Criminal Justice Coordinating Council

ANALYSIS OF THE YOUTH REHABILITATION AMENDMENT ACT OF 2018

Report

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Background

The Youth Rehabilitation Act (YRA) was first enacted in 1985 to provide sentencing alternatives for youth offenders under 22 years of age at the time of the offense who were convicted of a crime other than murder. The YRA afforded these youth an opportunity to have their convictions set aside if they satisfied the conditions of their sentence. The CJCC issued an initial version of the study under the previous version of the YRA in 2017.[1]

In 2018, the DC Council passed the Youth Rehabilitation Amendment Act of 2018[2] with major changes and additions:

- The maximum age of a "youth offender"[3] was increased from 22 years to 24 years of age at the time of the offense.
- The types of offenses that are not eligible for YRA sentencing or the set aside were expanded to include murder, first degree murder that constitutes an act of terrorism, and second degree murder that constitutes an act of terrorism, as well as first degree sexual abuse, second degree sexual abuse, and first degree child sexual abuse.
- The opportunity to have a conviction set aside was also extended to youth offenders who were not sentenced under the YRA. The Act now enables such youth offenders to file a motion to have the conviction set aside after completion of sentence.[4]

The Youth Rehabilitation Amendment Act of 2018 includes a provision[5] that requires CJCC to analyze and submit a report to the Mayor and Council on the following:

1. The number of cases and persons eligible for sentencing and to have their convictions set aside under this subchapter,[6] and how many persons were sentenced or had their convictions set aside under this subchapter;
2. The factors that affected the likelihood of receiving a sentence under this subchapter, such as assessed offense type, prior arrests, prior juvenile commitment, or age;
3. The extent to which cases eligible to be sentenced under this subchapter were subject to mandatory-minimum terms, and if so, the extent to which mandatory-minimum terms were imposed;
4. The type and length of sentences for those sentenced under this subchapter, compared to those not sentenced under this subchapter;

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[1] https://cjcc.dc.gov/sites/default/files/u65602/YRA%20Briefing%20Document.pdf
[2] https://code.dccouncil.us/us/dc/council/code/titles/24/chapters/9/subchapters/I
[3] D.C. Code § 24–901(6): "Youth offender" means a person 24 years of age or younger at the time that the person committed a crime other than murder, first degree murder that constitutes an act of terrorism, second degree murder that constitutes an act of terrorism, first degree sexual abuse, second degree sexual abuse, and first degree child sexual abuse https://code.dccouncil.gov/us/dc/council/code/sections/24-901
[4] D.C. Code § 24-906(e-1)(1): A youth offender, regardless of whether the youth offender was sentenced under this subchapter, may, after the completion of the youth offender's probation or sentence of incarceration, supervised release, or parole, whichever is later, file a motion to have the youth offender's conviction set aside under this section. The court may, in its discretion, set aside the conviction https://code.dccouncil.gov/us/dc/council/code/sections/24-906
[5] D.C. Code § 24–906.02. Biennial analysis and information-sharing https://code.dccouncil.us/us/dc/council/code/sections/24-906.02
[6] Subchapter I. Youth Rehabilitation

5. The factors that affected the likelihood that those sentenced under this subchapter would have their convictions set aside;
6. A comparison of the recidivism of those sentenced under this subchapter who had their convictions set aside, compared to those sentenced under this subchapter who did not have their convictions set aside;
7. A comparison of the recidivism of those sentenced under this subchapter to similarly situated persons not sentenced under this subchapter; and
8. The impact of programming provided to youth offenders under this subchapter.

Thus, under the amended YRA of 2018, the CJCC conducted a study that addresses the 8 areas listed above. The analysis focused on individuals who were eligible for a YRA sentence and whose cases were sentenced during calendar years 2019 and 2020. Recidivism among this sample was examined for calendar years 2019, 2020, and 2021.

Summary of Findings

1. Of the 6,517 cases disposed in calendar years 2019 and 2020, 1,492 sentenced cases (23%) were eligible for a YRA sentence. Of the 1,492 cases, 820 (55%) received a YRA sentence and 384 cases (26%) had their convictions set aside under the YRA at the time of data collection.
2. Being convicted of traffic and/or weapon offenses significantly increased the likelihood of receiving a YRA sentence, whereas a high number of prior DC adult arrests, a high number of prior non-DC arrests, a high number of prior DC convictions, and/or older age significantly decreased the likelihood of receiving a YRA sentence, controlling for all other factors.
3. YRA eligible cases included convictions for 2,116 offenses at the time of analysis. Of the 2,116 offenses, 1,104 were YRA-sentenced offenses (52%) and 45 of them were subject to mandatory minimum terms. Of the 45 offenses, mandatory minimum terms were not imposed in 28 offenses.
4. For YRA sentenced individuals, probation was the most common sentence type imposed (62%), whereas incarceration was the most common sentence type imposed (50%) for non-YRA sentenced individuals. The YRA sentenced group had a shorter sentence length than the non-YRA sentenced group in general, but the total imposed sentence lengths varied by different offense and sentence types.
5. Being convicted of traffic and/or weapon offenses significantly increased the likelihood of having convictions set aside, whereas a high number of prior DC adult arrests, a high number of prior DC convictions, and/or being male significantly decreased the likelihood of having convictions set aside, controlling for all other factors.
6. The effect of a YRA sentence on rearrests varied, depending on a youth offender's age. Specifically, a YRA sentence was significantly associated with fewer rearrests among youth offenders ages 22 to 24. This effect was not significant among younger youth under age 22.
7. Persons whose convictions were set aside were likely to have a lower number of rearrests and reconvictions than persons whose convictions were not set aside, controlling for other factors.

Findings

YRA Eligibility, Sentencing, and Set Aside

YRA Sentencing

At the case level, there were 6,517 cases disposed[7] by the Criminal Division of the District of Columbia Superior Court (DCSC) from 2019 to 2020 (Figure 1). Of those, 1,492 sentenced cases (23%) were eligible for a YRA sentence. A total of 820 cases resulted in a YRA sentence during this period, which accounts for 13% of all disposed cases and about 55% of all eligible cases.

At the person level, the 6,517 cases disposed by the DCSC from 2019 to 2020 involved 4,987 persons. Of the 4,987 persons, 1,207 persons (24%) were eligible for a YRA sentence. Of the 1,207 YRA eligible persons, 724 persons received a YRA sentence[8] from 2019-2020 (Figure 2), which accounts for 15% of all defendants and about 60% of all eligible persons.

**Figure 1. Total Cases Disposed by the Criminal Division of DCSC 2019-2020 and YRA Eligibility**
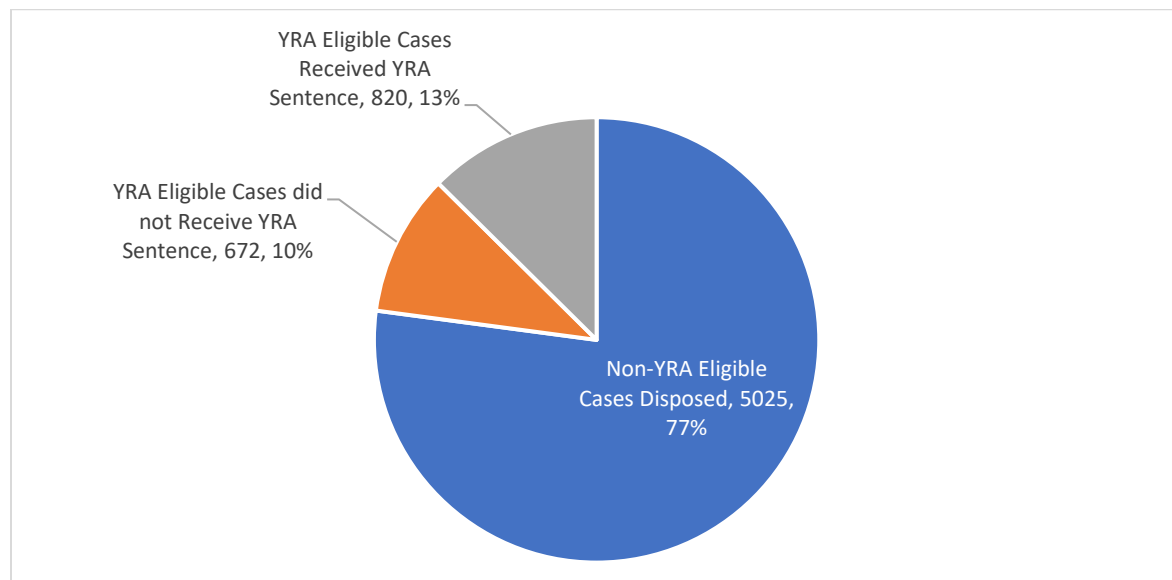
Source: DCSC Data Submission

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[7] Disposed cases include conviction, dismissal, or acquittal. In this study, YRA eligible cases/persons include sentenced (convicted) cases/persons.

[8] If a defendant had multiple disposed cases in 2019 and 2020 and one of the cases were sentenced under the YRA, he or she was classified as a YRA group.

Figure 2. Sentencing for YRA Eligible Persons 2019-2020 (N = 1,207)
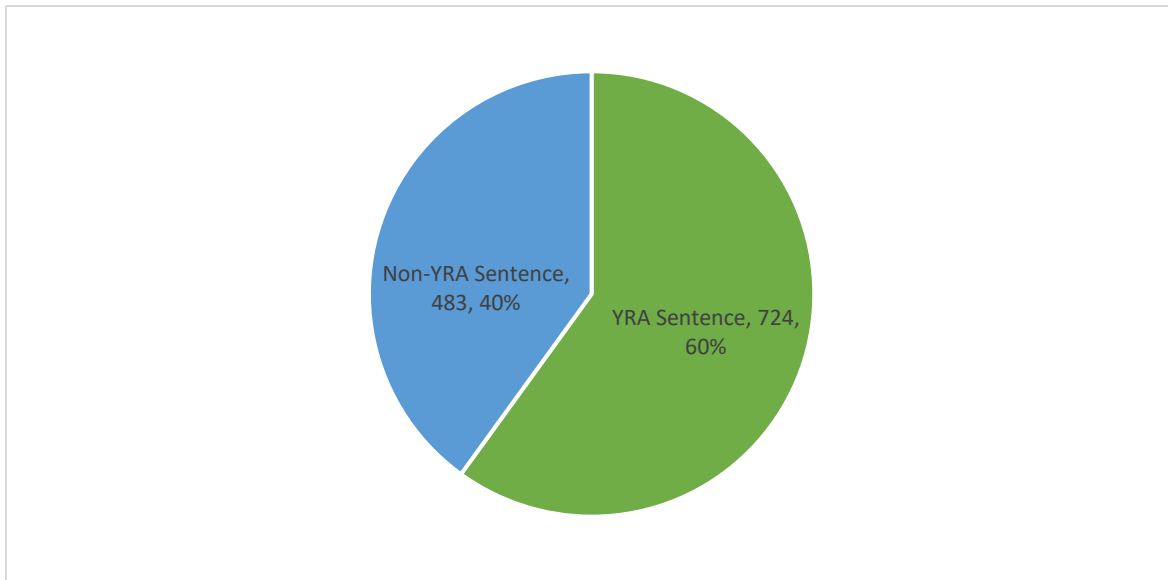
Source: DCSC Data Submission

YRA Set Aside

According to the YRA, youth offenders sentenced under the YRA are eligible for having their convictions set aside at the successful completion of their term. The amended Act in 2018 extends this opportunity to youth offenders[9] who were not originally sentenced under the YRA and enables them to file a motion to have their convictions set aside after the completion of their sentence.

At the case level, of the 1,492 YRA eligible cases, 384 cases (26%) had their convictions set aside under the YRA at the time of data collection.[10] Of the 384 cases, 360 cases had received a YRA sentence, and 24 cases had not received a YRA sentence. Of the 1,108 cases whose convictions were not set aside under the YRA, 132 cases had not yet completed their sentence, and thus these cases were ineligible for a set-aside at the time of data collection (Figure 3). The remaining 976 cases did not have their convictions set aside at the time of data collection.

At the person level, of the 1,207 unique persons associated with the 1,492 YRA-eligible cases, 355 persons (29%) had their convictions set aside under the YRA at the time of data collection.[11] Of the 355 persons, 338 persons had received a YRA sentence, and 17 persons had not received a YRA sentence. Of the 852 persons whose convictions were not set aside under the YRA, 121 persons were not yet eligible

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[9] A person 24 years of age or younger at the time that the person committed a crime other than murder, first degree murder that constitutes an act of terrorism, second degree murder that constitutes an act of terrorism, first degree sexual abuse, second degree sexual abuse, and first degree child sexual abuse (D.C. Code § 24–901(6))

[10] Of the 384 cases, 378 cases had their convictions set aside by DCSC as of October 2021 and 6 cases had their convictions set aside by the U.S. Parole Commission (USPC) in its discretion as of March 2022. Note that having a conviction set-aside can be applied after the completion of his or her sentence.

[11] Of the 355 persons, 349 persons had their convictions set aside by DCSC as of October 2021 and 6 persons had their convictions set aside by USPC in its discretion as of March 2022.

for a set aside,[12] as they had not completed their sentence at the time of data collection.[13] The 731 persons did not have their convictions set aside at the time of data collection.

Figure 3. Cases Where Convictions Were Set Aside 2019-2020 (N = 1,492)
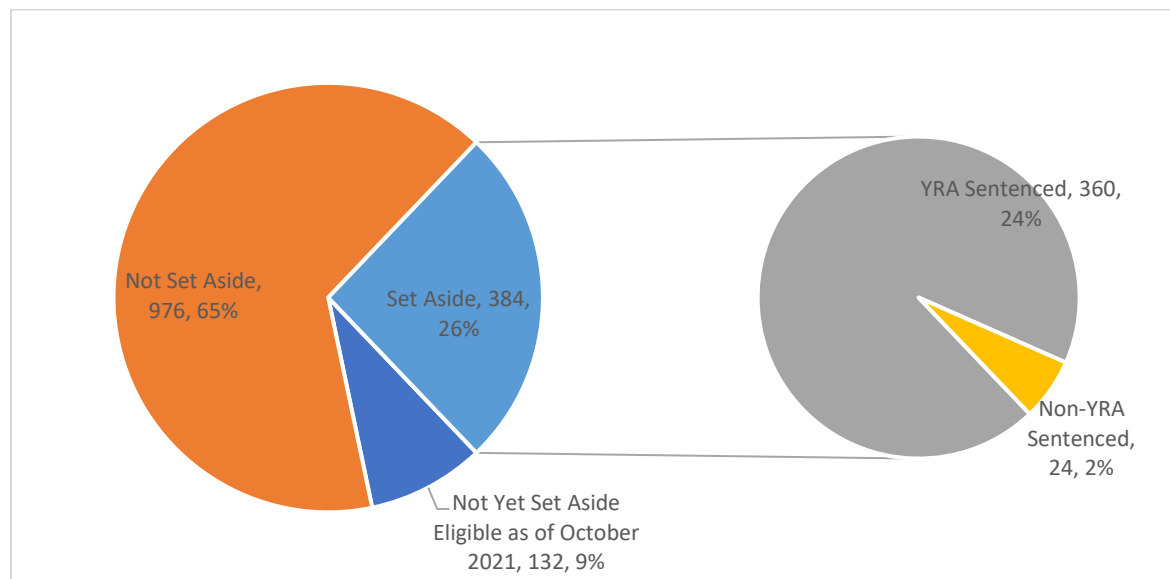
Sources: DCSC and USPC Data Submissions

Factors that Affect the Likelihood of Receiving a YRA Sentence

Offense Types, Prior Arrests, Prior Convictions, Prior Juvenile Commitment, and Demographics

Multivariate binary logistic regression was performed to examine the effects of offense types for which a young person was convicted (i.e., violent, weapon, misdemeanor, drug, property, miscellaneous, traffic, sex, other, and voluntary/involuntary manslaughter), prior arrests (i.e., a number of prior DC and non-DC adult/juvenile arrests), prior convictions (i.e., a number of prior DC and non-DC convictions), previous contacts with the juvenile justice system (i.e., a number of prior juvenile adjudications and commitment to DYRS), and demographics (i.e., age, gender, and race) on the likelihood that persons will receive a YRA sentence or not.

Of the 20 factors entered in the analysis, the following 6 factors significantly predicted the likelihood of receiving a YRA sentence, controlling for other factors (Appendix B.2):

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[12] Of the 121 persons, 80 persons (66%) were currently convicted of violent offenses and 15 persons (12%) were currently convicted of involuntary/voluntary manslaughter.

[13] Note that a criminal sentence can be changed, and violations of probation and parole were not captured in this analysis.

- **Convicted of traffic offense**: Eligible persons convicted of a traffic offense were about 7.50 times **more likely** to receive a YRA sentence than eligible persons who were not convicted of a traffic offense (OR[14] = 7.50; p = .000; 95% CI = 2.81, 19.96).[15]
- **Convicted of weapon offense**: Eligible persons convicted of a weapon offense were about 1.98 times **more likely** to receive a YRA sentence than eligible persons who were not convicted of a weapon offense (OR = 1.98; p = .001; 95% CI = 1.34, 2.93).[16]
- **Number of prior DC adult arrests**: Eligible persons were about 0.94 times (or 6%) **less likely** to receive a YRA sentence for each additional DC arrest (OR = 0.94; p = .003; 95% CI = 0.89, 0.98).[17]
- **Number of prior non-DC arrests**: Eligible persons were about 0.76 times (or 24%) **less likely** to receive a YRA sentence for each additional non-DC arrest (OR = 0.76; p = .003; 95% CI = 0.63, 0.91).[18]
- **Number of prior DC convictions**: Eligible persons were about 0.50 times (or 50%) **less likely** to receive a YRA sentence for each additional DC conviction (OR = 0.50; p = .000; 95% CI = 0.41, 0.61).[19]
- **Age**: Eligible persons were about 0.88 times (or 12%) **less likely** to receive a YRA sentence for each additional year older (OR = 0.88; p = .002; 95% CI = 0.82, 0.95).[20]

Being convicted of traffic offenses and/or weapon offenses increased the likelihood of receiving a YRA sentence, whereas having more prior DC adult arrests, non-DC arrests, and DC convictions, and/or being older decreased the likelihood of receiving a YRA sentence (Figure 4). This suggests that even though an eligible person was convicted of a traffic or weapon offense, if this person has extensive criminal history and his/her age is relatively older (e.g., 23 years of age), the likelihood of receiving a YRA sentence for this person will be lower than that of a younger youth who was convicted of a traffic or weapon offense with no criminal history.[21]

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[14] Odds Ratio (OR), a measure of association between a factor and an outcome. OR > 1 indicates that a particular factor is associated with higher odds of an outcome. OR < 1 indicates lower odds of an outcome

[15] The 95% confidence interval (CI) for this OR is large (2.81, 19.96). Thus, this result should be interpreted with caution.

[16] If OR > 1, then percentage change in odds = (OR – 1) x 100. This also means that the odds of receiving a YRA sentence are 98% higher for eligible persons convicted of a weapon offense than those who were not convicted of a weapon offense, (1.98 – 1) x 100 = 98%

[17] If OR < 1, then percentage change in odds = (1 – OR) x 100. This also means that for each additional DC arrest, eligible persons are predicted to have 6% lower odds of receiving a YRA sentence, (1 – 0.94) x 100 = 6%

[18] This also means that for each additional non-DC arrest, eligible persons are predicted to have 24% lower odds of receiving a YRA sentence, (1 – 0.76) x 100 = 24%

[19] This also means that for each additional DC conviction, eligible persons are predicted to have 50% lower odds of receiving a YRA sentence, (1 – 0.50) x 100 = 50%

[20] This also means that for each additional year older, eligible persons are predicted to have 12% lower odds of receiving a YRA sentence, (1 – 0.88) x 100 = 12%

[21] For instance, the predicted probability of receiving a YRA sentence for a 19-year-old youth convicted of a weapon offense with 2 prior DC arrests and 1 prior DC conviction is approximately 73%, whereas the predicted probability of receiving a YRA sentence for a 23-year-old person convicted of a weapon offense with 4 prior DC adult arrests and 3 prior DC convictions is about 29% based on the current statistical model.

Figure 4. Factors that Affected the Likelihood of Receiving a YRA Sentence 2019-2020

Increased Likelihood of Receiving **YRA Sentence**

Decreased Likelihood of Receiving **YRA Sentence**

Convicted of Traffic Offense **Convicted of Weapon Offense**	**More Prior DC Adult Arrests** **More Prior Non-DC Arrests** **More Prior DC Convictions** **Older Age**

Sources: DCSC, DYRS, MPD, PSA, and SCDC Data Submissions

YRA-Eligible Cases and Mandatory Minimum Terms

The Sentencing Commission of the District of Columbia (SCDC) provided sentencing information on 1,416 unique cases (1,142 unique persons)[22] of the 1,492 YRA eligible cases (1,207 YRA eligible persons) provided by CJCC in May 2022.

The 1,142 individuals eligible for a YRA sentence from 2019-2020 were convicted of a total of 2,116 offenses. Of the 2,116, 1,104 were YRA-sentenced offenses (52%) and 45 of them were subject to mandatory minimum terms.[23] Of the 45, mandatory minimum terms were imposed for 17 offenses and 28 offenses did not meet mandatory minimum terms (Figure 5a).

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[22] The Commission did not have data available for 76 of the 1,492 cases that CJCC provided, representing approximately 5% of the original data set. This discrepancy can be attributed to cases being sealed, and as a result of the entire case record being removed from the JUSTIS/12.1 data feed. The list of 1,492 cases was identified by CJCC in November 2021, however, the data for this request was extracted from Commission's data system in April 2022. The Commission believes that during this six-month window, 76 of the listed cases were sealed by the court, and their corresponding case record was removed from JUSTIS.

[23] The list of offenses subject to mandatory minimum terms was provided by SCDC. The list includes: First Degree Murder of a Police Officer, First Degree Murder, Armed Carjacking, Carjacking, Crimes of Violence (COV) While Armed with a Firearm, Dangerous Crimes While Armed with a Firearm-1st offense, COV While Armed with a Firearm-2nd and subsequent offense, Dangerous Crimes While Armed with a Firearm-2nd and subsequent offense, Possession of a Firearm During a COV or Dangerous Crime, Unlawful Possession of a Firearm by a Person with a

Of the 1,012 offenses with non-YRA sentenced but YRA-eligible offenses, 81 offenses were subject to mandatory minimum terms, and all of them received mandatory minimum terms (Figure 5b).

Figure 5a. Mandatory Minimum Terms for YRA Sentenced Offenses (n = 1,104)
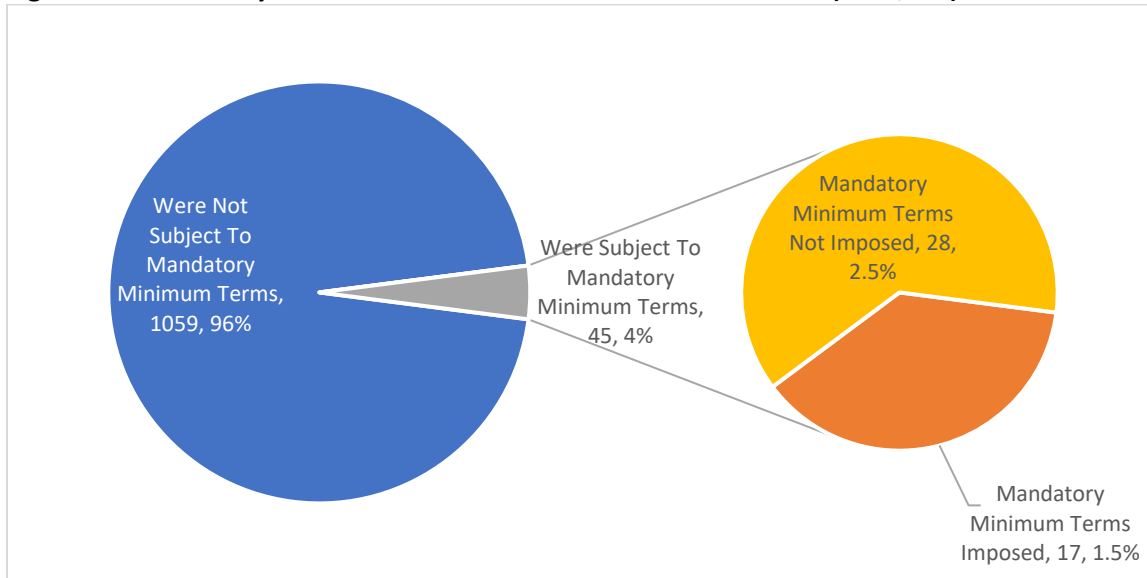
Sources: DCSC and SCDC Data Submissions

Figure 5b. Mandatory Minimum Terms for Non-YRA Sentenced but YRA Eligible Offenses (n = 1,012)
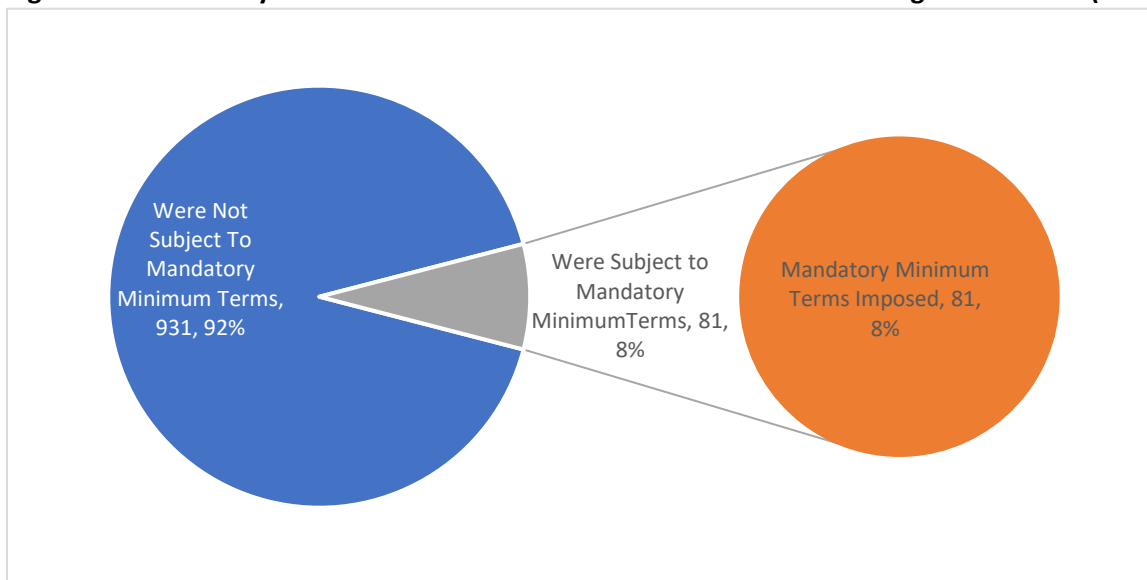
Sources: DCSC and SCDC Data Submissions

Conviction for a COV, Unlawful possession of a Firearm by a Person with a Conviction > 1 year, Theft I or II if two or more theft convictions, and Armor Piercing Ammunition.

Type and Length of Sentences for YRA-Sentenced and YRA-Eligible Persons

The Sentencing Commission of the District of Columbia (SCDC) provided sentencing information on 1,416 unique cases (1,142 persons)[24] of the 1,492 YRA eligible cases (1,207 YRA eligible persons) provided by CJCC in May 2022.

The 1,142 individuals eligible for a YRA sentence from 2019-2020 were convicted of a total of 2,116 offenses. Specifically, the YRA sentenced individuals (n = 657)[25] were convicted of 1,104 offenses and the non-YRA sentenced individuals (n = 470) were convicted of 1,012 offenses. For the YRA sentenced individuals, probation was the most common sentence type imposed (62%), whereas incarceration was the most common sentence type imposed (50%) for the non-YRA sentenced individuals (Figure 6 and Table 2).[26]

Figure 6. Sentence Types for YRA vs. Non-YRA Sentenced Individuals
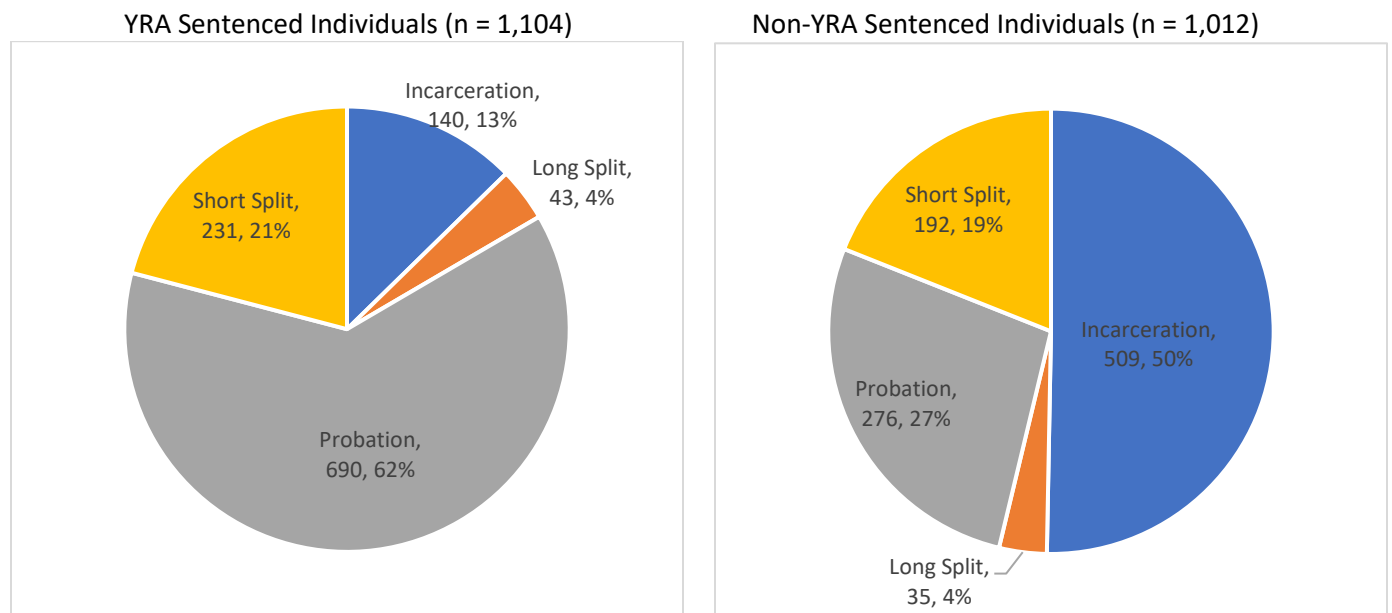
Sources: DCSC and SCDC Data Submissions

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[24] The Commission did not have data available for 76 of the 1,492 cases that CJCC provided, representing approximately 5% of the original data set. This discrepancy can be attributed to cases being sealed, and as a result the entire case record being removed from the JUSTIS/12.1 data feed. The list of 1,492 cases was identified by CJCC in November 2021, however, the data for this request was extracted from Commission's data system in April 2022. The Commission believes that during this six-month window, 76 of the listed cases were sealed by the court, and their corresponding case record was removed from JUSTIS.

[25] There were 39 individuals who received both YRA and non-YRA sentences due to multiple cases disposed between 2019 and 2020, and they were grouped into a YRA sentenced group in this analysis.

[26] Concurrent or consecutive sentences were not captured in this analysis.

When looking at an average sentence length imposed (in months) for both YRA and non-YRA sentenced individuals, the YRA sentenced individuals had an average sentence of 9 months, while the non-YRA sentenced individuals had an average sentence of 12 months. However, the total imposed sentence lengths varied across different offense types and sentence types (Table 3). [27]

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[27] A compliant long split sentence is one where the court imposes a sentence within the applicable prison range, suspends execution of all but a term that also falls within the applicable prison range, and places the defendant on probation for a period up to five years. A compliant short split sentence is a sentence where the court imposes a sentence within the applicable prison range, suspends execution of all but six months or less (but not all) of it, and places the defendant on probation up to five years https://scdc.dc.gov/page/glossary-001

Table 2. Number of Convicted Offenses for YRA vs. Non-YRA Sentenced Individuals by Offense and Sentence Types

	# (%) of Convicted Offenses for YRA Sentenced Individuals					# (%) of Convicted Offenses for Non-YRA Sentenced Individuals				
	Incarceration	Long Split	Probation	Short Split	Total	Incarceration	Long Split	Probation	Short Split	Total
Drug	8 (1%)	1 (0%)	16 (1%)	6 (1%)	31 (3%)	5 (0%)	1 (0%)	3 (0%)	6 (1%)	15 (1%)
Miscellaneous	2 (0%)	0 (0%)	69 (6%)	13 (1%)	84 (8%)	39 (4%)	0 (0%)	14 (1%)	12 (1%)	65 (6%)
Misdemeanor	58 (5%)	0 (0%)	367 (33%)	89 (8%)	514 (47%)	272 (27%)	0 (0%)	244 (24%)	140 (14%)	656 (65%)
Other	3 (0%)	1 (0%)	6 (1%)	3 (0%)	13 (1%)	6 (1%)	1 (0%)	1 (0%)	0 (0%)	8 (1%)
Property	9 (1%)	3 (0%)	12 (1%)	11 (1%)	35 (3%)	19 (2%)	7 (1%)	3 (0%)	3 (0%)	32 (3%)
Sex	1 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (0%)	4 (0%)	0 (0%)	0 (0%)	2 (0%)	6 (1%)
Traffic[28]	0 (0%)	0 (0%)	54 (5%)	4 (0%)	58 (5%)	3 (0%)	0 (0%)	1 (0%)	0 (0%)	4 (0%)
Violent	34 (3%)	23 (2%)	41[29] (4%)	49 (4%)	147 (13%)	86 (8%)	13 (1%)	1 (0%)	13 (1%)	113 (11%)
Voluntary/Involuntary Manslaughter	7 (1%)	1 (0%)	0 (0%)	0 (0%)	8 (1%)	7 (1%)	0 (0%)	0 (0%)	0 (0%)	7 (1%)
Weapon[30]	18 (2%)	14 (1%)	125 (11%)	56 (5%)	213 (19%)	68 (7%)	13 (1%)	9 (1%)	16 (2%)	106 (10%)
Total	140 (13%)	43 (4%)	690 (63%)	231 (21%)	1,104 (100%)	509 (50%)	35 (3%)	276 (27%)	192 (19%)	1,012 (100%)

Sources: DCSC and SCDC Data Submissions

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[28] Traffic includes Driving Under Influence, Leaving After Colliding Personal Injury, Loaning Registration, Misuse of Temporary Tags, No Permit, Operating a Vehicle While Impaired, Operating After Suspension (Attempt), Operating All Terrain Vehicle or Dirt Bike, and Reckless Driving.

[29] 41 violent offenses involved 38 unique YRA sentenced individuals placed on probation. Of the 38, 36 (95%) had no prior DC conviction and 2 (5%) had one prior DC conviction. Of the 38, 36 were released to the community where 26 were not rearrested (72%) and 10 were rearrested at least once (28%) at the time of analysis.

[30] Weapon includes Carrying Dangerous Weapon- Outside Home/Business, Carry Pistol Outside Home/Business, Carry Pistol W/O License- Outside Home/Business, Poss Firearm During Crime of Violence, Possession of a Large Capacity Ammunition Feeding Device, and Unlawful Possession of a Firearm.

Table 3. Average Sentence Length Imposed (Months) for YRA vs. Non-YRA Sentenced Individuals by Offense and Sentence Types

	Sentence Length (Months) for YRA Sentenced Individuals					Sentence Length (Months) for Non-YRA Sentenced Individuals				
	Incarceration	Long Split	Probation	Short Split	Average Months (Grand Total)	Incarceration	Long Split	Probation	Short Split	Average Months (Grand Total)
Drug	8	78	12	14	13	13	18	21	16	16
Miscellaneous	5	None	4	1	4	2	None	5	4	3
Misdemeanor	2	None	3	3	3	3	None	3	4	3
Other	10	20	10	16	12	28	18	6	None	24
Property	46	27	14	14	23	21	34	16	17	23
Sex	18	None	None	None	18	36	None	None	24	32
Traffic	None	None	2	5	2	2	None	1	None	2
Violent	33	45[a]	14	19[c]	25	49	32[b]	36	21[d]	44
Voluntary/Involuntary Manslaughter	82	60	None	None	80	118	None	None	None	118
Weapon	14	30	10	12	12	27	23	14	12	23
Average Months (Grand Total)	19	39	5	10	**9**	17	28	4	7	**12**

Sources: DCSC and SCDC Data Submissions
[a]35 months of probation on average were imposed. [b]30 months of probation on average were imposed. [c]23 months of probation on average were imposed. [d]15 months of probation on average were imposed.

Where YRA and Non-YRA offenders served their sentence of incarceration

CJCC provided the list of 1,492 YRA eligible cases (1,207 YRA eligible persons) sentenced in 2019 and 2020 to the Department of Corrections (DOC) and the Federal Bureau of Prisons (BOP). Of the list of 1,207 YRA eligible persons, DOC could identify 422 unique persons (35%). Of the 422 persons, 327 were sentenced inmates (77%).[31] Of the 327, 67 were initially held at DOC and then transferred to BOP to serve the remainder of their sentences.[32] Of the 260 persons who remained at DOC, 55 persons (21%) were YRA-sentenced offenders.

BOP could match 281 unique inmates (23%) from the list of YRA-eligible persons that CJCC provided. Of the 281 unique persons, 28 were YRA-sentenced offenders who served their initial sentence at BOP (Table 4).

Table 4. Where YRA-Sentenced and Non-YRA Sentenced Offenders Served Their Initial Sentence (N = 1,207 YRA Eligible Persons Whose Cases Were Sentenced in 2019 and 2020)

	YRA-Sentenced Offenders	Non-YRA Sentenced Offenders	Total Number of Sentenced Inmates
DOC	55	205	260
BOP	28	186	214
DOC-BOP	67	0	67

Sources: BOP and DOC Data Submissions
Note: (1) Probation data from the Court Services and Offender Supervision Agency (CSOSA) was requested but not provided. (2) Those individuals who had multiple cases where at least one case was sentenced under the YRA, they were categorized as a YRA-sentenced offender for the purpose of this analysis.

Factors that Affect the Likelihood of Having a Conviction Set Aside

Offense Types, Prior Arrests, Prior Convictions, Prior Juvenile Commitment, and Demographics

Multivariate binary logistic regression analysis was conducted to examine the factors that affected the likelihood that a person would have his or her conviction set aside under the YRA.

The factors included offense types for which a young person was convicted[33] (i.e., violent, weapon, misdemeanor, drug, property, miscellaneous, traffic, other), prior arrests (i.e., a number of prior DC and non-DC adult/juvenile arrests), prior convictions (i.e., a number of prior DC and non-DC convictions), previous contacts with the juvenile justice system (i.e., a number of prior juvenile adjudications and commitment to DYRS), and demographics (i.e., age, gender, and race). The 1,086 persons eligible for a set-aside were analyzed.

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[31] In transit, parole violator, pretrial, and writ ad pros statuses were not included in the number of where the YRA/Non-YRA offenders served their sentence.

[32] 66 individuals were found in both DOC and BOP. Based on their admission and release dates in DOC and BOP datasets, it was found that they initially went to DOC and then were transferred to BOP.

[33] Involuntary/voluntary manslaughter and sex categories were excluded due to a small sample size.

Of the 18 factors entered in this analysis, the following 5 factors significantly predicted the likelihood of having convictions set aside, after controlling for other factors (Appendix B.3)

- **Convicted of traffic offense**: Eligible persons[34] convicted of a traffic offense were about 17.89 times **more likely** to have their convictions set aside than eligible persons who were not convicted of a traffic offense (OR = 17.89; p = .000; 95% CI = 6.54, 48.94).[35]
- **Convicted of weapon offense**: Eligible persons convicted of a weapon offense were about 1.77 times **more likely** to have their convictions set aside than eligible persons who were not convicted of a weapon offense (OR = 1.77; p = .007; 95% CI = 1.17, 2.69).[36]
- **Number of prior DC adult arrests**: Eligible persons were about 0.88 times (or 12%) **less likely** to have their convictions set aside for each additional DC arrest (OR = 0.88; p = .000; 95% CI = 0.83, 0.94).[37]
- **Number of prior DC convictions**: Eligible persons were about 0.55 times (or 45%) **less likely** to have their convictions set aside for each additional DC conviction (OR = 0.55; p = .000; 95% CI = 0.40, 0.74).[38]
- **Gender**: Eligible males were 0.59 times (or 41%) **less likely** to have their convictions set aside than eligible females (OR = 0.59; p = .012; 95% CI = 0.39, 0.89).[39]

Eligible persons convicted of traffic offenses and/or weapon offenses were more likely to have their convictions set aside, while being male and/or having more prior DC adult arrests and DC convictions decreased the likelihood of having their convictions set aside (Figure 7). This suggests that even though a person was convicted of a traffic or weapon offense, if this person has a high number of prior arrests and convictions in D.C. and this person is a male, the likelihood of having his conviction set aside will be lower than that of a female who was convicted of a traffic or weapon offense with no criminal history.[40]

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[34] Defined as "Youth Offender", a person 24 years of age or younger at the time that the person committed a crime other than murder, first degree murder that constitutes an act of terrorism, second degree murder that constitutes an act of terrorism, first degree sexual abuse, second degree sexual abuse, and first degree child sexual abuse, per D.C. Code § 24–901(6).

[35] The 95% confidence interval (CI) for this OR is large (6.54, 48.94). Thus, this result should be interpreted with caution.

[36] This also means that the odds of having convictions set aside are 77% higher for eligible persons convicted of a weapon offense than those who were not convicted of a weapon offense, (1.77 – 1) x 100 = 77%

[37] This also means that for each additional DC arrest, the odds of having convictions set aside decrease by 12%, (1 – 0.88) x 100 = 12%

[38] This also means that for each additional DC conviction, the odds of having convictions set aside decrease by 45%, (1 – 0.55) x 100 = 45%

[39] This also means that the odds of having convictions set aside are 41% lower for eligible males than eligible females, (1 – 0.59) x 100 = 41%

[40] In terms of predictive probabilities, for instance, a male who was convicted of a weapon offense with 5 prior DC adult arrests and 3 prior DC convictions has about 12% chance of having his conviction set aside, whereas a female who was convicted of a weapon offense with no criminal history has about 66% chance of having her conviction set-aside according to the current statistical model.

Figure 7. Factors that Affected the Likelihood that a Person Would Have His or Her Conviction Set Aside 2019-2020
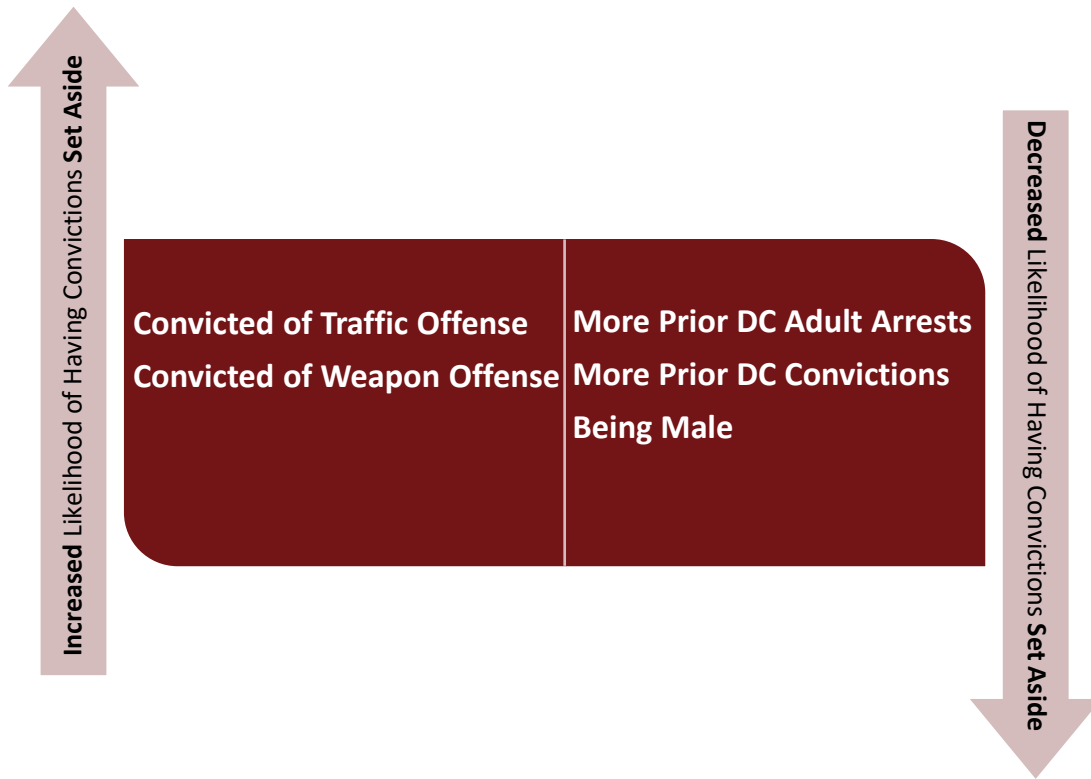
Sources: DCSC, DYRS, MPD, PSA, SCDC, and USPC Data Submissions

Recidivism for YRA-Sentenced and Similarly Situated Non-YRA Sentenced Persons

Recidivism was measured by rearrests and reconvictions[41] during the timeframe between 2019-2021. The Pretrial Services Agency (PSA) provided information on non-DC arrest and conviction history.[42]

Of the 1,207 persons who were eligible for a YRA sentence from 2019-2020, a group of 558 similarly situated persons was created- 279 who received a YRA sentence and 279 who did not. These individuals had similar current convicted offense types, similar adult and juvenile criminal histories, and similar demographic profiles.

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[41] Because probation data was not available at the time of analysis, post-sentence arrests and convictions were examined (sentenced date – arrest or conviction date > 0 between 2019-2021) instead of post-release arrests and convictions. Incidents where an individual being arrested at DOC and/or FBOP facilities were excluded. Probation data (e.g., probation/supervision history with start and end dates, criminal history scores, and level of supervision) was requested from CSOSA but not provided.

[42] Note that non-DC arrest information provided to CJCC for this study is what PSA had in its records and may not be complete. PSA only updates criminal history records for defendants under PSA supervision if there is a new arrest within the District of Columbia. PSA records would not have information on non-DC arrest of defendants who have not been under PSA supervision or have not been arrested within the District of Columbia subsequent to a non-DC arrest.

As shown in Table 5, the average number of rearrests and reconvictions were comparable for similarly situated YRA and non-YRA sentenced persons. There were no statistically significant differences with respect to the number of rearrests and reconvictions across the two groups even after controlling for other factors (Appendix B.4)

Table 5. Average Number of Rearrests and Reconvictions for Similarly Situated YRA and Non-YRA Sentenced Persons 2019-2021 (n = 558)

	YRA Sentenced (n=279)	Non-YRA Sentenced (n=279)
Non-DC Rearrests	0.17	0.17
DC Rearrests	1.08	1.08
Total Number of Rearrests	**1.25**	**1.25**
Non-DC Reconvictions	0.05	0.05
DC Reconvictions	0.22	0.24
Total Number of Reconvictions	**0.27**	**0.29**

Sources: DCSC, DYRS, MPD, PSA, and SCDC Data Submissions
**Note**: Release Violations/Fugitive were excluded.

However, a significant interaction effect[43] between a YRA sentence and a youth offender's age occurred in predicting the number of rearrests. Thus, further analyses were conducted with the 1,207 YRA eligible persons to understand the nature of this interaction.[44] The results indicated that receiving a YRA sentence for offenses committed at older ages between 22 and 24 was significantly associated with fewer rearrests.[45] Findings for those who received a YRA sentence for offenses committed prior to age 21 were nonsignificant for rearrests (Figure 8). This suggests that receiving a YRA sentence might be especially effective for an older age group (i.e., ages 22-24 at the time of the offense) (Appendix B.5). However, it is important to note that older youth offenders who received a YRA sentence could be those who were initially or inherently at lower risk for engaging in future criminal activity (i.e., having few risk factors), as older individuals with more extensive criminal history are less likely to be sentenced under the YRA as seen in Figure 4. Also, other protective factors known to judges may not have been captured in this analysis for those older YRA sentenced individuals with fewer rearrests. Thus, this interaction finding should be interpreted with caution because fewer rearrests among older youth offenders could be a result of having few risk factors (or other unmeasured protective factors) and not necessarily receiving a YRA sentence itself. There was no interaction effect between a YRA sentence and age on the number of reconvictions.

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[43] An interaction in statistics occurs when the effect of a predictor on the outcome changes depending on the value(s) of another predictor.
[44] Prior arrest history, currently convicted offense types between 2019-2020, and demographic characteristics were controlled.
[45] The effects of YRA sentence on rearrests went from non-significant to significant at age 22.9 and above ($p < .05$).

Figure 8. Interaction Effect between YRA Sentence and Age in Predicting Rearrests
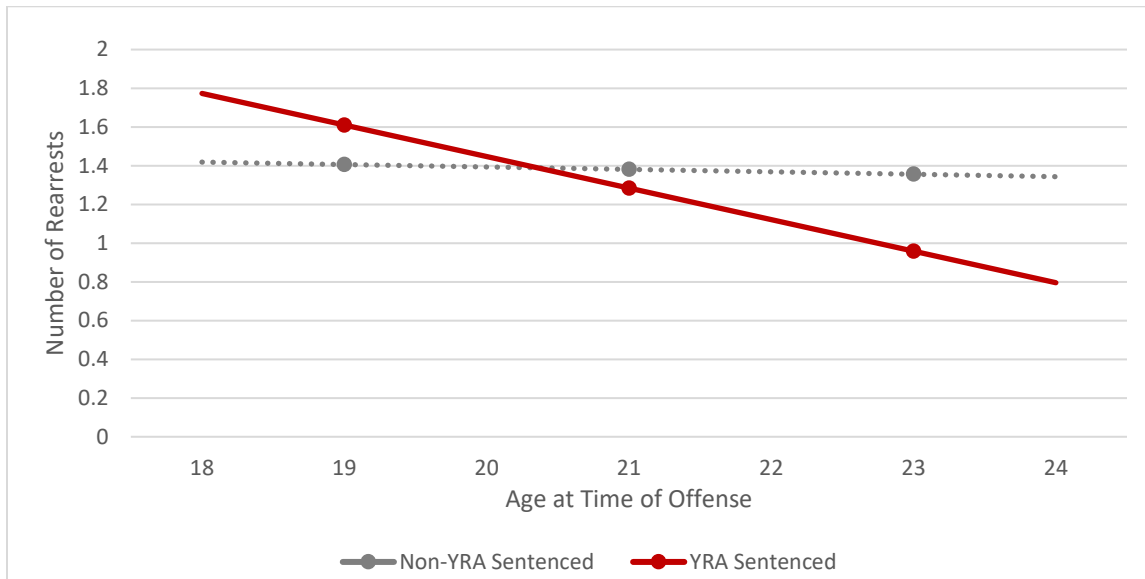
Sources: DCSC, DYRS, MPD, PSA, and SCDC Data Submissions

Recidivism for Persons Who Did and Did Not Have Their Convictions Set Aside Under the YRA

Recidivism was measured by rearrests and reconvictions[46] during the timeframe between 2019-2021. The 1,086 persons eligible for set aside were analyzed.

As shown in Table 6, persons who had their convictions set aside were significantly less likely to be rearrested ($p < .001$) or reconvicted ($p < .001$) than persons who did not have their convictions set aside under the YRA. Even when controlling for differences in criminal history, current offense types (between 2019-2020), and demographics, persons whose convictions were set aside were still likely to have a lower number of rearrests ($p < .01$) and reconvictions ($p < .01$) than persons whose convictions were not set aside (Appendix B.6).

Table 6. Average Number of Rearrests and Reconvictions for YRA-Sentenced Persons Who Did and Did Not Have Their Convictions Set Aside 2019-2021 (n = 1,086)

	Conviction Set Aside	Conviction Not Set Aside
Non-DC Rearrests	0.11	0.28
DC Rearrests	0.67	1.42
Total Number of Rearrests	**0.78**	**1.70**
Non-DC Reconvictions	0.04	0.07
DC Reconvictions	0.08	0.29
Total Number of Reconvictions	**0.12**	**0.36**

Sources: DCSC, DYRS, MPD, PSA, SCDC, and USPC Data Submissions
Note: Release Violations/Fugitive were excluded.

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[46] Post-sentence arrests and convictions between 2019-2021 = sentenced date – arrest or conviction date > 0. Incidents where an individual being arrested at DOC and/or FBOP facilities were excluded.

Impact of Programming for YRA-Eligible Persons

Strategic Plan to Provide Facilities, Treatment, and Services for Youth Offenders

The Youth Rehabilitation Amendment Act of 2018 includes a provision that requires the Mayor to "develop and submit to the Council a strategic plan for providing the facilities, treatment, and services for youth offenders." Specifically, the strategic plan "shall include recommendations for adopting and implementing inter-agency programming by District agencies" to address a range of needs for youth offenders, including education, workforce development, behavioral and physical health care, community-based services, and restorative justice, among others. [47]

In May 2019, the Department of Youth Rehabilitation Services (DYRS) commissioned the Justice Policy Institute (JPI) to assist in developing a strategic plan to provide facilities, treatment, and services for developmentally appropriate care, custody, subsistence, education, workforce training, and protection of youth offenders who are (1) awaiting trial on charges of having committed misdemeanor or felony offenses under District law; and (2) convicted of misdemeanor or felony offenses under District law and who are in the District's care or custody.

The report[48] outlines a number of (1) District-wide recommendations and (2) service-related goals and objectives for a 2020-2025 strategic plan. Key District-wide recommendations include: re-establishing full local control of all legal system functions; raising the age of juvenile justice jurisdiction to under 25; and transferring young adults incarcerated in the BOP to the DC jail to enhance the implementation of the YRA strategic plan and effectively address the unique needs of emerging adults with tailored programming.

In addition, the report highlights three service-oriented goals with objectives in the areas of health, housing, education, workforce development, family and other social support as follows:

1. Increase trauma-informed, healing-centered, and restorative services by expanding the number of District agencies and community-based organizations that provide these services.
2. Build a community-based continuum of care for emerging adults through encouraging collaboration and data sharing across agencies and providers (e.g., coordinating among local and/or federal agencies to expand existing diversion, restorative justice, housing, health, educational, workforce, and family support programming for 18-to-24-year-olds)
3. Build a system-based continuum of care, such as building specialized court, probation, unit, and reentry programming and opportunities for emerging adults.

JPI delivered a draft plan to the District on September 30, 2019, with the proposed timeline as follows:
- Year 1-2: Research, convene stakeholders, transmit Strategic Plan

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[47] § 24–902. Facilities, treatment, and services for youth offenders
https://code.dccouncil.gov/us/dc/council/code/sections/24-902#:%7E:text=to%20main%20content-,%C2%A7%2024%E2%80%93902.,and%20services%20for%20youth%20offenders.&text=(a%2D1)(1,(a)%20of%20this%20section
[48] https://justicepolicy.org/research/dc-yra-strategic-plan/

- Year 3 – Mayor works with elected officials and authorities on statutory and regulatory practices for full authority over emerging adults; hires emerging adult coordinator who begins operationalizing plan
- Year 4 – Multiple pilots implemented/existing programs expanded through budget and appropriations – housing, diversion, employment, education, and family support
- Year 5 – Continue programming, develop evaluations
- Year 6+ – Continue to innovate and expand efforts resulting in positive outcomes; address and improve other interventions

We requested information on implementation of the strategic plan but did not receive a response prior to issuance of this report.

BOP Programming for Youth Offenders

The YRA authorizes the Bureau of Prisons to "provide facilities, treatment and services for the developmentally appropriate care, custody, subsistence, education, workforce training, segregation and protection" for youth offenders sentenced under the DC Code. However, since BOP is a federal agency, the DC Council is not able to mandate that the BOP provides these services for youth offenders in the same way Council can mandate such actions for District agencies. Therefore, any programming and services that BOP provides to youth offenders convicted of a DC code offense is voluntary.

For this study, BOP provided programming information for those inmates who took programs in the FIRST STEP ACT (FSA) program catalog and 183 of the 281 YRA-eligible persons who were in BOP custody were identified in the dataset. Of the 183 inmates, 144 inmates were found to participate in programs after their case disposition date between 2019 and 2020.[49] 48 of them were sentenced under the YRA (33%) and participated in multiple programs, resulting in 132 counts (Table 7), an average of 2.75 programs per inmate. Of these 48 inmates, 25 inmates were released whereas 23 inmates were not yet released at the time of data collection. Of the 25 inmates released to the community, 12 inmates were rearrested at least once between 2019 and 2021.[50]

Of the 96 YRA eligible inmates who were not sentenced under the YRA but participated in programming during our study timeframe, 66 inmates were released to the community at the time of data collection. Of the 66 inmates, 25 inmates were rearrested at least once after their release between 2019 and 2021. Of the 39 YRA eligible inmates who were not sentenced under the YRA and did not participate in programming after their cases were sentenced between 2019-2020, 24 inmates were rearrested at least once after their release between 2019 and 2021.

It is important to note that rearrests alone may not determine the effectiveness of programming. Other information such as risk factors that contribute to recidivism (e.g., criminal history, mental health, and

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[49] These inmates were identified based on case file date, case disposition date, program start date, and program end date.

[50] There were 5 additional YRA sentenced inmates who participated in BOP programs prior to our study time (i.e., they did not participate in any programming after their cases were sentenced between 2019-2020). They were all released to the community and 2 persons were rearrested at least once between 2019 and 2021.

demographic risk factors) and positive outcomes for both offenders and communities (e.g., social reintegration) should be considered as well if a full program evaluation were to be conducted. [51]

Table 7. List of BOP Programing that YRA Sentenced Individuals Participated

BOP Programing	Count (n = 132)
Continuing Education	39
GED-General Education DVLP	27
Drug Education	24
Release Preparation Program	9
Non-Residential Drug Treatment	7
Fitness & Wellness Program	5
Mental Health Community TRMT	4
Residential Drug Treatment	4
Vocational OCCUP – Non-College	2
K2 Awareness	2
Female Integrated Treatment	2
Brave	1
Residential Drug Treatment- Follow up PRG	1
ESL- English as Second Language	1
Parenting	1
Money Smart	1
Recreation Leisure	1
Anger Management	1

Sources: BOP and DCSC Data Submission
Note: (1) BOP is only able to systematically report on programming for programs in the FSA catalog. The FSA catalog was rolled out on 1/15/2020. Programs before that date may not be in the FSA catalog or subject to the conditions of the FSA. Program participation counts may be understated for inmates pre catalog. (2) BOP programs do not exclude young adults due to age. Program recommendations are based on an inmate's specific needs identified in his/her individualized Needs Assessment. (3) According to BOP, inmate programming was significantly impacted by COVID in 2019/2020.

In June 2021, the Corrections Information Council (CIC) published a mid-year report on the YRA[52] in keeping with its mandate to report on "the conditions of confinement of and programming" provided to District youth offenders in BOP custody. The CIC report stated that BOP is not suited nor obligated to provide specialized programming or a continuum of care for DC YRA offenders. The BOP allows everyone in their custody access to the same universal BOP programs. Thus, YRA offenders sent to BOP facilities will not benefit from the strategic plan. In February 2022, the CIC published an updated YRA report[53] where it concludes that having (1) the YRA population remain in DC DOC custody until the completion of their YRA sentence and (2) sufficient funding for the implementation of the YRA strategic plan are necessary for ensuring effective implementation of statutorily mandated services.

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[51] Helpful resources can be found at https://crimesolutions.ojp.gov/rated-programs

[52] https://cic.dc.gov/sites/default/files/dc/sites/cic/page_content/attachments/YRA%20Final%20Draft%206.4.21_KM.pdf

[53] https://cic.dc.gov/sites/default/files/dc/sites/cic/page_content/attachments/YRA%20Report_2.16.22.pdf

DOC Programming for Youth Offenders

Of the 422 YRA-eligible persons who were in DOC custody, 28 persons were found to participate in programming between 2019-2022. [54] Of the 28, 22 served their sentence at DOC initially and 17 of them were YRA sentenced youth. These 17 incarcerated youth sentenced under the YRA participated in multiple programs, resulting in 28 instances of program participation (Table 8). The remaining 6 persons were pretrial youth who were eventually placed on probation under the YRA, and they participated in a single program, resulting in 6 instances of participating in probation (counts as one program) (Table 8).

Table 8. List of DOC Programing that YRA Sentenced Individuals Participated

DOC Programming	Incarcerated Youth Count (n = 28)	Pretrial Youth Count (n =6)
Young Men Emerging (YME)	5	2
LEAD UP	4	0
DCPS	3	2
DCPS/GED	3	0
Leadership/Culinary Arts DCPS	2	0
YME/DCPS	5	0
Project Empowerment	2	0
YME/GU	1	0
YME/GU/DCPS	1	0
Black Fathers Matter	1	0
ServeSafe Culinary Arts	1	0
LEAD UP/C-TECH/GED	0	1
Transition Assistance Program	0	1

Sources: DOC and DCSC Data Submission

Note: Program start/end dates were not available at the time of analysis. Thus, recidivism information for those who participated in DOC programming is not available.

Additional Programming Data

In addition to serving a sentence in BOP or DOC custody, YRA-eligible and YRA-sentenced youth may also serve community supervision terms monitored by CSOSA. Programming information was requested from CSOSA but not provided.

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[54] The list of programming information DOC shared with CJCC included 46 unique individuals who participated in programming between 2019-2022. This list was matched against the 422 YRA-eligible who were in DOC custody. Of the 46 who participated in programming, 17 were YRA sentenced inmates, 5 were non-YRA sentenced inmates, and 6 were pretrial youth offenders who were placed on probation under the YRA. 18 individuals were not matched against the list of 422 YRA-eligible persons assuming their cases were sentenced after our study timeframe. The DOC Case Managers noted that there was not an exact match between the base dataset (n = 422) and the records that they extracted after manual review of records. Also, this data pull has several limitations: Information about program participation was pulled manually, and the list does not capture (1) if the resident enrolled in the programs listed as a result of their referral for a YRA study (more information about YRA studies can be found at https://doc.dc.gov/page/programs-and-case-management-pcm); (2) the length of time the resident remained enrolled in the program; and (3) why those without programs were not enrolled in programs (people charged when they were YRA eligible who subsequently aged out may have not been in the extract).

Conclusion and Further Recommendations

The present analysis examined the Youth Rehabilitation Amendment Act of 2018 on eligibility, factors, sentencing, recidivism, and programming.

Based on the findings in this report, we propose the following analyses for the next iteration:

- **Examine the effectiveness of programming for young offenders ages 18-24**. The next iteration should be able to gather information on program implementation according to the strategic plan and proposed timeline described above. Identifying the effectiveness of programming on young offenders, whether pretrial or post-conviction, and how these effects vary by program types, will help better serve these population.
- **Examine the impact of probation on offender outcomes**. Being placed on probation instead of confinement is one of the benefits of YRA. Comparing the recidivism rate of youth offenders placed on probation (and successfully completed) to those incarcerated under the YRA will expand our understanding of the impact of YRA on youth offenders.

Appendix A. Contributing Agencies for Administrative Data

The following agencies provided administrative data on:

- District of Columbia Superior Court Criminal Division (DCSC)[55]
  - Case information
- Sentencing Commission of the District of Columbia (SCDC)
  - Sentencing data
- Pretrial Services Agency for the District of Columbia (PSA)
  - Demographic and non-DC arrest and conviction information
- District of Columbia Metropolitan Police Department (MPD)
  - Juvenile and adult arrest data
- District of Columbia Department of Corrections (DOC)
  - Incarceration and programming information
- Department of Youth Rehabilitation Services of the District of Columbia (DYRS)
  - Juvenile commitment to DYRS
- Federal Bureau of Prisons (BOP)
  - Admission and programming information
- US Parole Commission (USPC)
  - Set aside information
- Court Services and Offender Supervision Agency (CSOSA)
  - Probation data (e.g., probation/supervision history with start and end dates and level of supervision), criminal history scores, and programming information were requested to answer the following research questions: (1) factors that affect the likelihood of receiving a YRA sentence and having a conviction set aside; (2) type and length of sentences; (3) recidivism; and (4) impact of programming. However, they were not provided for this study.

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[55] JUSITS was utilized to pull case number, case type, disposition date, charge description, sentence type, and sentence length in the adult system per a data use agreement between DC Courts and CJCC.

Appendix B. Methodology

Appendix B.1. Descriptive Analysis

Table B.1. Descriptions of Included Variables in Statistical Models (N = 1,207)

Variable	Coding	Percentage	M (SD)	Source
YRA Sentence (2019-2020)	0 = No, 1 = Yes			DCSC
No		40.0%		
Yes		60.0%		
Set Aside	0 = No, 1 = Yes			DCSC and USPC
No		70.6%		
Yes		29.4%		
Convicted Offense Types (2019-2020)[56]	0 = No, 1 = Yes			DCSC and SCDC
Murder[57]				
No		98.8%		
Yes		1.2%		
Other				
No		98.3%		
Yes		1.7%		
Sex				
No		99.7%		
Yes		0.3%		
Traffic				
No		94.8%		
Yes		5.2%		
Miscellaneous				
No		88.8%		
Yes		11.2%		
Property				
No		96.0%		
Yes		4.0%		
Drug				
No		97.3%		
Yes		2.7%		
Misdemeanor				
No		42.6%		
Yes		57.4%		

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[56] An individual may have multiple convicted offense types. The percentages are based on the 1,207 convicted YRA eligible individuals (e.g., about 15 persons of the 1,207 (1.2%) were convicted of a murder crime). Convicted charges for those potentially sealed 76 cases (see footnote 24) were further identified using convicted charge information shared by DCSC, and their offense types were coded accordingly after referring to SCDC's offense type, charge code, and offense description.

[57] Murder includes involuntary and voluntary manslaughter where these offenses are still eligible for a YRA sentence.

Weapon				
No		76.9%		
Yes		23.1%		
Violent				
No		82.8%		
Yes		17.2%		
Criminal History[58]	Continuous			
Prior DC Juvenile Arrests	# of Arrests		1.38 (2.64)	MPD
Prior DC Adult Arrests	# of Arrests		4.47 (4.78)	MPD
Prior DC Juvenile Adjudications[59]	# of Adjudications		0.72 (1.25)	DCSC
Prior DC Convictions	# of Convictions		0.58 (1.11)	JUSTIS (adult)
Prior Non-DC Arrests	# of Arrests		0.56 (1.16)	PSA
Prior Non-DC Convictions	# of Convictions		0.33 (0.54)	PSA
Prior Commitment to DYRS[60]	# of Commitment		0.02 (0.15)	DYRS
Recidivism (2019-2021)[61]	Continuous			
DC Rearrests	# of Rearrests		1.14 (2.11)	MPD
DC Reconvictions	# of Reconvictions		0.23 (0.54)	JUSTIS
Non-DC Rearrests	# of Rearrests		0.22 (0.76)	PSA
Non-DC Reconvictions	# of Reconvictions		0.06 (0.34)	PSA
Age at Time of Offense[62]	Years		21.08 (2.13)	DCSC and MPD
Race[63]	Categorical			DCSC and SCDC
1. Black/African American		89.8%		
2. White		6.8%		
3. Hispanic/Latino		0.3%		
4. Asian		0.2%		
5. Unknown/Missing		2.8%		
Gender	0 = Female, 1 = Male			DCSC and PSA
Female		12.3%		
Male		87.7%		
Self-Reported Health Issue	0 = No, 1 = Yes			PSA[64]
Emotional Issue				
No		82.1%		
Yes		17.9%		

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[58] Prior to cases sentenced in 2019-2020. Release Violations/Fugitive were not counted for arrests and convictions.

[59] To create a prior DC juvenile adjudications variable, we excluded dismissed cases from DEL cases pulled by DCSC.

[60] Of the 1,207 persons, 15 persons had 1 prior commitment to DYRS and 3 persons had 2 prior commitments to DYRS during the study timeframe.

[61] Post-sentence between 2019 and 2020.

[62] Age at the time of the offense was not certain for 18 persons (18/1207 = 1.5%). These missing cases were handled by a mean imputation in the subsequent analyses.

[63] "White" was assigned as the reference category in statistical models.

[64] Self-reported employment and education data were provided by PSA. However, due to a high number of missing values (16% and 13% of missing value for employment and education, respectively) and because Little's MCAR test revealed that data was not missing completely at random, these variables were not included in the main analyses.

Physical Issue				
No		92.7%		
Yes		7.3%		

Appendix B.2. Multivariate Binary Logistic Regression Model for § 24–906.02(a)(2) The Factors That Affected the Likelihood of Receiving a Sentence Under This Subchapter, Such As Assessed Offense Type, Prior Arrests, Prior Juvenile Commitment, or Age

Multivariable binary logistic regression analyses were conducted using STATA/BE 17.

Table B.2. Results of Multivariate Binary Logistic Regression
Dependent variable: YRA Sentence (0 = No, 1 = Yes)

Factors	Coefficient	Std. err.	Odds Ratio	95% CI for Odds Ratio	
				Lower	Upper
Convicted Offense Types					
Murder	-0.32	0.57	0.72	0.24	2.24
Other	0.37	0.52	1.44	0.52	4.02
Sex	0.39	1.25	1.50	0.13	17.20
Traffic (1)	**2.01***	**0.50**	**7.50**	**2.81**	**19.96**
Miscellaneous	0.17	0.24	1.19	0.75	1.88
Property	-0.02	0.37	0.98	0.47	2.05
Drug	0.91	0.47	2.47	0.99	6.15
Misdemeanor	-0.10	0.20	0.91	0.62	1.34
Weapon (1)	**0.68****	**0.20**	**1.98**	**1.34**	**2.93**
Violent	0.23	0.21	1.26	0.83	1.92
Demographics					
Age (in years)	**-0.13****	**0.04**	**0.88**	**0.82**	**0.95**
Gender	-0.22	0.22	0.81	0.53	1.23
Race					
Black/African American	**0.69***	**0.27**	**1.99**	**1.17**	**3.37**
Other	0.77	0.45	2.16	0.90	5.22
Criminal History					
Number of Prior DC Juvenile Arrests	0.02	0.04	1.02	0.94	1.10
Number of Prior DC Juvenile Adjudications	-0.08	0.08	0.92	0.79	1.07
Number of Prior Commitment to DYRS	-0.51	0.45	0.60	0.25	1.44
Number of Prior DC Adult Arrests	**-0.07****	**0.02**	**0.94**	**0.89**	**0.98**
Number of Prior Non-DC Arrests	**-0.27****	**0.09**	**0.76**	**0.63**	**0.91**
Number of Prior DC Convictions	**-0.70***	**0.10**	**0.50**	**0.41**	**0.61**
Number of Prior Non-DC Convictions	0.06	0.19	1.06	0.73	1.53
Constant	3.18**	0.93			

Sources: DCSC, DYRS, MPD, PSA, SCDC, and USPC Data Submissions
***$p < .001$; **$p < .01$; *$p < .05$
Number of Observations = 1,206
Chi^2 = 320.66***
Pseudo R^2 = 0.20

Note: For gender, "female" is the reference category. For convicted offense types (yes/no), "no" is the reference category. For race, "White" is the reference category. "Other" race category includes

Hispanic/Latino, Asian, and unknown/missing. Findings related to race should be interpreted with caution because sample sizes varied substantially across racial groups and ethnicity information (e.g., Non-Hispanic or Latino) was not available at the time of data collection. The model was double checked with log transformed and standardized data due to skewness in the criminal history data; the same predictors were still significant. One case was deleted due to missing values in all convicted offense types. Multicollinearity was not detected.

Appendix B.3. Multivariate Binary Logistic Regression Model for § 24–906.02(a)(5) The Factors That Affected the Likelihood That Those Sentenced Under This Subchapter Would Have Their Convictions Set Aside

Multivariable binary logistic regression analyses were conducted using STATA/BE 17.

Table B.3. Results of Multivariate Binary Logistic Regression
Dependent variable: Set Aside under the YRA (0 = No, 1 = Yes)

Factors	Coefficient	Std. err.	Odds Ratio	95% CI for Odds Ratio	
				Lower	Upper
Offense Type Convicted					
Other	0.16	0.64	1.17	0.33	4.14
Traffic (1)	**2.88*** **	**0.51**	**17.89**	**6.54**	**48.94**
Miscellaneous	0.13	0.23	1.14	0.72	1.80
Property	-0.21	0.52	0.81	0.30	2.27
Drug	0.65	0.43	1.91	0.82	4.47
Misdemeanor	-0.09	0.21	0.92	0.60	1.39
Weapon (1)	**0.57***	**0.21**	**1.77**	**1.17**	**2.69**
Violent	-0.15	0.26	0.86	0.52	1.44
Demographics					
Age (in years)	0.06	0.04	**1.06**	**0.98**	**1.15**
Gender (Male)	**-0.54***	**0.21**	**0.59**	**0.39**	**0.89**
Race					
Black/African American	-0.04	0.29	0.96	0.54	1.71
Other	0.71	0.45	2.04	0.84	4.96
Criminal History					
Number of Prior DC Juvenile Arrests	-0.03	0.05	0.97	0.88	1.06
Number of Prior DC Juvenile Adjudications	0.06	0.09	1.06	0.89	1.27
Number of Prior Commitment to DYRS	0.26	0.53	1.30	0.46	3.67
Number of Prior DC Adult Arrests	**-0.12*** **	**0.03**	**0.88**	**0.83**	**0.94**
Number of Prior Non-DC Arrests	-0.25	0.13	0.78	0.60	1.01
Number of Prior DC Convictions	**-0.61*** **	**0.16**	**0.55**	**0.40**	**0.74**
Number of Prior Non-DC Convictions	-0.22	0.25	0.81	0.49	1.32
Constant	-0.95	0.96	0.38	0.06	2.55

Sources: DCSC, DYRS, MPD, PSA, SCDC, and USPC Data Submissions
***p < .001; **p < .01; *p < .05
Number of Observations = 1,085
Chi^2 = 250.71***
Pseudo R^2 = 0.18

Note: "Murder" and "Sex" categories were excluded from this model due to a small sample size (there was only one person under "Murder" category and 2 persons under "Sex" category among the 1,086 who were eligible for set aside), as it reduces the power and increases the margin of error. For

categorical variables, coding = 0 (See Table B.1) was assigned as the reference category. One case was deleted due to missing values in all convicted offense types. Multicollinearity was not detected.

Appendix B.4. Analysis of Covariance (ANCOVA) for § 24–906.02(a)(7) A Comparison of the Recidivism of Those Sentenced Under This Subchapter to Similarly Situated Persons Not Sentenced Under This Subchapter

The Propensity Score Matching (PSM) technique using FUZZY extension command in SPSS version 27 was performed to select a group of similarly situated persons for comparison. Comparable YRA and non-YRA sentenced groups were matched by a set of variables including offense types for which a person was convicted (murder, other, sex, traffic, miscellaneous, property, drug, misdemeanor, weapon, and violent), criminal history (prior DC juvenile arrests, prior DC juvenile adjudications, prior commitment to DYRS, prior DC adult arrests, prior non-DC arrests, prior DC convictions, and prior non-DC convictions), and demographics (age, gender, race, and emotional/physical health issue indicators). There were no group differences between the selected YRA (n = 279) and non-YRA (n = 279) sentenced groups on these variables.

After two matched groups were selected, Analysis of Covariance (ANCOVA) using GLM in SPSS version 27 was conducted to examine differences between comparable YRA and non-YRA sentenced groups on the total number of rearrests (DC and non-DC) and reconvictions (DC and non-DC) controlling for offense types, criminal history, and demographic variables.

Table B.4. Results of ANCOVA

Variables	ANCOVA			
	YRA Sentence: Yes M (SE)	YRA Sentence: No M (SE)	F	Partial eta Squared (η^2)
Total Number of Rearrests	1.23 (0.10)	1.28 (0.10)	$F(1, 534) = 0.09, p > .05$	0.00
Total Number of Reconvictions	0.27 (0.04)	0.29 (0.04)	$F(1, 534) = 0.18, p > .05$	0.00

Sources: DCSC, DYRS, MPD, PSA, and SCDC Data Submissions

Note: ANCOVA was used because predictors included both categorical and continuous variables. Offense types for which a person was convicted (murder, other, sex, traffic, miscellaneous, property, drug, misdemeanor, weapon, and violent), criminal history (prior DC juvenile arrests, prior DC juvenile adjudications, prior commitment to DYRS, prior DC adult arrests, prior non-DC arrests, prior DC convictions, and prior non-DC convictions), and demographics (age, gender, race, and emotional/physical health issue indicators) were controlled. Estimated marginal means and standard errors, holding all covariates at their means, were reported above.

Appendix B.5. Moderation Analysis: Effects of a YRA sentence on Recidivism at Different Levels of Age

Regression analyses were conducted to examine relations between age and YRA sentence variables and their interactions in predicting the number of rearrests, controlling for the current convicted offense types, past arrest history, physical/emotional health issue indicators, and gender. The regression model was significant ($R^2 = 0.23$, $p < .001$).

The results indicated that both age and YRA sentence (i.e., main effects) negatively predicted the number of rearrests (b = -0.83, p < 001 for YRA sentence; b = -0.01, p < .05 for age). In addition, there was a significant interaction between a YRA sentence and age in predicting the number of rearrests. To understand the nature of the interactions, simple slopes were probed for the relation between a YRA sentence and the number of rearrests at different levels of age, -1 SD (i.e., low), mean, and +1 SD (i.e., high), using PROCESS command in SPSS version 27 (i.e., younger age = 18. 98 years, mean age = 21.09 years, and older age = 23.20 years).

Simple slope analyses revealed that receiving a YRA sentence was significantly related to fewer arrests only for youth offenders with older age (b = -0.40, p = .04), but not with mean (b = -0.10, p = 0.5) or younger age (b = 0.20, p = 0.3) at the time of the offense, controlling for current offense types, past arrest history, and demographic factors. These simple slopes are shown in Figure B.5. The Johnson-Neyman interval showed that the slope of a YRA sentence became significant from at age 22.93, p < .05.

Figure B.5. The moderating effect of age on the relations between YRA sentence and the number of rearrests
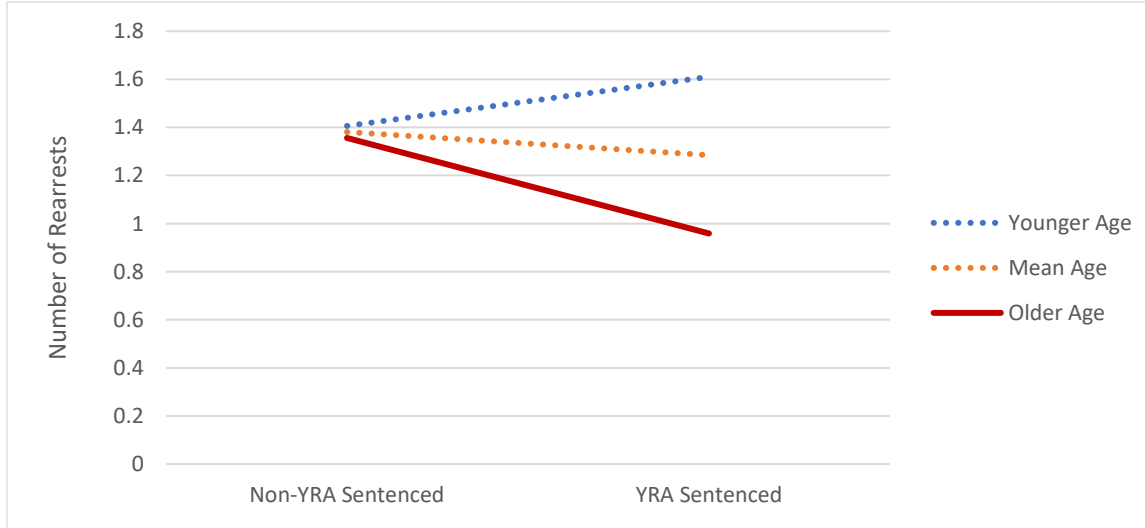
Sources: DCSC, DYRS, MPD, PSA, and SCDC Data Submissions

Note: Mean age = 21.09 years, SD = 2.11. Multicollinearity was not detected.

Appendix B.6. Analysis of Covariance (ANCOVA) for § 24–906.02(a)(6) A Comparison of the Recidivism of Those Sentenced Under This Subchapter Who Had Their Convictions Set Aside, Compared to Those Sentenced Under This Subchapter Who Did Not Have Their Convictions Set Aside

Analysis of Covariance (ANCOVA) using the General Linear Model (GLM) in SPSS version 27 was conducted to examine differences between set aside and non-set aside groups on all rearrests (DC and non-DC) and all reconvictions (DC and non-DC) controlling for convicted offense types, criminal history, and demographic variables.

Table B.6. Results of ANCOVA

	ANCOVA			
Variables	**Set Aside M (SE)**	**Not Set Aside M (SE)**	*F*	**Partial eta Squared (η^2)**
Total Number of Rearrests	1.17 (0.09)	1.42 (0.06)	$F(1, 909) = 5.53$, $p < .05$	0.01
Total Number of Reconvictions	0.15 (0.03)	0.27 (0.02)	$F(1, 909) = 15.53$, $p < .001$	0.02

Sources: DCSC, DYRS, MPD, PSA, SCDC, and USPC Data Submissions

Note: ANCOVA was used because predictors included both categorical and continuous variables. A Winsorized mean was used for statistical analyses to minimize the influence of outliers in this data by Winsorizing the top 5% of data points. Offense types for which a person was convicted (murder, other, sex, traffic, miscellaneous, property, drug, misdemeanor, weapon, and violent), criminal history (prior DC juvenile arrests, prior DC juvenile adjudications, prior commitment to DYRS, prior DC adult arrests, prior non-DC arrests, prior DC convictions, and prior non-DC convictions), and demographics (age, gender, race, and emotional/physical health issue indicators) were controlled. Estimated marginal means and standard errors, holding all covariates at their means, were reported above.