



THE ADVOCATE

The Newsletter of the Pretrial Services Agency for the District of Columbia

Winter 2013

Inside:

- PSA Is One of Best Places to Work – [p 2](#)
- Freedom and Money-Bail In America – [p 3](#)
- New Street Drugs Present Testing Challenge – [p 4](#)
- Judge Weisberg Lays Down the Drug Court Gavel . . . Again – [p 5](#)
- Judge Jackson-New Drug Court Judge with Distinguished Career of Public Service – [p 6](#)
- Halfway House Beds Now Available to U.S. District Court Defendants – [p 6](#)
- New Directions: More Than a Decade of Effective Treatment Nears Its End – [p 7](#)
- Exploring New Diversion Opportunities – [p 7](#)
- PSA Surveys Its Primary Customer – [p 8](#)
- PSA Now Available in 140 Languages – [p 8](#)
- A Chat with DC Council Judiciary Committee Chairman Tommy Wells – [p 8](#)
- PSA Director Welcomes NAPSA to the Nation's Capital – [p 9](#)
- Supporting Our Citizen Warriors – [p 9](#)
- Getting Closer to the End – [p 10](#)
- PSA Launches Child Care Subsidy Program – [p 10](#)
- Exceeding Our Goal Once Again – [p 10](#)
- Diversity and Inclusion Council Sets Priorities – [p 11](#)
- PSA Director Named Vice-Chair of PJI Board – [p 11](#)
- RAD Becomes Office of Strategic Development – [p 11](#)
- The Advocate – It's Come a Long Way – [p 12](#)
- Taking Evidence to Practice – [p 12](#)

PSA's Mission – To promote pretrial justice and community safety by assisting judicial officers in making appropriate release decisions, and by providing supervision and pro-social interventions for defendants released into the community.

From the Director

As you'll see from the contents of this special edition of The Advocate, the last few months have been quite busy here at PSA. We've taken the time to compile many of our accomplishments and updates because they are well worth sharing.

At the top of the list is PSA's ranking as one of the "Best Places to Work" in Federal Government, based on results of the 2012 Federal Employee Viewpoint Survey. Though we are a small agency, we are committed to hiring a diverse

workforce, promoting an inclusive work environment, and providing opportunities for professional development – all of which ensure that our employees are able to carry out our Agency mission effectively. PSA also was recognized with two awards from the U.S. Department of Defense for our support of employees who are Guard and Reserve service members.

In the area of Operations, there are several changes in our treatment programs. Most notably, PSA decided to discontinue offering New Directions as a release option, a change based on evidence-based practices that will enable us to better achieve our treatment-related strategic objectives. We also said farewell to Judge Weisberg as the Presiding Judge of the Drug Court, which underwent significant transformation under his leadership. We welcome Judge Jackson as the new Presiding Judge of the Drug Court.

To expand the options and services available to defendants in the District, PSA began contracting with the D.C. Department of Corrections to provide halfway house beds for U.S. District Court defendants and is participating in a new Citation Arraignment Pilot Program. I also am pleased to announce that we now are able to offer translation services for defendants in 140 languages.

I've also had several opportunities to participate in special events with our justice system partners and colleagues – including welcoming the 650+ conferees of the National Association of Pretrial Services Agencies to the nation's capital and, as a Board Member of the Council for Court Excellence, interviewing D.C. Councilmember Tommy Wells, who is the new Chair of the Judiciary Committee.

I invite you to learn more about these efforts and many others in the pages that follow.



PSA Is One of the Best Places to Work – It’s Official



Aren’t you ready to finally read something about Federal Government employment, specifically here at PSA, that’s positive? Here it is: the results of the Federal Employee

Viewpoint Survey (FEVS)

published in November 2012 by the Office of Personnel Management (OPM). The 2012 Best Places to Work Rankings, which are based on the FEVS data, were published in December by the Partnership for Public Service, “a nonprofit, nonpartisan organization that works to revitalize our Federal Government by inspiring a new generation to serve and by transforming the way government works”¹.

*By Rebecca Childress,
Senior Management
and Program Analyst,
Office of Human
Capital Management*

For the first time ever, OPM also released sub-agency data to the Partnership for Public Service, allowing them to rank sub-agencies or components within larger agencies and compare them to each other.

For years, PSA has awaited

these comparisons to see how we compare to other, similarly situated agencies. So I’ll bet that you’re thinking the same thing I was thinking: how’d we do? The quick answer is that PSA ranked overall #10 out of 292 agency subcomponents. But don’t stop there. It’s important to know all of what goes into that ranking.

The FEVS is not new. In Fiscal Year 2004, the National Defense Authorization Act established a requirement that each executive agency within the Federal Government participate in an annual employee survey to assess:

1. Leadership and management practices that contribute to agency performance; and
2. Employee satisfaction with
 - Leadership policies and practices;
 - Work environment;

- Rewards and recognition for professional accomplishment and personal contributions to achieving the organizational mission;
- Opportunity for professional development and growth; and
- Opportunity to contribute to achieving the organizational mission.

This law established regulations that became effective on January 1, 2007, and specified questions that must be included in the survey. Initially, OPM conducted this survey for the entire workforce only in even years; but, realizing the value of the data, began conducting the survey every year beginning in 2010.

You may recall that the FEVS for FY 2012 was launched for all PSA employees on April 30, 2012, and closed on June 11, 2012. The survey was administered across the Federal Government, to include all full-time permanent CSOSA and PSA employees. Over half of PSA’s employees (55.7%) responded. These respondents provided important feedback that were used to create and revise strategies, policies and services to ensure the organization has the human capital environment needed to help employees accomplish their jobs and achieve the Agency’s mission.

While the FEVS includes questions across a broad range of topics (e.g., personal work experiences and satisfaction with benefits) the most significant questions focus on leadership, performance, talent and job satisfaction. OPM organizes the responses to these questions into index scores, which provide a general idea of how an agency performs in these areas. Joe Davidson, a Washington Post columnist, described these elements most simply in his article published in 2009²:

“-- The leadership index indicates how highly, or not, employees of an agency regard their leaders.

-- The performance index indicates how much workers in an agency believe it promotes improvements in processes, products and services.

-- The talent index indicates the degree to which staffers think an agency has the talent needed to achieve its goals.

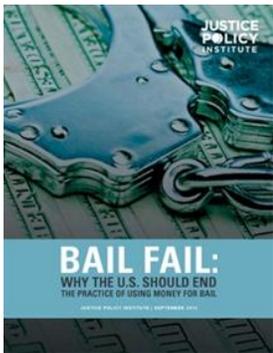
This article continues – [Click here](#) or turn to page 13.

[Back to Contents](#)

¹ <http://www.ourpublicservice.org/OPS/>

² <http://www.washingtonpost.com/wp-dyn/content/article/2009/03/12/AR2009031203611.html>

Freedom and Money – Bail in America



The Justice Policy Institute (JPI) published three reports that highlight key differences between Washington, D.C.’s bail system and bail setting nationwide. Released in September 2012 as part of JPI’s “Bail Month” initiative, *Bail Fail, For Better or for Profit* and *Bailing on Baltimore*, analyze the use of money bail and its debilitating effects on public safety, defendant rights, and justice system resources.

Bail Fail: Why the U.S. Should End the Practice of Money for Bail shows how the average bail amount on pretrial detainees has more than doubled over the past 20 years, despite evidence that higher bail amounts do not

*By Spurgeon Kennedy,
Director,
Office of Strategic
Development*

promote public safety nor court appearance. The report also details how rising bail amounts are a primary driver of jail population growth, which now average over 62 percent pretrial detainees.

For Better or For Profit: How the Bail Bonding Industry Stands in the Way of Fair and Effective Pre-Trial Justice explores the growth of the commercial bail bonding industry, its increasing influence in the administration of justice, and the corruption that historically has plagued the industry. Its authors estimate that there are approximately 15,000 bail bond agents in the United States, writing about \$14 billion worth of bonds annually. Backed by multibillion dollar insurance companies, the for-profit bail bonding industry maintains its hold in the pretrial system through political influence. The report includes recommendations to abolish for-profit bail, promote more use of pretrial services programs, and require greater transparency within the bail bonding industry.

Using money in exchange for freedom, in the form of money bail for release pretrial, is unfair and ineffectual, according to Baltimore residents interviewed for JPI’s final report, *Bailing on Baltimore: Voices from the Front Lines of the Justice System*. The report explains how money bail discriminates against low-income communities, with serious consequences for them and

their families, and how for-profit bail bonding undermines the judicial system. Interviews gathered the perspectives of residents who have been through the city’s pretrial justice system, practitioners from pretrial service agencies and both prosecuting and defense attorneys. According to JPI Executive Director Tracy Velázquez, “by conveying how lives are affected by the bail system in Baltimore City – and around the nation – we hope the reports will be a catalyst for policy reforms and system improvements.”

“The Baltimore bail system relies almost exclusively on financial terms of release, or money bail, which means that someone’s financial resources are a major factor in determining whether they have to sit in jail pending trial,” said *Bailing on Baltimore* author Jean Chung, who produced the report as an Emerson Hunger Fellow with JPI. “It’s a system that disproportionately locks up low-income people and perpetuates the vicious cycles of poverty and incarceration in those communities. It’s a failure. It’s unfair.”

Proponents of bond-for-profit argue that financial incentives are indispensable to assure that defendants appear in court as required. If they’re right, then the outsourcing of release and detention authority to private bail interests done in most courts across the country is justified—and the resulting inequities found by JPI and others would be the unfortunate but necessary costs of doing business. However, the facts show that this simply isn’t true. Every day in jurisdictions across the country, thousands of defendants appear for scheduled court dates and remain arrest free while in the community. Many of these defendants are released simply on their promise to appear in court or on some type of pretrial supervision, but without the financial incentive many argue incorrectly is crucial.

These daily unspectacular success stories show that money is not the key to ensuring court appearance and safeguarding the community. If you follow where the facts lead, you will understand that the premise that supports financial bail is wrong and the system it supports antiquated and indefensible. Money simply is not the great motivator of pretrial behavior and is inappropriate to the level and types of risk most pretrial defendants present. There clearly are better and fairer ways to ensure court appearance and safeguard the public. ***This article continues – [Click here or turn to page 14.](#)***

[Back to Contents](#)

New Street Drugs Present Testing Challenge



There's a relatively new class of synthetic designer drugs being used as popular substitutes for marijuana. These synthetic cannabinoids are known by many names, including Spice and K2, as well as less popular street names like Bliss, Blaze, JWH -018, Yucatan Fire, Skunk, and Moon Rocks. They mimic the effects of marijuana and, even at low doses, may

result in serious adverse effects on users. Several different forms of these synthetic cannabinoids exist, and newer ones frequently are being synthesized and added to this class. This endless supply of newer and varied forms of the drug has resulted in the lack of a validated and standardized database of scientific

information on the metabolites and testing procedures. This makes identifying these drugs and their metabolites a daunting analytical challenge for laboratories.

*By Felix Adatsi, PhD,
Director,
Office of Forensic
Toxicology Services*

PSA has been doing drug testing in the District since the late 1970s. While the Office of Forensic Toxicology Services' (OFTS) laboratory is certified by the U.S. Department of Health and Human Services/CLIA and is staffed by professionals with credentials in forensic toxicology, forensic science, medical technology, chemistry and biology; it currently does not have the capacity for the large scale testing for these drugs.

Over the past two years, some progress has been made in the scientific community in identifying and testing some metabolites of these drugs. Some commercial laboratories have developed instrument-based, high throughput screening methods for synthetic cannabinoids. Only one company currently possesses a screening method that can be used on our in-house instrument. However, even this method is limited to the detection of only some of the metabolites that have been identified by the scientific community. Beyond screening for these compounds, the current method of choice for the confirmation of detected synthetic

cannabinoids involves the use of LC/MS/MS, which the PSA lab does not have, and is unable to rely on the sensitivity of our GCMS techniques to confirm these synthetic drugs.

Recently, OFTS embarked on using an immunoassay dip card testing method and successfully identified some of the metabolites of the synthetic cannabinoids. Analysis of a small number of specimens from defendants at lockup showed the presence of three of the metabolites associated with the use of synthetic cannabinoids. However, the use of the dip card method of analysis does not lend itself to large volume testing of specimens and may be better suited for use on an as needed basis or for spot testing. OFTS will continue its use of the dip card to screen specimens on an as needed basis while exploring the use of other instrument-based screening methods.

It must be emphasized that the dip card method can detect only three of the many metabolites likely to result from the use of synthetic cannabinoids. If a positive result is obtained from the dip card screening test and there is a need for confirmation, OFTS will facilitate confirmation testing by contacting a laboratory that has the LC/MS/MS instrument needed to test for synthetic cannabinoids. However, it is very costly to perform this confirmation and will be done in extremely rare circumstances.

Because of the growing number of these new synthetic compounds, lack of reference materials, and limited information on their metabolism, it has been difficult to adapt traditional methods of testing to identify these synthetic cannabinoids. However, OFTS will continue to monitor the progress being made in new screening methods and advances in LC/MS/MS for confirmation in order to eventually provide large scale testing of incoming specimens for the presence of synthetic cannabinoids. In the meantime, you are encouraged to contact OFTS for any additional information or guidance.

[Back to Contents](#)

The Honorable Frederick Weisberg Lays Down the Drug Court Gavel . . . Again



Judge Weisberg

On Thursday, December 20, 2012, the Honorable Frederick H. Weisberg presided over his final Superior Court Drug Intervention Program (Drug Court) Commencement and Progression Ceremony. These ceremonies are always memorable as they acknowledge the progress of individuals working to achieve lasting recovery from alcohol and

other drug addiction. However this ceremony was especially notable because it marked the close of a transformational two years for Drug Court under Judge Weisberg's leadership.

*By Terrence D. Walton,
PSA Treatment
Program Director*

Judge Weisberg began his two-year stint on the Drug Court bench in January 2011, just as Drug Court was preparing to undergo a comprehensive research assessment. This

assessment was procured by PSA and conducted by national experts to determine how fully Drug Court incorporated best practices. By the time he began his second year, the research assessment was complete and the program was faced with a slew of recommendations that described a good program that would have to be enhanced considerably to fully match best practices. It is perhaps ironic that the judge being tasked with changing the program, which hadn't been altered significantly since its inception in 1993, is the same judge who presided over that first Drug Court. Judge Weisberg's return to Drug Court would prove to be as significant as was his initial assignment nearly two decades earlier.

While never accepting any recommendation without scrutinizing carefully its research basis and considering its practical implications, Judge Weisberg and the multi-agency Drug Court Steering Committee agreed ultimately to implement nearly all of them. This meant that Drug Court would abandon scheduled drug testing in exchange for random testing for all participants. Drug Court would remove the blanket exclusion of defendants receiving methadone maintenance treatment. The Court, the Public Defender Service, and

Criminal Justice Act attorneys would develop a mechanism for designating a small number of defense attorneys to represent Drug Court participants. The U.S. Attorney's Office would offer Amended Sentencing Agreements for some felony defendants for the first time in Drug Court history. Defendants in Drug Court's first phase would receive more judicial contact—twice per month, instead of once. Treatment PSOs would represent their assigned defendants during Drug Court hearings, instead of relying on a single court representative. Drug Court would implement pre-court multi-agency staffings, which is standard in drugs courts and considered an essential, yet missing component. Finally, a larger array of both incentives and sanctions would be devised, with greater program flexibility in determining which response to apply.

It was no small matter for Judge Weisberg to preside over such significant changes in a program he helped create, especially without any mandate to do so. While these achievements weren't ignored at the December 20 ceremony, they were far from its focus. Instead, the ceremony was replete with tearful defendants expressing their gratitude to the judge in word, poem, song, and sometimes respectful silence. Perhaps one defendant stated it best when she gushed, "You always believed in me. You never gave up on me." The unscripted singing by two participants of the 1975 Motown classic, "It's So Hard to Say Goodbye to Yesterday," capped a morning of heart-felt tributes. The guest speaker for Judge Weisberg's final ceremony was Rodger "The Dodger" Leonard, one-time junior middleweight boxing champion and older brother to the famed boxer Sugar Ray Leonard. While recounting his own descent into drug addiction and his decades-long successful recovery, Leonard paid tribute to the eleven Drug Court graduates and the nineteen participants who were advancing for having the courage and willingness to change. For his years of service to Drug Court, his commitment to those battling addiction, and especially for his remarkable final year, PSA offers the same tribute to Judge Frederick H. Weisberg.



[Back to Contents](#)

The Honorable Gregory Jackson – New Drug Court Judge with a Distinguished Career of Public Service



Judge Jackson

In January 2013, the Honorable Gregory E. Jackson became the presiding judge in the Superior Court Drug Intervention Program (Drug Court). On January 7, he presided over his first Drug Court status hearing. Later that week, he led out in his first Drug Court team staffing. Two weeks later, on January 17, he sat for his first Drug Court Commencement and Progression Ceremony. And so began the latest chapter in what has been a distinguished legal career of public service.

*By Rashida Mims,
PSA Treatment Program
Special Assistant*

From 1986 to 1999, he has served as an Assistant U.S. Attorney for the District of Columbia (USAO). While functioning in various leadership programs at the USAO, he was asked to serve as the USAO liaison to the High Intensity Drug Trafficking Area (HITDA) Program project in the Metropolitan Police Department's Third District. Notably as liaison, he organized the USAO's participation in a student mentoring program. In 1999, Judge Jackson was appointed General Counsel for the D.C. Department of Corrections (DOC), where he received the DOC's Public Service Award in 2003 and 2004.

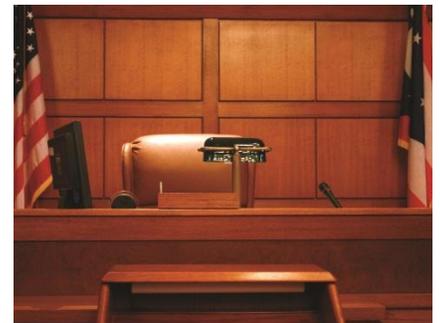
Judge Jackson was appointed to the District of Columbia Superior Court in 2005 by President George W. Bush. A native Washingtonian, his commitment to his community is indisputable. That commitment is in full display as he takes the Drug Court helm. Just prior to taking the Drug Court bench, Judge Jackson joined participants for an intensive outpatient treatment session, explaining that he wanted to get a sense of what the defendant experiences.

The tenor of Judge Jackson's Drug Court may have been foreshadowed by the words he penned for program participants at his first commencement and progression ceremony. He wrote, "Having served as a prosecutor, general counsel for the Department of Corrections and now as an associate judge, I have confronted issues regarding illegal drugs in our community for many years. In all my years of experience, I have never felt

more engaged than now, as the presiding judge of Drug Court, in addressing some of these problems." He concluded with words to the graduates that bode well for the lives of program participants and for the future of Drug Court. "As I observe each of you travel the path to recovery, I find great personal joy in watching you complete the program and graduate. Today is a new day, and each new day is the first day of the rest of your life. Live it well. You deserve it." PSA joins the District's criminal justice and treatment communities in welcoming Judge Jackson to Drug Court.

Halfway House Beds Now Available to U.S. District Court Defendants

In response to a need expressed by the U.S. District Court, PSA enter into a Memorandum of Understanding with the D.C. Department of Corrections (DOC) in August 2012 to procure bed space for Federal pretrial defendants arrested and ordered by the U.S. District Court into halfway houses as a condition of pretrial release. By providing this contracted service, PSA has expanded the options available to the Court for higher risk defendants that are eligible for release into the community, but otherwise would face detention.



[Back to Contents](#)

New Directions: More Than a Decade of Effective Treatment Interventions Nears Its End



In 2000, PSA launched the New Directions Intensive Treatment and Supervision Program (New Directions) as an alternative to Drug Court for those

defendants with more extensive criminal histories and more advanced substance involvement. Today, such a defendant population is characterized as higher risk and higher need. Since its inception, New Directions staff members have supervised and treated hundreds of these defendants successively. However, in order to better achieve PSA's treatment-related strategic objectives and consistent with PSA's commitment to adopting evidence-based treatment practices, PSA has

decided to discontinue offering New Directions as a PSA release option as of February 1, 2013.

*By Terrence D. Walton,
PSA Treatment
Program Director*

The newly enhanced Superior Court Drug Intervention Program (Drug Court) has been redesigned to better meet the

needs and minimize the risks associated with the higher risk, higher need population that would have been placed in New Directions. Drug Court is a program with centralized and closer judicial oversight, swifter and more certain responses to infractions, and a more robust array of incentives and sanctions to shape participant behavior. PSA expects that the discontinuation of New Directions will result in more defendants being placed in the evidence-based Drug Court program. Accordingly, all resources now dedicated to New Directions are being reallocated to Drug Court.

Drug Court is a model supported by extensive national research. According to the National Association of Drug Court Professionals (NADCP), "In the twenty years since the first Drug Court was founded, there has been more research published on the effects of Drug Courts than on virtually all other criminal justice programs combined.

This article continues – [Click here](#) or turn to page 14.

Exploring New Diversion Opportunities

PSA is participating in a new Citation Arraignment Pilot Program with the D.C Superior Court, United States Attorney's Office, Metropolitan Police Department (MPD), and defense bar that was launched in October 2012. This Pilot Program is geared toward defendants released on citation for U.S. misdemeanor charges originating in the Third Police District (3D). The purpose is to identify citation defendants with specialized needs earlier in the process, allowing an opportunity for earlier intervention. Defendants released on citation in 3D by MPD are scheduled to report to the D.C. Superior Court on a predetermined date (typically a Thursday) set by the Court. Judge Marissa Demeo is the assigned judicial officer to hear these cases.

*By Keelon Hawkins,
Manager, and
Janeth Munoz,
Special Assistant,
Drug Treatment and
Compliance Unit*

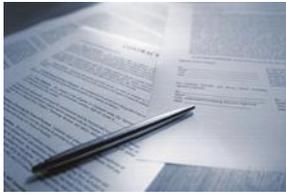
Prior to arraignment, the Diagnostic Unit staff screen these defendants to determine preliminary eligibility for the Superior Court Drug Intervention Program (Drug Court) and Mental Health Community Court (MHCC). On the arraignment date, the DTCU staff are stationed outside the courtroom to meet with each defendant to conduct a social needs screener and refer the defendant for a citation drug spot test. Once the results are ready, PSA provides the Court with a Pretrial Services Report that includes the defendant's criminal history, drug test results, and a statement regarding whether the defendant appears to be eligible for Drug Court or MHCC.



[Back to Contents](#)

PSA Surveys Its Primary Customer

PSA released its 2012 Judicial Survey Report, which presents findings from our biannual survey of judicial officers from the D.C. Superior Court and U.S. District Court.



PSA considers the judicial officers in both the D.C. Superior Court and U.S. District Court to be its most critical stakeholder in helping the Agency fulfill its mission

and objectives. We value judicial feedback and place great emphasis on the recommendations made by the judges when considering enhancements to our overall services. To gather this information, PSA has conducted a biennial survey with judges from both courts for the past ten years. The purpose of the survey is to gauge judicial satisfaction with the overall quality and performance of PSA in providing services and support to the Courts, as well as to seek recommendations for improvement.

*By Laura E. House, PhD,
Senior Program Analyst,
Office of Strategic
Development*

Overall, judges from both courts reported that PSA provides quality, beneficial information that assists them in making sound decisions regarding defendant release conditions. In addition, judges indicated that PSA provides an array of services that support their decisions to address appropriate release conditions and defendant needs. A full report of findings is available at <http://www.psa.gov/insidetheagency/FY2012JudicialSurvey.pdf>.

Major survey highlights include:

For D.C. Superior Court

- An overwhelming majority of judges are satisfied with PSA services. Specifically, they are satisfied with the array of PSA services, including supervision options, electronic surveillance, drug testing, and substance abuse treatment services.

This article continues – [Click here](#) or turn to page 15.

PSA Now Available in 140 Languages

In an effort to become even more effective in our work with defendants, PSA recently began providing telephone interpreting services to assist in communicating with defendants who have limited or no ability to speak English. This vital service will facilitate more effective communication between the PSA and defendants, or other collateral contacts, when PSA staff are not available to provide translation services. PSA has staff available to translate for 9 languages. This contracted service provides language translation for more than 140 languages, 24 hours a day and every day of the year.



A Chat with DC Council Judiciary Committee Chairman Tommy Wells

In his capacity as a Board Member of the Council for Court Excellence, PSA Director Cliff Keenan was asked to interview D.C. Council Member Tommy Wells, who recently was appointed to chair the Committee on the Judiciary and Public Safety. They talked about priorities across the District's justice system. To read the interview, visit <http://www.courtexcellence.org/news-events/wells>.

[Back to Contents](#)

PSA Director Welcomes NAPSA to the Nation's Capital

In September 2012, Washington, DC, hosted for the National Association of Pretrial Services Agencies' 40th Annual Training Conference, which had the theme: "Honoring our Past, Soaring into the Future." PSA Director Cliff Keenan welcomed the 650+ participants from around the nation with these opening remarks:

I am proud and honored to be standing before you as Director of the Pretrial Services Agency for the District of Columbia, one of the finest law enforcement agencies in the United States. Our mission is to promote pretrial justice and community safety by assisting judicial officers in making appropriate pretrial release decisions and providing supervision and services to those who are released to the community - I am so proud of the staff of PSA who live by and carry out that mission every day. On behalf of all of the men and women of PSA, welcome to our town.

I am also proud to be a part of the D.C. criminal justice system, one of the best criminal justice systems in the country when it comes to pretrial justice because we do it right – money doesn't control who's in jail and who is not.

And it's not just me who will say that – tomorrow you will hear from Chief Judge Eric Washington of the D.C. Court of Appeals, the highest ranking judicial officer in the city. And on Tuesday you will hear from United States Attorney Ronald Machen, the top prosecutor and chief law enforcement officer for the city. They too will say we do it right.

*For those of you who don't know me, I always had an interest in criminal justice and started my career in law enforcement in this city over 38 years ago as a D.C. cop. **This article continues – [Click here or turn to page 15.](#)***

Supporting Our Citizen Warriors

The U.S. Department of Defense recognizes employers who support their Guard and Reserve employees with an Employee Support Guard and Reserve (ESGR) Award. In 2012, PSA was honored with two ESGR Awards – The *Above and Beyond Award* and the *Patriot Award*.



The *Above and Beyond Award* is the highest award presented to a limited number of agencies by the State Chair and recognizes employers at the local level who have gone above and

beyond the legal requirements of the Uniformed Services Employment and Reemployment Rights Act (USERRA). PSA's award was based on the nomination letter submitted by Colonel Michael Arizmendi, PSA's Court Services Deputy Program Director, documenting how PSA and its former Director, Susan Shaffer, have supported him and other employees on active military duty. The award was presented by a 2-Star General at a public ceremony honoring peer agencies.

The second ESGR Award is the *Patriot Award*, which recognizes individual supervisors as nominated by a Guardsman or Reservist employee for support provided directly to the nominator. For this award, First Sergeant Dagmar Torres, Diagnostic Pretrial Services Officer, nominated Tracey Palmer, Diagnostic Unit Supervisor. Ms. Shaffer and Ms. Palmer were recognized formally by ESGR at a ceremony held at PSA.

Says ESGR, "Our Nation has relied heavily on Guard and Reserve service members since entering continuous operations more than a decade ago. Employer support enhances retention rates in the Armed Forces and in the end, strengthens our national security." PSA is honored to be recognized in this way and will continue to support its Citizen Warriors.

[Back to Contents](#)



Getting Closer to the End



In the next several months, the Office of Information Technology, in collaboration with the Office of Operations, plans to release four of the five remaining modules to PRISM (Pretrial Real-time Information System Manager), PSA's operations management information system. This will be the largest deployment of new functionality to PRISM 4.0. Below

is a summary of the features to be released.

Dashboard. The Agency requires conducting daily and weekly tasks while supervising defendants on release. Many of these tasks are time-sensitive. This requires a PSO to prioritize his or her workload. The Dashboard module assists PSOs in the prioritization and completion of their work. The PRISM 4.0 Dashboard consolidates many PSO daily tasks into one centralized location so that they can be prioritized and completed in accordance with current policies, procedures and management instructions.

*By Ron Hickey,
Director, Office of
Information Technology,
with OIT staff
Diana Lowery
and Hy Tran*

Case Review. The Case Review Module consolidates defendant information from existing PRISM modules into one screen. The Case Review Module assists the PSO with conducting the initial review, upon receipt of a newly assigned case and performing the required periodic case

reviews, in accordance with the Agency's policies and management instructions. PSOs conduct case reviews to gain a comprehensive view of a defendant, the defendant's compliance, and to update defendant information.

Response to Defendant Conduct. The Response to Defendant Conduct (RTDC) module provides a single location for PSOs to record responses to defendants' compliant and non-compliant behavior. This module will replace the current Sanctions and Incentives module.

This article continues – [Click here](#) or turn to page 16.

PSA Launches Child Care Subsidy Program



In October 2012, PSA launched its Child Care Subsidy Program that will help eligible employees offset some of the many expenses associated with getting high quality child care. Several years ago, Congress approved a program allowing Federal agencies to use appropriated funds

to provide childcare tuition assistance to their lower-income employees. PSA is one of several Federal agencies taking advantage of this program to offer these vital benefits to our employees.

The child care subsidy is available to full-time or part-time Federal employee with a child in a licensed home care or licensed childcare facility. Employees who meet the certain criteria may receive monetary assistance for qualified, licensed child care expenditures.

Exceeding Our Goal Once Again

Every year, PSA and CSOSA collaboratively participate in the Combined Federal Campaign (CFC) and, as usual, we exceeded our goal in 2012. Together, we raised more than \$193,000 which far exceeded the overall campaign goal of \$164,800. PSA achieved 119.7% of our Agency goal, which resulted in over \$59,280 raised for local, national and international charitable organizations.



This was made possible by the many PSA and CSOSA Key Workers, Event Coordinators and Campaign Managers who volunteered to organize these efforts – and, of course, by the generosity of our many employee donors.

[Back to Contents](#)

Diversity and Inclusion Council Sets Priorities for the Present and Future



President Barack Obama values the strength the United States derives from the diversity of its population and from its commitment to equal opportunity for all. By *Executive Order 13583, Establishing a Coordinated Government-wide Initiative to Promote Diversity and Inclusion in the Federal Workforce*, the President calls upon the entire Federal executive branch to lead the nation by demonstrating its commitment to equal opportunity, diversity, and inclusion. In response, PSA and CSOSA established a Diversity and Inclusion (D&I) Council in October 2012. The Council will assist

*By Ian Pannell,
Deputy Director,
Office of Human
Capital Management*

and guide PSA and CSOSA in our efforts to achieve the objectives of the Executive Order by promoting diversity, inclusion, and innovation throughout our operations. This will include all aspects of our work, from hiring

and promotion practices, to training opportunities, as well as to the way we conduct ourselves each and every day.

During the inaugural D&I Council meeting, participating leaders established a three-part Diversity Action Plan that will operationalize diversity and inclusion in real-time. Using routine workforce lifecycle phases, the Agency seeks to capture appropriate data during employee entry, with the Federal Employee Viewpoint Survey (FEVS) annually, and at separation/retirement to evaluate the effectiveness of the Diversity Action Plan. This Council ultimately will serve as an active communications network between our workforce and leadership to address common issues, and as a forum to share information and monitor progress in key areas.

The D&I Council has three subcommittees that will study the following trends in workforce diversity, workplace inclusion and sustainability. The D&I objectives that align with the studies above include: 1) collecting and analyzing applicant flow data to evaluate the effectiveness of diversity outreach efforts; 2) developing various tools to measure employee

This article continues – [Click here](#) or turn to page 17.

PSA Director Named Vice-Chair of PJI Board

In January 2013, PSA Director Cliff Keenan was named as Vice-Chair to the Board of Trustees for the Pretrial Justice Institute (PJI). PJI is the nation's only nonprofit organization dedicated to ensuring informed pretrial decision-making for safe communities. PJI was founded in 1977 and PSA has had an ongoing supportive association with this organization over the many years of our existence. Cliff will serve alongside PJI's new Board Chair, the Honorable James Carr, Senior U.S. District Court Judge from Ohio.

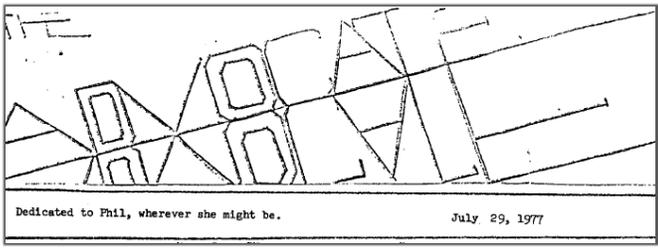


PSA's RAD Becomes Office of Strategic Development

PSA's Office of Research, Analysis and Development (RAD) has become the Office of Strategic Development. This is the final step in restructuring the office along the mission-critical areas of strategic planning, performance improvement, outcome and performance measurement, data analysis and evaluation, and support of performance-based budgeting. This reorganization will help PSA better utilize the information that can ensure positive outcomes in these critical areas, track progress under our strategic enhancements and objectives, and conform to Federal mandates for overall agency performance improvement and quality control.

Strategic Development's Office Director, Spurgeon Kennedy, will continue as the Agency's Performance Improvement Officer and will assist our Chief Operating Officer, Leslie Cooper, in driving performance improvement efforts across the organization.

[Back to Contents](#)



The Advocate – It's Come a Long Way

After more than 35 years of publication, The Advocate in its current form will be no more. This is the final version of PSA's newsletter to be published as a document. After this, we will be publishing an online version of feature stories and Agency updates.

The Advocate has been published as PSA's newsletter since the 1970s. The earliest copy we could find is from July 29, 1977. The banner is hand-drawn (see above) and the text is type-written. Back then, there were about 42 staff and The Advocate was a light-hearted document that, while sometimes informative, was more so intended to entertain and engender the family-like culture of the Agency. It included "reporting" that took creative liberties with the facts, allowed offerings of personal advice, and had a sports editor listed on the newsletter "staff". Needless to say, it rarely was seen outside the Agency.

All these years later, PSA is now a Federal agency with 378 employees, and The Advocate has become a tool for sharing Agency highlights and accomplishments internally as well as externally with our stakeholders and pretrial colleagues throughout the country.

Now we are taking it to new heights. Consistent with going green and new technologies, we will publish The Advocate online and no longer produce a hardcopy document. We are redesigning our public website and when it launches this spring, we will send an announcement for the new website and our first "issue" of *The Advocate for Pretrial Justice* online.

As ever, *The Advocate for Pretrial Justice* will remain a platform for highlighting PSA's unique role in the District's criminal justice system and sharing our accomplishments toward fulfilling our mission.

Taking Evidence to Practice

PSA's Office of Strategic Development (RAD) has launched its Evidence to Practice Series – an internal seminar series designed to enhance management's ability to use measurement and other data to improve performance and get results. Four nationally recognized experts are scheduled to speak on the topic. The series is open to all PSA employees, and limited seats also are available to our justice partners.

The first session held in January featured **Performance Measurement and its Influence on Culture, Leadership, and Decision-Making** presented by Ted Kniker, Executive Director of Performance Institute.

Future sessions include:

Performance Measurement: A System Approach to Government, Drugs, and Crime presented by Dr. John Carnevale, President of Carnevale Associates, on Tuesday, March 5, 2013.

A Holistic and Systemic Approach to Performance Measurement and Evaluation presented by Dr. Kathy Newcomer, Director of the Trachtenberg School of Public Policy and Public Administration at the George Washington University, on Thursday, May 2, 2013.

Enhancing Performance Measurement and Evaluation in Treatment and Criminal Justice presented by Dr. Doug Marlowe, Chief of Science, Law and Policy at the National Association of Drug Court Professionals, on Tuesday, July 9, 2013.

If you are interested in attending, please contact Claire Fay at 202-220-5553 or claire.fay@psa.gov.



[Back to Contents](#)

Continued from page 2: PSA Is One of the Best Places to Work – It’s Official

-- The job satisfaction index...indicates how satisfied employees are with their jobs.”

Responses are aggregated to achieve an overall score in each area and are used to evaluate an agency’s human capital strategies. PSA’s scores and government-wide scores for the four indices are indicated in the table.

2012 OPM Indices		
Index	PSA score	Government-wide score
Leadership	72	60
Performance	62	53
Talent	72	59
Satisfaction	72	66

It’s clear, based on OPM’s indicators, that PSA’s employees respond more positively to the questions included in the index scores than do the employees of other agencies. In addition, almost across the board (about 94% of the questions), PSA’s positive response rates to individual questions were higher than those of the Federal workforce in general. A copy of PSA’s responses to each question along with the 2012 government-wide responses and PSA’s responses from previous years is available online at <http://www.psa.gov/insidetheagency/2012annualemployeesurvey.pdf>

The Partnership for Public Service took the data analysis a bit farther, scoring agencies and subcomponent agencies across a wider range of dimensions to include strategic management, training and development, work/life balance and support for diversity among others.³ You can view PSA’s scores across the Partnership for Public Service dimensions and how PSA ranked in comparison to other subcomponent agencies online at <http://bestplacestowork.org/BPTW/rankings/detail/FQ02>.

In case you haven’t heard, PSA ranked overall #10 out of 292 agency subcomponents. What the attached data show is that PSA was #1 on work/life balance, in the top 5% in training and development and support for diversity, and in the top 10% on effective leadership (in general and specifically by senior leaders and supervisors) and strategic management. Frankly, that’s an amazing showing.

The Partnership for Public Service’s analysis indicates that leadership is the most important factor when it comes to driving employee satisfaction and commitment in the Federal Government. Clearly, the responses provided by PSA employees illustrate that the Agency has some clear strengths, among these leadership and talent management. These factors have contributed to PSA’s ranking on the Partnership’s dimensions.

To really make good use of these results, let’s also look at where we could improve. OPM also published a Summary Feedback Report for PSA that highlights our strengths and weaknesses based on comparisons with the overall Court Services and Offender Supervision Agency (CSOSA) scores and lists the survey items on which PSA had the greatest changes (both increases and decreases) in percent of positive ratings. That Summary Feedback Report is available online at <http://www.psa.gov/insidetheagency/PSAFEVSSummaryReport.pdf>. What you’ll notice is that we have more decreases in satisfaction than increases—much like the rest of the Federal Government⁴ and that we have a number of challenges. On the five questions listed under challenges, the percent of positive responses by PSA employees actually exceeded the percent of positive responses by the government-wide sample. However, the percent of PSA employees who provided negative responses to these questions indicates that we must pay attention to these issues.

Over the next year or so, we must focus on improving the things that we absolutely can change: our response to poor performance, recognizing differences in performance in a meaningful way, and closely tying awards to performance. You are encouraged to take a look at the Feedback Report and give it some thought. If you have ideas or insight into why PSA’s negative responses are so high in these areas or suggestions into how we might improve, please consider sharing

This article continues on the next page

³ For information on the questions that contribute to each dimension, visit http://bestplacestowork.org/BPTW/about/what_the_categories_measure.php.

⁴ <http://bestplacestowork.org/BPTW/analysis/>. See section on Job Satisfaction.

that with your Director’s Communication Advisory Council member so that it can be raised in those meetings. Another option is to schedule a meeting with the Agency Director during one of his “Idea Sessions” on Tuesday mornings from 8:30 to 10:30 AM. Ron Brown, Ian Pannell and I are also always eager to hear your suggestions about how we can improve.

While the OPM survey results are interesting, they’d be worthless if they weren’t used. These results provide us with “a mechanism to hold agency leaders accountable for the health of their organizations; serve as an early warning sign for agencies in trouble; offer a roadmap for improvement; and give job seekers insights into how Federal employees view their agencies.”⁵ I can assure you that PSA uses these results. PSA reports the results in Senior Executive Service evaluations (yes, Cliff’s and Leslie’s) and uses them to assess executive level performance. Traditionally, executive management has reviewed these results to get an idea of how well we’re managing our staff and to determine what steps should be taken to improve satisfaction and performance. That’s what they’re in the process of doing right now. So when you’re asked to participate in this survey (and we’ll be asking you to participate again this year according to OPM’s requirements), remember that this is one way you can make your voice heard.

[Back to Contents](#)

Continued from page 3: **Freedom and Money – Bail In America**

In Washington, DC, nearly 88% of defendants are released non-financially. In the rare cases where judges set financial bond (4%), it is nearly always cash bond. In our system, there’s no need for a commercial bondsman with the “extra financial incentive” to ensure a defendant’s appearance. Over the past five years, 88% of released defendants on average have made all scheduled court appearances and 88% on average remained arrest free while in the community pending trial. Ninety-nine percent (99%) of released defendants were not rearrested on a violent crime while in the community. Eighty-five percent (85%) of released defendants remained released while their cases were pending without a revocation of release or supervision. Conversely, around 12 to 15% of defendants on average are detained by statute throughout case adjudication. These defendants either met specific statutory requirements for detention following a full due process hearing or were found by a court to be too risky for release.

It didn’t happen overnight, but locally, we have created legal and cultural expectations that, as stated by former Chief Justice William Rehnquist, liberty pretrial is the norm and that detention prior to trial the carefully limited exception. This success is due in large part to local and Federal bail statutes that outline acceptable detention eligibility and restrict money bail usage, a risk assessment that categorizes defendant risk for failure, supervisions options that match these risk levels, and tracking of relevant outcome and performance measures. The result is a bail system that should be a model for other jurisdictions and proof that money has no place in the discussion about pretrial liberty.

You can find the JPI reports at the organization’s website, www.justicepolicy.org.

[Back to Contents](#)

Continued from page 7: **New Directions: More Than a Decade of Effective Treatment Interventions Nears Its End**

The scientific community has put Drug Courts under a microscope and concluded that Drug Courts work.” When servicing higher risk, higher need participants, “Drug Courts significantly reduce drug use and crime and are more cost-effective than any other proven criminal justice strategy.” (See allrise.org for research details.) Through its internal

This article continues on the next page

⁵ <http://bestplacestowork.org/BPTW/about/>

analysis, PSA has found that PSOs are more successful in being able to respond consistently to defendant behavior in Drug Court than in New Directions. As compared to New Directions, Drug Court participants have significantly higher successful completion rates. Also, PSA defendant focus groups have shown reliably that interaction between the Drug Court judge and the participants is integral to their success.

Today's Drug Court is more prepared than ever to become the preferred option for many felony-charged defendants who might otherwise have been placed in New Directions. The recent expanded use of Amended Sentencing Agreements that permits some Drug Court felony defendants to be convicted and sentenced as misdemeanants should be of particular benefit. The process of discontinuing New Directions will complete when the last of the current New Directions participants leaves the program. While ending New Directions has been long contemplated, beginning this process in February has led to healthy dose of nostalgia for all involved. However, PSA is enthusiastic about this transition.

[Back to Contents](#)

Continued from page 8: **PSA Surveys Its Primary Customer**

- A large majority of judges reported that PSA is highly responsive in addressing their concerns and issues and are satisfied with their ability to contact Pretrial Services Officers (PSOs) and supervisors regarding concerns. In addition, the judges indicated that PSOs are resourceful and helpful in the courtrooms and present when needed.
- A large majority of the judges indicated that PSA's reports and information are helpful in decision-making. Judges did, however, request that PSA ensure that all reports are sent timely and checked for accuracy and quality.

For U.S. District Court

- All judges reported that they are satisfied with PSA services.
- A majority of judges indicated that they are particularly impressed with the timeliness of Pretrial Services Reports, supervision strategies, electronic surveillance and drug testing.
- A high percentage of judges reported that they are satisfied with their ability to contact PSOs and supervisors to address and resolve concerns.
- While most judges reported that PSA's recommendations are helpful, some indicated that PSA should review its recommendations more carefully to ensure that they are clear and useful to the Court.

[Back to Contents](#)

Continued from page 9: **PSA Director Welcomes NAPSA to the Nation's Capital**

After almost 11 years there, I became an Assistant U.S. Attorney, a prosecutor, here in D.C. and stayed with them for almost 20 years. My job during all those years was to enforce the law.

Eight years ago the Operations Director position at PSA became open. While I had worked with Pretrial during my years as a cop and a prosecutor, and knew what a great Agency it was, I didn't really know what I was getting into when I decided to join them. I hadn't drunk that "Pretrial Justice Kool-Aid" as of yet.

My colleagues at MPD and the USAO started asking why I would be joining the "Dark Side," you know, getting people out of jail rather than keeping them locked up. It didn't take me long to realize that folks who work in

This article continues on the next page

Pretrial, as Judge Bruce Beaudin always says, are law enforcement officers – the laws we enforce are the bail laws. And we do it right and we do it well.

Some of you may say, “Sure – you’re D.C. You’re so big, you have so many resources, you have so many FTEs. We can’t do that.”

I can’t, and won’t, apologize for where we are today. But I do congratulate those who came before me, those who had the vision and the ingenuity and the talent to make things happen the way they have. We started as the D.C. Bail Agency 47 years ago with a supervisor and 5 interviewers, one of them being Bruce Beaudin, one of the pioneers of pretrial justice for whom NAPSA has named one of its highest awards. And through the years, it was individuals, people like you and me - the Bruce Beaudins, the Allen Henrys, the Tim Murrays, the John Clarks, the Jay Carvers, the Susie Shaffers - who brought us to where we are today. And they weren’t just handed what we have – they begged and scrapped and fought for the resources they needed to do the job of doing pretrial justice right.

For the work they did to get us here, I am so very grateful.

Our vision at PSA is to be a leader in the field of pretrial justice. We have always supported NAPSA, most recently through the wonderful work done by Miranda Boozer, Spurgeon Kennedy, and Susie Shaffer. I commit to you, as Director of PSA, to do all we can to further the goal of achieving true pretrial justice throughout these United States.

Last year, Attorney General Eric Holder convened the second Pretrial Justice Symposium, which came some 47 years after Attorney General Robert Kennedy convened the first Bail Reform Conference, both of which took place here in D.C. I’d like to read to you what Bobby Kennedy said on the opening day of that conference: “There is a special responsibility on all of us here, a special responsibility to represent those who cannot be here, those who are poor, those who are unfortunate – the 1,500,000 persons in the United States who are accused of a crime, who haven’t been yet found guilty, who are yet unable to make bail and serve a time in prison prior to the time that their guilt has even been established. For these people, for those who cannot protect themselves, for those who are unfortunate, we here, over the period of the next three days, have a special responsibility.”

“We here have a special responsibility.” The same can be said for us, not just over the next three days, but when we get back to our jurisdictions. My question: What are we, collectively, going to do about it? Better yet, what is each of us, individually, going to do about it? Are we going to seize this opportunity, given all that is going on in the field of pretrial justice, and finally get it right everywhere in the U.S.?

Out there among you is seated the next Bruce Beaudin, Joe Olgiatti, Jay Carver – it’s up to you - seize that opportunity.

Thank you, let’s have a great conference, and again, welcome to D.C.

[Back to Contents](#)

Continued from page 10: **Getting Closer to the End**

The module automatically displays any non-compliant events from the Drug Testing and Check-in Modules, and allows the manual addition of events that are not automatically populated from PRISM. It also allows PSOs to generate an Infraction Report and email the report to the Court.

Report Writing. PSA is statutorily mandated to inform the judicial officer and the United States Attorney for the District of Columbia or the Office of the Attorney General for the District of Columbia of any failure to comply with pretrial release conditions. PSOs generate and disseminate court reports in accordance with the Agency’s policy. Each report

This article continues on the next page

provides the Court with specific information regarding a defendant's compliance with their release conditions and outlines all Agency responses to the defendant's conduct. The PRISM 4.0 Report Writing module assists PSOs with creating, updating, and storing reports within PRISM. The module also allows for electronic supervisory review and approval of reports.

The last module to be released is the new Electronic Monitoring module. Plans are to release this module later in 2013.

Work recently started on PRISM 4.5. This project encompasses gathering user requirements and designing a technical solution to enhance the existing Risk Assessment and the Diagnostic Process. The project team includes key personnel in Court Services, OIT, and contractors. The new Risk Assessment is based upon the study done by the Urban Institute working with PSA's Office of Strategic Development. The various tasks in this project are described below.

Risk Assessment Implementation Enhancements. The Risk Assessment results will be displayed graphically, indicating where the defendant is in the supervision spectrum and how he/she compares to the rest of the defendant population. Functionality will be added to map scores to recommendations, giving the users the option to supplement and adjust them. PRISM will gain the ability to track recommendations made and compare them against the court-imposed conditions. The Pretrial Services Report will be enhanced to include new information and graphics.

Diagnostic Process Enhancements. The Diagnostic interview will be accessible by portable devices, such as tablets and/or mobile phones. PRISM will leverage the existing CSOSA interface with MPD to automate and map FBI NCIC External Criminal History information directly into PRISM client criminal history.

[Back to Contents](#)

Continued from page 11: **Diversity and Inclusion Council Sets Priorities**

perceptions of fairness, individual development and accomplishment; and 3) evaluating voluntary exit data to learn reasons for leaving from departing employees. These findings will be used to prepare various annual reports to OPM, EEOC and the Office of the President on how diversity contributes to mission accomplishment. In addition, PSA must report on diversity as it relates to the hiring of veterans, persons with disabilities, race and ethnic origins, and gender, as well as the grade levels these individuals are in.

As one step toward institutionalizing goal, PSA has expanded its vision statement to emphasize these two important dimensions for how we do what we do:

*To thrive as a leader within the justice system through a **diverse, inclusive and empowered workforce that embodies integrity, excellence, accountability, and innovation in the delivery of the highest quality services.***

According to the *OPM Message on Diversity and Inclusion*, diversity is important because, when we are able to draw on the wisdom and expertise of a workforce that reflects the population we serve, we are better able to understand and meet the needs of the American people. The PSA and CSOSA D&I Council has established a thorough roadmap to acquire and evaluate workforce diversity, workplace inclusion, and sustainability trends. These efforts will offer promising results for improving organizational performance, resulting in better value to customers, defendants, taxpayers, and other stakeholders.

[Back to Contents](#)

The Advocate is a publication of the Pretrial Services Agency for the District of Columbia.

633 Indiana Avenue, NW
Suite 1120
Washington, DC 20004
Phone: 202-220-5500
Email: The.Advocate@psa.gov
Website: www.psa.gov

Clifford T. Keenan, Director
Leslie C. Cooper, Deputy Director
Pam R. Hall, Editor