

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
DRAFT COMMITTEE REPORT**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

TO: All Councilmembers

FROM: Chairman Phil Mendelson
Committee of the Whole

DATE: November 13, 2018

SUBJECT: Report on PR 22-824, “District of Columbia Corrections Information Council Governing Board Nkechi Taifa Appointment Resolution of 2018”

The Committee of the Whole, to which PR 22-824, the “District of Columbia Corrections Information Council Governing Board Nkechi Taifa Appointment Resolution of 2018,” was referred, reports favorably thereon and recommends approval by the Council.

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I. BACKGROUND AND NEED

On April 9, 2018, PR 22-824, the “District of Columbia Corrections Information Council Governing Board Nkechi Taifa Appointment Resolution of 2018” was introduced by Chairman Mendelson. The purpose of PR 22-824 is to appoint Ms. Taifa as a member of the District of Columbia Corrections Information Council Governing Board (“Board”) for a two-year term.

Ms. Taifa is a Ward 4 resident of the District of Columbia. Ms. Taifa received her Bachelor of Arts from Howard University and her Juris Doctorate from George Washington University Law School. After completing her law degree, Ms. Taifa served as a Staff Attorney for the National Prison Project of the ACLU Foundation. Ms. Taifa has also served as Public Policy Counsel for the Woman’s Legal Defense Fund, Legislative Counsel for the American Civil Liberties Union, and as an Adjunct Professor at the American University Washington College of Law and the Howard University School of Law. Additionally, Ms. Taifa served as Advocacy Director and Senior Policy Analyst for the Open Society Foundations and Open Society Policy Center. In this

role, Ms. Taifa worked on federal criminal justice issues, to include sentencing reform, prison reform, reentry, and law enforcement accountability. Ms. Taifa also served as a Commissioner and Chair of the District's Commission on Human Rights. Recently, Ms. Taifa started a consulting firm, The Taifa Group, LLC, which focuses on advancing justice. In addition, she founded the Justice Roundtable, which is an advocacy coalition advancing federal criminal justice reforms.

The District of Columbia Corrections Information Council ("CIC") was created by Congress in the 1997 National Capital Revitalization and Self-Government Improvement Act ("Revitalization Act") for the purpose of investigating generally the conditions of the District of Columbia sentenced felon population scattered throughout the Bureau of Prisons ("BOP") facilities following the closing of the Lorton Correctional Complex. The CIC's role was expanded by the Jail Improvement Act of 2003¹, which requires the CIC to conduct inspections of local correctional facilities and mandates that the Department of Corrections ("DOC") provide access to members of the CIC, its staff, designees, and agents for this purpose, including unmonitored interviews of inmates.

As the Revitalization Act transferred the District's sentenced felon population to the BOP, a large number of District residents formally housed at the Lorton Correction Complex were dispersed to penal institutions throughout the county. Thus the District is unlike any other state in that its state-sentenced felons are not incarcerated within (and many are not even near) its borders. Over 4,500 District residents are incarcerated in over 118 BOP facilities in 34 states and DC. Approximately 2,100 District residents are in the custody of DOC.² Having an effective, well-funded mechanism to monitor the treatment of District prisoners is essential so that this population receives proper treatment and necessary resources and programs.

In 2010, the Council approved the Corrections Information Council Amendment Act of 2010³ ("2010 Act"), which restructured the CIC by creating the Board and an independent Executive Director position, and provided subordinate personnel. The 2010 Act vested in the Executive Director several responsibilities that had been with the appointed members of the former CIC.⁴ The Executive Director acts as the investigator as well as ombudsman, looking at conditions, responding to complaints, and making recommendations to the Board.⁵

The role of the Board is to provide advice and information to the Director of the Bureau of Prisons and the Director of the Department of Corrections regarding matters affecting District of Columbia inmates.⁶ In addition, the Board is tasked with reviewing the findings of the Executive Director and making recommendations, where appropriate, regarding the conditions of confinement of District of Columbia inmates in both BOP and DOC custody.⁷ The Board is also tasked with giving final approval of the Executive Director's annual report to the Director of the

¹ D.C. Law 15-62; D.C. Official Code § 24-211.02.

² Michelle Bonner, Executive Director of the CIC, Testimony before the DC Council Committee of the Whole, 1, October 18, 2018.

³ D.C. Law 18-233; D.C. Official Code § 24-101.01.

⁴ Bill 18-404, Corrections Information Council Amendment Act of 2010, Report of the Committee on Public Safety and the Judiciary, at 2 (April 13, 2010).

⁵ *Id.*

⁶ D.C. Official Code § 24-101.01(c).

⁷ *Id.*

BOP, the Director of the DOC, the Council, and the Mayor regarding the conditions of confinement of District of Columbia inmates.⁸

The Board consists of five members: three appointed by the Mayor and two by the Council of the District of Columbia.⁹ The Mayor designates the Chairperson of the Board.¹⁰ Members of the Board shall serve for terms of two years.¹¹ All members of the Board serve without compensation.¹²

Table 1: Membership of the District of Columbia Corrections Information Council Governing Board

Resolution #	Position	Appointee	Term Expiring:
PR 22-824	Proposed Council Appointee	Nkechi Taifa	Two-year term
R 22-460	Council Appointee	Katharine Aiken Huffman	May 4, 2020
R 22-84	Mayoral Appointee (Chairperson)	Charles Thornton	June 7, 2019
R 22-326	Mayoral Appointee	Calvin Woodland, Jr.	June 7, 2019
PR 22-1045	Proposed Mayoral Appointee	Charlie Whitaker	June 7, 2020

Ms. Taifa’s significant experience working on criminal justice issues, especially issues surrounding prison reform will be a valuable addition to the Commission. In fact, Ms. Taifa was co-counsel in a landmark case which addressed issues of conditions of confinement, access to courts, legal mail, and racial discrimination.¹³ Further, as a staff attorney for the ACLU Foundation, Ms. Taifa was tasked with touring federal correction facilities and assessing conditions of confinement.¹⁴ Moreover, Director Bonner indicated at the hearing on Ms. Taifa’s appointment resolution, that Ms. Taifa has already contributed to the work of the CIC by moderating a panel at the *2018 Prisoner and Reentry Symposium: Envisioning a New Jail*.¹⁵

As a member of the Board, Ms. Taifa intends to dedicate her time to shine a light on issues that are of great concern to residents in both BOP and DOC custody.¹⁶ She also plans to engage residents who have returned from incarceration, and their families, to become better informed on their recommendations to address issues surrounding medical care, language access, sentence computation, and facility conditions.¹⁷ The Committee believes these steps will allow Ms. Taifa to assist the Board and CIC in its work in inspecting, monitoring, and reporting on the conditions experienced by District residents while they are incarcerated.

⁸ D.C. Official Code § 24-101.01(f).

⁹ D.C. Official Code § 24-101.01(b)(2)(A). In Council Period 21, the Council approved the Omnibus Public Safety and Justice Amendment Act of 2016, effective April 22, 2017 (D.C. Law 21-280; D.C. Official Code 24-101.01), which expanded the Board from three to five members.

¹⁰ D.C. Official Code § 24-101.01(b)(2)(C).

¹¹ D.C. Official Code § 24-101.01(b)(2)(B).

¹² D.C. Official Code § 24-101.01(b)(2)(E).

¹³ Nkechi Taifa, Nominee, Testimony before the DC Council Committee of the Whole, 2-3, October 18, 2018. *See also Knop v. Johnson*, 655 F. Supp. 871 (W.D. Mich. 1987).

¹⁴ Nkechi Taifa, Nominee, Written Responses to the Committee of the Whole’s Pre-Hearing Questionnaire, 3, October 11, 2018.

¹⁵ *Supra* note 2 at 2.

¹⁶ *Supra* note 13 at 8.

¹⁷ *Id.*

Based on her impressive credentials, the Committee recommends the appointment of Ms. Taifa to the District of Columbia Corrections Information Council Governing Board. Ms. Taifa has a keen awareness regarding inmate confinement, conditions, and treatment and that expertise will be instrumental in continuing to aid the CIC. The Committee recommends adoption of PR 22-824.

II. LEGISLATIVE CHRONOLOGY

April 9, 2018	PR 22-824, the “District of Columbia Corrections Information Council Governing Board Nkechi Taifa Appointment Resolution of 2018” is introduced by Chairman Mendelson.
April 10, 2018	PR 22-824 is “read” at a legislative meeting and the referral to the Committee of the Whole is official.
April 13, 2018	Notice of Intent to Act on PR 22-824 is published in the <i>District of Columbia Register</i> .
September 28, 2018	Notice of a Public Hearing on PR 22-824 is published in the <i>District of Columbia Register</i> .
October 18, 2018	The Committee of the Whole holds a public hearing on PR 22-824.
November 13, 2018	The Committee of the Whole marks-up PR 22-824.

III. POSITION OF THE EXECUTIVE

Ms. Taifa is the Council’s appointee to the Board. The Executive provided no comment on Ms. Taifa’s reappointment.

IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee received no testimony or comments from Advisory Neighborhood Commissions on PR 22-824.

V. SUMMARY OF TESTIMONY

The Committee of the Whole held a public hearing on PR 22-824 on Thursday, October 18, 2018. The testimony summarized below is from that roundtable. A copy of the written testimony is attached to this report.

Michelle Bonner, Esq., Executive Director, CIC, testified in support of Ms. Taifa’s appointment to the Board. Director Bonner stated that Ms. Taifa’s thorough understanding of the District’s criminal justice system will help her make an immediate and significant contribution to

the work of the CIC. She testified that all District residents will continue to benefit from Ms. Taifa's expertise and wisdom when she is a member of the Board.

Charles B. Thornton, Chair, CIC Governing Board, testified in support of Ms. Taifa's appointment to the Board.

Nkechi Taifa, Appointee, testified and answered questions from Chairman Mendelson regarding her background and experience as it pertains to the Board and her interest in serving another term on the Board.

The Committee received no testimony or comments in opposition to Ms. Taifa's reappointment.

VI. IMPACT ON EXISTING LAW

Members of the Board are appointed pursuant to section 11201a(b) of the National Capital Revitalization and Self-Government Improvement Act of 1997, effective October 2, 2010 (D.C. Law 18-233; D.C. Official Code § 24-101.01(b)), which established the Board.

VII. FISCAL IMPACT

PR 22-824 will have no fiscal impact on the District of Columbia budget or financial plan. Pursuant to D.C. Official Code § 24-101.01(b)(2)(E), members of the Board are not entitled to compensation.

VIII. SECTION-BY-SECTION ANALYSIS

<u>Section 1</u>	States the short title of PR 22-824.
<u>Section 2</u>	Appoints Nkechi Taifa as a member of the District of Columbia Corrections Information Council Governing Board to serve for a term ending two years after the effective date of this resolution.
<u>Section 3</u>	Requires that a copy of the resolution, upon adoption, be transmitted to the appointee, the chairperson of the Board, and to the Mayor.
<u>Section 4</u>	Provides that PR 22-824 shall take effect immediately upon the first date of publication in the District of Columbia Register.

IX. COMMITTEE ACTION

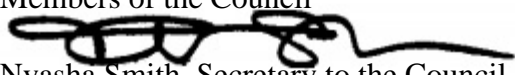
X. ATTACHMENTS

1. PR 22-824 as introduced.
2. Nominee's response to Committee questions.
3. Written Testimony.
4. Legal sufficiency determination.
5. Committee Print for PR 22-824.

COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, N.W.
Washington D.C. 20004

Memorandum

To : Members of the Council

From : 
Nyasha Smith, Secretary to the Council

Date : April 10, 2018

Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Monday, April 9, 2018. Copies are available in Room 10, the Legislative Services Division.

TITLE: "District of Columbia Corrections Information Council Governing Board Nkechi Taifa Appointment Resolution of 2018", PR22-0824

INTRODUCED BY: Chairman Mendelson

The Chairman is referring this legislation to the Committee of the Whole.

Attachment

cc: General Counsel
Budget Director
Legislative Services


Chairman Phil Mendelson

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To appoint Ms. Nkechi Taifa to the District of Columbia Corrections Information Council Governing Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “District of Columbia Corrections Information Council Governing Board Nkechi Taifa Appointment Resolution of 2018”.

Sec. 2. The Council of the District of Columbia appoints:

Nkechi Taifa
5735 27th Street, NW
Washington, DC 20015
(Ward 4)

as a member of the District of Columbia Corrections Information Council Governing Board, established by section 11201a(b) of the National Capital Revitalization and Self-Government Improvement Act of 1997, effective October 2, 2010 (D.C. Law 18-233; D.C. Official Code § 24-101.01(b)), to serve for a term ending two years after the effective date of this resolution.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the appointee, the chairperson of the Board, and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

Nkechi Taifa, Esq.
5735 27th Street NW
Washington, DC 20015
Nkechi.Taifa@opensocietyfoundations.org
(202) 721-5618 office; (202) 641-6605 mobile

SKILLS AND EXPERIENCE

Advocacy Director and Strategic Policy Analyst

- Coordinate federal criminal justice agenda working closely with members of Congress and their staff and key committees on issues that relate to sentencing reform, prison reform, reentry, law enforcement accountability
- Analyze and review, conduct policy analysis and advocacy strategies
- Serve as principal spokesperson on criminal justice reform issues
- Convene Washington-based advocacy coalition advancing criminal justice policy reforms ; liaison with governmental agencies, institutions & others
- Provide technical assistance to members of Congress and their staff, U.S. Sentencing Commission, Mayor, City Council, and other policy makers, including preparation and delivery of testimonies

Academician

- Public interest counselor for law students
- Teach specialized law school seminars
- Develop and coordinate opportunities for law student pro bono activities and public service employment
- Legal research and writing
- Teach high school students in summer law camp

Private Practitioner

- Cases involving adult criminal defense, juvenile court, employment discrimination, landlord & tenant, child abuse and neglect, family law
- Litigation, analyzing & indexing discovery, preparation and examination of expert and lay witnesses for trial, taking and defending depositions, settlement negotiations
- Landmark cases, *Shepherd v. American Broadcasting Companies*, 864 F. Supp. 486 (D.C. Cir. 1994); 62 F.3d 1469 (D.C. Cir. 1995); *U.S. v. Whitehorn*, 710 F. Supp. 803 (1989), *Knop v. Johnson*, 655 F. Supp. 871 (WD Mich 1987)

Manager

- Oversee recruiting, hiring and supervision of staff, research assistants, law clerks and interns, and promote professional development opportunities
- Mentor young professionals who have gone on to work at organizations such as the American Civil Liberties Union, Leadership Conference on Civil and

Human Rights, American Constitution Society, Justice Policy Institute, D.C. Public Defender Service, etc.

- Convene and Manager of the Justice Roundtable Coalition
- Manage conceptualization, planning and implementation of events including congressional briefings, lobby days, call-in days, town hall meetings, etc.
- Identify best practices & improvement of internal systems, policies & procedures
- Manage law school public interest resource center & supervise Externship Program

Communicator

- Represent criminal justice and civil rights policy reform priorities before the federal government, state legislatures, city council, coalitions, conference panels and community events
- Respond to media requests and develop communication strategies
- Speaker/moderator/keynote at countless conferences, town halls, panels, workshops, and trainings nationwide
- Prepare diverse range of documents, including issue briefs, reports, book chapters, articles, memos, summaries, blogs

EMPLOYMENT HISTORY

- Open Society Foundations and Open Society Policy Center, *Advocacy Director for Criminal Justice & Senior Policy Analyst*; Manager, Justice Roundtable Coalition, 2002-present
- National Bar Association Law Camp – summers 2001-present
- Howard University School of Law
 - Director, Equal Justice Program, 1995-2002
 - Supervisor, Externship Program, 1995-2002
 - Adjunct Professor, 1995-2009
- American University Washington College of Law
 - Adjunct Professor, 1997-99
- American Civil Liberties Union, Legislative Counsel, 1991-1995
- Women’s Legal Defense Fund, Public Policy Counsel, 1989-1991
- Private Practitioner, Law Office of Nkechi Taifa, Esq. 1987-1991
- National Prison Project of the ACLU Foundation, Staff Attorney, 1984-1987
- Washington Office on Africa, Network Organizer/Office Manager, 1980-1983
- NationHouse Watoto School, First Grade Teacher, 1977-1980

EDUCATION

- George Washington University Law School
 - Juris Doctor degree, 1984*
- Howard University
 - Bachelor of Arts degree, 1977, magna cum laude*

ADMITTED TO PRACTICE

- United States Supreme Court
- United States Court of Appeals
for the District of Columbia Circuit
- District of Columbia Court of Appeals

SELECTED HONORS and AWARDS

- Black Resistance Matters Award, Malcolm X Commemoration Comm (2017)
- Wiley Branton Award, National Bar Association (2016)
- Hope House Dads Award, Hope House (2016)
- IBW Legacy Award (2016)
- Cornelius "Neil" Alexander Humanitarian Award, DC Commission on Human Rights (2015)
- Marcus Garvey Outstanding Community Service Award, UNIA (2015)
- Wiley Branton Award Recipient, Washington Lawyers Committee for Civil Rights and Urban Affairs (2014)
- Umoja Award, National Black United Front (2014)
- Certificate of Achievement for Outstanding Advocacy, Congresswoman Maxine Waters (2011)
- NBA Crump Law Camp Service Award, National Bar Association (2011)
- President's Award, Washington Council of Lawyers (2005)
- African Consciousness Award, United Black Community (2004)
- Furthering the Legacy Award, Howard Law School Students (2002)
- Warren Rosmarian Award for Excellence in Teaching and Service, presented by Howard University School of Law, (2000)
- Professor of the Year, Howard Law School (1999)
- Pro Bono Publico Award for outstanding leadership of Howard Law School's Equal Justice Program, (1996)
- Outstanding Social Engineer Award, Howard Law Student Bar Assn (1996)
- Dedicated Service Award, Kwanzaa Children's Party, Inc. (1996)

SELECTED PRESENTATIONS

- American Constitution Society for Law and Justice
- Bipartisan Summit
- Coalition for the Fair Sentencing of Youth
- Congressional Black Caucus Foundation
- CATO Institute
- Charles Koch Institute
- Data & Civil Rights: A New Era of Policing and Justice
- Drug Policy Alliance
- National African American Reparations Commission
- National Press Club
- CNN & Company, Fox Morning News, BET, C-SPAN, WPFW-FM
- Department of Veterans Affairs
- Equal Employment Opportunity Commission

- Council of State Governments
- Black Law Students Association
- Howard Law Journal Symposium
- Institute of the Black World 21st Century
- Maryland Legal Services Partnership
- National Alliance Against Homelessness
- National Bar Association
- National Black Caucus of State Legislators
- National Black Police Association
- National Conference of Black Lawyers
- NAACP/NAACP-LDF
- US Department of Agriculture
- Washington Lawyers Committee for Civil Rights and Urban Affairs
- Yale Law School, Harvard Law School, Howard University & Law School, University of the District of Columbia, David A. Clarke UDC School of Law, Georgetown Univ. Law School, George Washington Law School, American University, George Mason University, Univ. of Arkansas Law School, University of Connecticut, University of Chicago Law School, University of Maryland Law School, Sojourner-Douglas College, Columbia University Law

SELECTED PUBLICATIONS

- Numerous guest blog posts in American Constitution Society, Open Society Voices and Huffington Post
- “Racism in the U.S. Criminal Justice System - Institutionalized Genocide?” Issue Brief, American Constitution Society (Nov. 3, 2016)
- “Righting Historical Wrongs Through Clemency,” Washington Informer Newspaper (Feb. 28, 2014)
- “Integrative Solutions to Interrelated Issues: A Multidisciplinary Look Behind the Cycle of Incarceration,” Harvard Law and Public Policy Review, Co-Author, (summer 2009)
- “The “Crack/Powder Disparity: Can the Intl Race Convention Provide a Basis for Relief?” American Constitution Society for Law & Policy (2006)
- *Tulia, Tip of the Drug War Iceberg*, Book Project Chair (2005)
- “Roadblocked Reentry: The Prison After Imprisonment,” National Bar Association Magazine (2003)
- “Re-Enfranchisement! A Guide for Individual Restoration of Voting Rights” Advancement Project (2002)
- “Codification or Castration – the Applicability of the International Race Convention to the US Criminal Justice System,” Howard Law Journal (1997)
- “Cracked Justice: A Critical Examination of Cocaine Sentencing,” Univ. of West Los Angeles Law Review (1996)
- “Civil Forfeiture vs. Civil Liberties,” New York Law School Law Review (1994)

PROFESSIONAL AFFILIATIONS AND COMMUNITY SERVICE

- Legal Advisory Team, Legacy of GU272 Alliance, 2016 – present
- National African American Reparations Commission, 2016 - present
- Board of Directors, Clemency Resource Center, 2015-2016
- Commissioner & Chair, DC Commission on Human Rights, 2007-2014
- Honorary Board, Washington Council of Lawyers 2013-present
- Advisory Panel Member, Leadership Institute Fellowship Program, Center for American Progress (2012-present)
- Board of Advisors – Institute of the Black World 21st Century (2009-2011)
- Advisory Board Member, American Bar Association Racial Justice Improvement Project (2010-present)
- Founder and President, Legacy Empowerment Center, (2010-present)
- Founder and CEO, SCHOLARgifts, LLC (2013-present)
- Producer and Host, Legacy Justice Radio Show (2010-2011); & Spotlight on Justice (2014)
- Co-Founder, Solace for Sistas, (2008- present)
- Member, Board of Directors, Bureau of Rehabilitation, Inc. (1999-2004)
- Founding Member and Chair of Legislative Commission, National Coalition of Blacks for Reparations in America (1999-2004)
- Member, Board of Directors, American Civil Liberties Union of the National Capital Area (1998-2004)
- Chair, D.C. Chapter, National Conference of Black Lawyers (1990-1995)
- Member, D.C. Bar Public Service Activities Corporation (early 1990's)
- Member, Board of Directors, DC Prisoners' Legal Services, Inc. (1995-2001)
- Member, Advisory Board, Kwanzaa Children's Committee, (1980 – present)
- Founder and Director, Saturday School for youth, (1972-1984)



COUNCIL OF THE DISTRICT OF COLUMBIA
1350 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004

Phil Mendelson
Chairman

Office: (202) 724-8032
Fax: (202) 724-8085

October 4, 2018

Ms. Nkechi Taifa
5735 27th Street, N.W.
Washington, DC 20015

Dear Ms. Taifa,

Congratulations on being nominated for appointment to the District of Columbia Corrections Information Council Governing Board (“Board”). As you know, the appointment is subject to confirmation by the Council. The Committee of the Whole has scheduled a public hearing on your nomination for **Thursday, October 18, 2018 at 11:00 a.m. in Hearing Room 412**. Enclosed is a copy of the hearing notice. It is standard for the Council to submit questions to nominees. I request your response to the following questions no later than close of business Thursday, October 11, 2018.

1. Please provide a copy of the Financial Disclosure Statement you filed with the Office of Campaign Finance or the Board of Ethics and Government Accountability. If you have not filed a Financial Disclosure Statement, please provide answers to questions 2-8 in lieu of that statement.
2. Please provide the name of each business entity transacting any business with the District Government in which you have a beneficial interest valued in excess of \$5,000, including publicly traded stock.
3. Please provide the name of each business entity transacting any business (including consulting) with the District Government from which you or your immediate family have received (or are receiving) income for services rendered in excess of \$1,000 during the past two years.
4. Please provide the name of each business entity transacting business with the District Government in which you or any member of your immediate family serves as an officer, director, partner, or agent. Also list the position(s) held, a brief description of the entity, and any other pertinent details.
5. Please provide the name of any lender and the amount of liability for each outstanding liability borrowed by you or any member of your immediate family in excess of \$5,000. Do not include loans from a federal or state insured or regulated financial institution, or from any business enterprise regularly engaged in the business of providing revolving credit or installment accounts.
6. Please list the location of all real property located in the District of Columbia in which you have an interest with a fair market value in excess of \$5,000.
7. Please list all professional and occupational licenses held by you.
8. Please list any professional organizations of which you are currently a member.

9. Please list all boards and commissions connected with the District government on which you are or have been a member, and include the term of service for each.
10. Please list any other boards (e.g. Boards of Directors of a non-profit) on which you are a member.
11. Do you have any outstanding liability for taxes, fees, or other payments to the District, federal, or other state or local governments, either contested or uncontested? If so, please provide documentation of attempts to pay the amount owed or to resolve the disputed claim.
12. Do you or any member of your immediate family have any interest, financial or otherwise, that may directly or indirectly pose a conflict of interest for you in performance of your duties as a member of the Commission?
13. Please describe any local political activity (i.e. the District of Columbia local elections or campaigns) that you have engaged in over the past five years, including any campaign contributions to a local candidate or political action committee.
14. Are you registered with any local, state, or federal government to lobby? If so, list the jurisdiction(s) in which you are registered.
15. Why have you agreed to serve, and how do you plan to help the Board fulfill its role and mission during your time on the Board over the next two years?
16. Please discuss any past and present experiences not already mentioned that you believe are relevant to support your appointment as a member of the Board.

At the October 18th roundtable, you will be asked to make an opening statement indicating your interest in serving as a member of the Board. The testimony of persons interested in supporting your nomination is helpful but not necessary. Interested parties may call the Committee office to register to testify (724-8196) or, alternatively, may submit written comments to the Committee regarding your nomination via letter mail or e-mail (COW@dccouncil.us).

If you have any questions please do not hesitate to call me or Peter Johnson on my staff at (202) 724-8083.

Sincerely,



Phil Mendelson
Chairman

enc.

PM/pj

FROM THE DESK OF
NKECHI TAIFA ESQ.

5735 27th Street NW
Washington, DC 20015
(202) 641-6605
ntaifa@verizon.net

TO: Chairman Phil Mendelson
Committee of the Whole
Council of the District of Columbia

FROM: Nkechi Taifa
Nominee for appointment to
DC Corrections Information Council Governing Board

RE: Response to questions posed in October 4, 2018 letter; received on
October 11, 2011.

DATE: October 11, 2018

1. Below are answers to the questions in lieu of the Financial Disclosure Statement:
2. I have no business entity transacting business with the District Government in which I have a beneficial interest valued in excess of \$5,000 including publicly traded stock.
3. I have no business entities transacting any business with the District Government from which me or my immediate family have received or are receiving income for services rendered in excess of \$1000 during the past two years.
4. I have no business entity transacting business with the District Government in which me or any member of my immediate family serves as an officer, director, partner, or agent.
5. There are no lenders borrowed by me or any member of my immediate family in excess of \$5000 outside of any loans from a federal or state insured or regulated financial institution, or business enterprise regularly engaged in the business of providing revolving credit or installment accounts.

6. Real property located in the District of Columbia in which I have an interest with a fair market value in excess of \$5,000 are as follows:

5735 27th Street NW Wash., DC 20015

5919 4th Street NW, Wash., DC 20011

7. Professional licenses - District of Columbia law license

8. Professional organizations:

District of Columbia Bar

National Bar Association

Washington Bar Association

National Conference of Black Lawyers

9. Boards and commissions connected with the District government
Commission on Human Rights – from around 2002 - 2014

10. Other boards currently member of – African Freedom Fund Treasury

11. I have no outstanding liability for taxes, fees or other payments to the District, federal or other state or local governments.

12. Neither myself nor member of immediate family have any financial or other interest that may directly or indirectly pose a conflict of interest for me in performance of my duties as a member of the Commission

13. I have not engaged in any local political activity over the past five years, including campaign contributions to a local candidate or political action committee.

14. I had been registered with the federal government as a lobbyist in the past, but have not for the past two years.

15. Why have you agreed to serve and how do you plan to help the Board fulfill its role and mission during your time on the Board over the next two years?

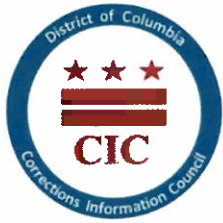
It would be a privilege and an honor to serve on the governing board of the Corrections Information Council. I have agreed to serve because I want to be an active part in helping the CIC achieve its mission and goal to help improve and maintain high standards in the conditions of confinement of District of Columbia residents spread throughout the Federal Bureau of Prisons, the DC Department of Corrections, and private contractors. The role the CIC plays to inspect, monitor and report on the conditions of confinement of District residents in facilities across the country is critical. I have watched the CIC from afar for years, and have been impressed by its professionalism, dedication, and tenacity to make a difference. And

now fully staffed, and with a soon to be full governing board, the CIC will be even better able to attend to the unique needs of incarcerated District residents.

Over the next two years as part of the CIC board I plan to dedicate quality time and attention to assisting the CIC Executive Director and staff to fulfill its mandate to inspect, report, and assess, as well as to shine a light on issues of great concern to residents in the BOP and DOC. Such issues include serious medical concerns, language access issues, visitation, issues of sentence computation, facility issues, and others. With such exposure and recommendations from the CIC, it is hoped that District stakeholders, including agencies and advocacy organizations, can ensure that appropriate corrective action is taken.

16. Please discuss any past and present experiences not already mentioned that you believe are relevant to support your appointment as a member of the Board.

I started my legal career as a staff attorney for the National Prison Project of the ACLU Foundation during the mid-80s. My responsibilities included touring federal facilities and assessing conditions of confinement therein, escorting corrections and medical experts through facilities, interviewing prisoners, and taking depositions. Since then, most of my professional career has involved issues of criminal justice reform. I am looking forward to being part of the governing board of the CIC as it carries out its mandate to inspect, monitor and report on the conditions of confinement in the prisons, jails, and halfway houses where DC residents are incarcerated.



CIC | DC Corrections Information Council

**COUNCIL OF THE DISTRICT OF COLUMBIA
Committee of the Whole – Public Roundtable
PR 22-0824, District of Columbia Corrections Information Council Governing Board
Nkechi Taifa Appointment Resolution of 2018
October 18, 2018**

**Testimony of Michelle Bonner
Executive Director
Corrections Information Council**

Good morning, Chairman Mendelson and Members of the Council of the District of Columbia.

I am Michelle Bonner, the Executive Director of the Corrections Information Council, commonly known as the “CIC.” I thank you for the opportunity to share with you the CIC’s super-excitement for the appointment of Nkechi Taifa to the governing board of the CIC.

As you know, the CIC is an independent monitoring body initially established under the *Revitalization Act of 1997*, with its mandate further expanded and detailed in the *DC Jail Improvement Act of 2003*. The CIC is mandated to inspect, monitor, and report on the conditions of confinement in the prisons, jails, and halfway houses where DC residents are incarcerated. This includes over 4,500 residents in over 118 Federal Bureau of Prisons (BOP) facilities and contract facilities in 34 states and the District of Columbia, as well as approximately 2,100 residents in the custody of the DC Department of Corrections (DOC).

We thank the Council for increasing the CIC Board from three to five members, and we doubly thank the Council for nominating Nkechi Taifa to fill the fifth seat. As you know, Nkechi is a criminal justice and human rights legend in the District and is nationally recognized as a criminal justice advocate and expert. She has spent the past sixteen years at the Open Society Foundation, where she has served as Advocacy Director for Criminal Justice. She founded and holds the Justice Roundtable, where criminal justice advocates and experts from around the country regularly convene to share reform efforts and issues, including incarceration issues. Locally, she served as a commissioner and chair of the District’s Commission on Human Rights.

She has also worked as legislative counsel for the American Civil Liberties Union on criminal justice issues, founded the Equal Justice Program at Howard University, and has worked for the Women’s Defense Fund and National Prison Project.

Her legal career includes extensive practice of criminal law in the District, which arguably has the most complex criminal justice system in the country. Because she has a thorough understanding of our criminal justice system and has represented justice-involved individuals, there is no learning curve for her to serve as a CIC board member. She can jump in right away alongside existing board members to make a significant contribution to the work of the CIC.

Actually, Nkechi has already contributed to the work of the CIC, moderating the panel on alternatives to incarceration at the *2018 DC Prisoner and Reentry Symposium: Envisioning a New Jail*. She also engaged CIC Board Chair and me on the radio show on criminal justice issues that she co-hosts with Roach Brown on the second Tuesday of each month, *Crossroads*, on WPFW. No doubt that, as a board member, she will continue to speak on issues affecting the incarcerated residents of the District of Columbia.

Thank you for appointing Nkechi Taifa to the Governing Board of the Corrections Information Council. The CIC will be honored and blessed to have Nkechi Taifa serve in this capacity. The CIC is incredibly lucky to be able to continue to work with her and learn from her. All District residents will continue to benefit from her expertise and wisdom.

TESTIMONY OF

NKECHI TAIFA

on
PUBLIC HEARING
PR22-824

DISTRICT OF COLUMBIA CORRECTIONS INFORMATION COUNCIL
GOVERNING BOARD NKECHI TAIFA APPOINTMENT RESOLUTION OF 2018

Before the

COMMITTEE OF THE WHOLE
COUNCIL OF THE DISTRICT OF COLUMBIA

PHIL MENDELSON
CHAIR

OCTOBER 18, 2018

Thank you Chairman Mendelson and members of the Council of the District of Columbia Committee of the Whole for considering my nomination to the governing board of the District's Corrections Information Council (CIC). It would indeed be an honor and a privilege for me to serve. As a native Washingtonian and a life-long resident of the District of Columbia, I would like to be an active part in helping the CIC achieve its mission and goal to help improve and maintain high standards in the conditions of confinement of District of Columbia residents spread through the Federal Bureau of Prisons, the D.C. Department of Corrections, and private contractors. The role of the CIC to inspect, monitor and report on the conditions of confinement of District residents in facilities across the country is critical. I have watched the CIC from afar for years, and have been impressed by its professionalism, dedication and tenacity to make a difference. And now fully staffed and with a soon to be full governing board of which I hope to be a part, the CIC will be even better equipped to attend to the unique needs of incarcerated District residents.

I am no stranger to issues involving corrections or oversight. I started my legal career as a staff attorney for the National Prison Project of the ACLU Foundation during the mid-80's. My responsibilities included touring federal facilities and assessing conditions of confinement therein; escorting corrections and medical experts through the facilities; interviewing prisoners, taking depositions and preparing legal memoranda. I was co-counsel in a landmark conditions of confinement case, *Knop v. Johnson*, 655 F. Supp. 871 (WD Mich 1987), which

addressed issues of unconstitutional conditions of confinement, access to the courts, legal mail, and racial discrimination. Most of my professional career since then has also involved issues of criminal justice and prison reform.

For the past sixteen years I have served as Senior Policy Analyst and Advocacy Director for Criminal Justice for the Open Society Foundations and Open Society Policy Center, focusing on issues of federal sentencing reform, law enforcement accountability, prison reform, reentry, executive clemency and racial justice. I am also the founder and convener of the Justice Roundtable, a Washington-based advocacy coalition advancing federal criminal justice reforms.

As convener of the Justice Roundtable, I was in the leadership of the coalition responsible for the passage of both the Second Chance Act reentry legislation (2008) and the Fair Sentencing Act crack disparity legislation (2010). I helped to fuel the mobilization of the Obama administration's clemency initiative, which resulted in the early release from unjust imprisonment of over 1,700 prisoners. As chair of the Justice Roundtable I have also met periodically with Directors and staff of the federal Bureau of Prisons, spanning different Administrations.

I enjoy a notable reputation in substantive bipartisan engagement and collaboration with entities holding diverse viewpoints, and have cultivated an impressive national network of strategic stakeholders. I have been a catalyst in raising the visibility of issues involving unequal justice, and have testified, written and spoken extensively on

issues of civil/human rights, and criminal and civil justice reform, before the U.S. Congress, the U.S. Sentencing Commission, the District of Columbia City Council, and the American Bar Association Justice Kennedy Commission. I am the former Chairperson of the D.C. Commission on Human Rights, and have served on the boards of scores of public interest organizations, receiving numerous awards for social justice accomplishments.

As of November 1, 2018 I will leave my position at the Open Society Foundations to launch a consulting firm, The Taifa Group, LLC, whose mission is to advance justice, while continuing to direct the Justice Roundtable coalition. This professional move comes at an opportune moment for the Corrections Information Council as my time will be more flexible to devote to responsibilities of the CIC board.

I have a long and rich background in justice system reform preceding my current position at the Open Society Foundations. I served as legislative counsel for the American Civil Liberties Union from 1991-1994 where I was the principal spokesperson on criminal justice and civil rights issues; policy counsel for the Women's Legal Defense Fund from 1989-1991; staff attorney for the National Prison Project from 1984-1987; Office Manager and Network Organizer for the Washington Office on Africa from 1980-1983; elementary school teacher at NationHouse Watoto School from 1977-1980, and as founder and director of a Saturday School for D.C. youth during the 1970s. I also maintained a general criminal and civil law practice in the District of Columbia between

1987-1991, representing indigent adult and juvenile clients, and specializing in employment discrimination law.

I was founding director of the award-winning Equal Justice Program at Howard University School of Law from 1996-2002, where I also directed the Law School's Externship Program and taught seminars on "Racial Disparity in the Criminal Justice System," Public Interest Law," and the "Law of Corrections and Prisoners' Rights." I also taught as an adjunct professor at American University Washington College of Law, and have taught criminal law to high school students each summer as part of the National Bar Association's Crump Law Camp since 2001.

I served as co-chair for the Leadership Conference on Civil Rights (LCCR) Steering Committee on D.C. Statehood (1993-95) which resulted in a historic first vote in Congress; and on LCCR's Task Force on Voting Rights (1991- 93) which resulted in passage of the National Voter Registration Act (Motor Voter bill). I helped to mobilize the successful campaign against implementation of the death penalty in the District of Columbia in the early 90's, and served as coordinator and trainer for the 1995 Million Man March Legal Observer Committee. I served as a prosecutor delivering the Opening Statement for both the 2007 International Tribunal on Hurricanes Katrina and Rita, and the 1997 International Tribunal for Justice for Mumia Abu-Jamal.

I have had five law review articles published, "Integrative Solutions to Interrelated Issues: A Multidisciplinary Look Behind the Cycle of Incarceration;"

“Cracked Justice: A Critical Examination of Cocaine Sentencing;” “Three Strikes and You’re Out – Mandatory Life Imprisonment for Third Time Felons;” “Civil Forfeiture vs. Civil Liberties;” and “Codification or Castration – the Applicability of the International Race Convention to the U.S. Criminal Justice System.” I was the Project Chair for the publication, *Tulia: Tip of the Drug War Iceberg*, and author of the chapter, “Social Policy Implications of Racial Disparities in the Criminal Justice System,” published in *The Color of Social Policy*.

I am also the author of ground-breaking White Papers and Issue Briefs, such as “Clemency: An Inside Story from a Progressive Advocate” (Federal Sentencing Reporter June 2017); “Racism in the Criminal Justice System: Institutionalized Genocide?” (American Constitution Society 2016); “A Bittersweet Moment in History: Passage of the Fair Sentencing Act (NACDL Champion Magazine 2010); “Roadblocked Reentry: the Prison After Imprisonment” (National Bar Association Magazine 2006); and “Reflections from the Frontlines: An Insider’s Perspective on the Crack Cocaine Controversy” (Federal Sentencing Reporter 1998). I served as the principal author of the Advancement Project’s report, “Re-Enfranchisement! A Guide for Individual Restoration of Voting Rights in States that Permanently Disenfranchise Former Felons” (2002). I was a contributing author to *Black Reparations: American Slavery and its Vestiges; Reparations Yes: The Legal and Political Reasons Why Blacks Should be Paid for the Enslavement of Our Ancestors; and Decolonization U.S.A.*

I have received awards and honors, including the “Equal Justice Award” from the UDC David A. Clarke School of Law; “Dad’s Award” from Hope House; “Wiley Branton Award” from the National Bar Association, the “Cornelius Neil Alexander Humanitarian Award” from the D.C. Commission on Human Rights, the “Wiley Branton Award” from the Washington Lawyers’ Committee for Civil Rights and Urban Affairs, the “President’s Award” from the Washington Council of Lawyers,” “Legacy Award” from the Institute of the Black World 21st Century; The “Marcus Garvey Award” from the Universal Negro Improvement Association, “Certificate of Achievement for Outstanding Advocacy” from Congresswoman Maxine Waters, the “Rosmarian Award for Excellence in Teaching and Service,” “Professor of the Year,” “Outstanding Social Engineer Award,” “Walking the Walk” award from Black Law Students Association; and “Distinguished Faculty Author Award” – all from Howard University School of Law; Certificado De Participacion, Universidad de la Habana, Sociedad y Derecho en Cuba,” and the “Pro Bono Resource Center of Maryland Appreciation Award.”

I currently serve on the Legal Advisory Team of the Legacy of the GU272 Alliance (descendants of the 1838 Jesuit sale of 272 enslaved persons which ensured the survival of Georgetown University); am a past president of the DC Chapter of the National Conference of Black Lawyers and founding member and former co-chair of the Legislative Commission of the National Coalition of Blacks for Reparations in America. I am a member of the National African American Reparations Commission, and an advisor to the Institute of the Black World 21st Century.

I am admitted to practice before the United States Supreme Court, U.S. Court of Appeals for the District of Columbia Circuit, and the District of Columbia Court of Appeals. I received my Juris Doctorate from George Washington University Law School (1984) and graduated magna cum laude from Howard University (1977).

As a native Washingtonian and long-standing resident of Ward 4, I have always been sensitive to the issues and needs of D.C. prisoners. Prior to the D.C. Revitalization Act which transferred the District's sentenced population to facilities throughout the federal Bureau of Prisons, I occasionally accompanied community groups bringing arts and culture programming into Lorton Reformatory and for years corresponded with prisoners. I served on the Board of D.C. Prisoner Legal Services, and was an active member of the Board of the non-profit Bureau of Rehabilitation, Inc., during the mid-late 90's, which managed several successful neighborhood-based half-way houses in the District of Columbia. I occasionally serve as co-host with formerly incarcerated activist Roach Brown on his prison issues WPFW-FM radio show, "Cross-Roads."

As a CIC board member I plan to dedicate quality time and attention to assisting the CIC Executive Director and staff to fulfill its mandate to inspect, report, and assess, as well as to shine a light on issues of great concern to residents in the BOP and DOC. I look forward to substantive engagement with District residents who have returned from incarceration, as well as their families, to become better informed on their recommendations for best practices to address serious medical concerns, language access issues, visitation, issues of sentence computation, facility issues, and others. With such

exposure by CIC and recommendations informed the impacted population, I hope that District stakeholders, including agencies and oversight organizations, will ensure that appropriate corrective action is taken.

In sum, I would bring a wealth of history, expertise, commitment and passion to the governing board of the Corrections Information Council, and look forward to fulfilling the duties of a board member to provide advice, information, and recommendations to the Director of the federal Bureau of Prisons and the Director of the DC Department of Corrections on critical matters impacting the D.C. incarcerated population.

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DRAFT COMMITTEE PRINT
Committee of the Whole
November 13, 2018

A PROPOSED RESOLUTION

22-824

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To appoint Ms. Nkechi Taifa to the District of Columbia Corrections Information Council Governing Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “District of Columbia Corrections Information Council Governing Board Nkechi Taifa Appointment Resolution of 2018”.

Sec. 2. The Council of the District of Columbia appoints:

Nkechi Taifa
5735 27th Street, N.W.
Washington, D.C. 20015
(Ward 4)

as a member of the District of Columbia Corrections Information Council Governing Board, established by section 11201a(b) of the National Capital Revitalization and Self-Government Improvement Act of 1997, effective October 2, 2010 (D.C. Law 18-233; D.C. Official Code § 24-101.01(b)), for a term to end 2 years after the effective date of this resolution.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the appointee, the chairperson of the Corrections Information Council Governing Board, and the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.