵

Adding to the unsettling picture is the lack of a plan to immediately end this treatment. “There is no formal plan to relax inmates’ 23-hour cell confinement or benchmarks for when an easing of restrictions might begin to take place,” the *Post* reports.⁶

¹ Peter Jamison, *An ‘Insane’ Covid Lockdown Two Miles from the Capitol, with No End in Sight*, Wash. Post (Apr. 19, 2021), available at <https://www.washingtonpost.com/dc-md-va/2021/04/19/dc-jail-lockdown-covid/>.

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

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This report comes at a time when you are advocating vigorously for statehood for D.C. According to the *Post*, no other state has struggled to the extent D.C. has in dealing with its inmates during the pandemic. On April 14, 2021, during the business meeting held to amend the flatly unconstitutional D.C. statehood bill, H.R. 51, Rep. Clay Higgins offered an amendment that would require D.C. to account for how it will pay for or house D.C. inmates accused or convicted of committing federal crimes.⁷ The amendment was rejected along party lines.⁸ It is no wonder the District has no plans to build a prison—either where to put it, or how to fund it—and would likely rely on other jurisdictions to house their inmates.⁹ No doubt after today’s report those inmates are breathing a sigh of relief.

D.C.’s house is not in order, and the solution is not to grant it even more authority through statehood. It is this Committee’s responsibility and obligation to exercise proper oversight of the District, its infrastructure, finances, and citizens, including those who may be incarcerated.

Please coordinate with the staff of the Committee on Oversight and Reform to arrange a briefing to answer questions regarding this disturbing treatment of D.C.’s incarcerated population. To schedule the briefing, please contact Committee staff at (202) 225-5074.

In addition, please provide a response to my letter of April 6, 2021, which asked you a series of straightforward questions regarding D.C. statehood and the intent to levy a commuter tax against neighboring jurisdictions, which has gone unanswered by your office.

The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. Thank you in advance for your cooperation with this inquiry.

Sincerely,



James Comer
Ranking Member

cc: The Honorable Carolyn Maloney, Chairwoman

⁷ Business Meeting on “H.R. 51: Making D.C. the 51st State”: Before the H. Comm. on Oversight & Reform, 117th Cong. (2021), at 49.

⁸ *Id.* at 155-160.

⁹ *Id.* at 57-58 (statement of Del. Norton).