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Congressional Budget Justification And Performance Information

Fiscal Year 2012

District of Columbia

Pretrial Services Agency

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Resource Request and Summary of Change

Pretrial Services Agency

FY 2012 Budget Justification

	Permanent Positions	FTE	Amount \$(000)
FY 2010 Enacted Appropriation	378	378	58,552
FY 2011 Annualized Continuing Resolution (CR)	378	378	58,552
Adjustments to Base:			
Adjustments to Reach FY 2011 President's Policy			969
Adjustments to FY 2012 Base	0	0	240
Total Adjustments to Base	0	0	1,209
FY 2012 Base	378	378	59,761
Program Changes:			
Drug Testing Lab Relocation			1,000
Total Program Changes	0	0	1,000
Total Changes	0	0	2,209
 FY 2012 Request	 378	 378	 60,761
 Percent Increase over FY 2010 Enacted Appropriation	 0.0%	 0.0%	 3.8%

The total FY 2012 President's budget request for the Pretrial Services Agency (PSA) is \$60,761,000, an increase of 3.8%, or \$2,209,000 above the FY 2010 enacted appropriation. The FY 2012 budget includes \$969,000 in adjustments to reach the FY 2011 President's Policy Base, \$240,000 for FY 2012 non-payroll inflation adjustments, and \$1,000,000 for program changes. The requested program change covers the planning, design, and relocation of the PSA Forensic Toxicology and Drug Testing Laboratory (FTDTL). The program increase is necessary as a result of dislocation of the FTDTL due to the District of Columbia's intent to refurbish the building in which the FTDTL is currently located.

Justification for Program Change

Relocation of the Forensic Toxicology and Drug Testing Laboratory (FTDTL)

Initiative	Resources	FY 2011	FY 2012	Change from FY 2011
Relocation of Drug Testing Laboratory	(\$000)	0	\$1,000	\$1,000
	FTE	0	0	0

Background

As part of its core mission, PSA provides drug testing services in support of the District of Columbia Superior Court, the Federal District Court for the District of Columbia, and CSOSA. These services are provided by PSA's Forensic Toxicology and Drug Testing Laboratory (FTDTL), which is located at 300 Indiana Avenue (the Metropolitan Police Department building). Drug testing services are integral to the judicial process in the District of Columbia and to public safety. Drug testing provides much of the diagnostic and supervision information needed to ensure lower rearrest rates and defendant return for court appearances.

In FY 2010, FTDTL conducted 3,429,261 drug tests on 539,822 urine samples of persons on pretrial release, probation, parole, and supervised release, as well as for persons (juveniles and adults) whose matters are handled by the D.C. Family Court. Approximately 51 percent of pretrial defendants tested in FY 2010 had a least one positive test.

The District of Columbia has notified PSA that it plans to conduct a complete refurbishment of the building at 300 Indiana Avenue when internal funding is available. Although the exact date of commencement of the project is not yet known, the District of Columbia Office of Property Management (DCOPM) has notified PSA that it should plan to move its operations out of 300 Indiana Avenue within the next few years.

PSA has undertaken preliminary relocation activities, including development and submission to the General Services Administration (GSA) of the required prospectus. Discussions with GSA have also taken place in order to further understand and refine PSA's needs. The FTDTL currently houses 23 FTE in 8,238 square feet (9,474 square feet including shared common areas). Since its inception, the FTDTL has grown and acquired more sophisticated testing equipment and has outgrown its limited space. Laboratory supplies and specimens are currently stored in hallways as storage facilities and refrigeration facilities are filled to

capacity. Employee workspaces have been reduced to absolute minimums. PSA will take advantage of the forced move in order to acquire a modestly larger laboratory. An initial analysis has demonstrated a need for a laboratory with an area in the range of 10,000 to 11,000 square feet. Final laboratory dimensions will depend on the appropriate configuration of space identified by GSA, as well as lease costs at the new location.

PSA's relocation plans take into account the logistical and design challenges associated with the FTDTL's relocation. While the new laboratory is undergoing testing and certification, PSA will temporarily, and simultaneously, operate two laboratories. This will ensure that there will be no break in drug testing services to the Courts. The budget request includes resources commensurate with the movement and recalibration of delicate drug testing equipment, as well as the need to retain requisite design expertise. Because the relocated laboratory will have unique power, HVAC-venting, and water supply requirements, its design requires specialized Architect and Engineering (A&E) expertise. The new space requires a venue where other tenants in the building do not object to large volumes of urine specimens being transported through common hallways and elevators.

Summary of Requested Resources

PSA requests \$1,000,000 in FY 2012 to relocate the FTDTL. This amount includes the estimated costs of new space build out, laboratory design expertise, increased lease cost, contract assistance, and miscellaneous expenses. In order to offset anticipated additional rent costs at the new location, \$200,000 will be added to the FY 2012 base budget. Cost details are as follows:

- Architectural design work for the new laboratory - \$255,000
- New FTDTL construction, including special constructions for laboratories- \$500,000 - (Estimated at \$50 per square foot for 10,000 sq. ft.)
- Transportation of furniture, including deconstruction and reconstruction of system furniture - \$15,000
- Special transportation of laboratory equipment - \$5,000
- Deconstruction and disposal of refrigeration rooms in old laboratory - \$25,000
- Cost of permits and certifications at new laboratory- \$50,000
- Installation of utilities (telephones, computers) - \$50,000

- Unanticipated miscellaneous project costs. - \$100,000

Relationship to Strategic Plan

Continuation of the services provided by the FTDTL is paramount to mission success of the Agency. Drug testing provides much of the diagnostic and supervision information needed to ensure lower rearrest rates and defendant return for court appearances. This budget request supports Critical Success Factor 2 – Close Supervision; and Critical Success Factor 3 – Treatment and Related Services.

Budget Justification

PSA's mission is to assess, supervise, and provide services for defendants, and collaborate with the justice community, to assist the courts in making pretrial release decisions. PSA promotes community safety and return to court while honoring the constitutional presumption of innocence. This mission is the foundation of our organizational structure and the keystone for our strategic and budgetary initiatives.

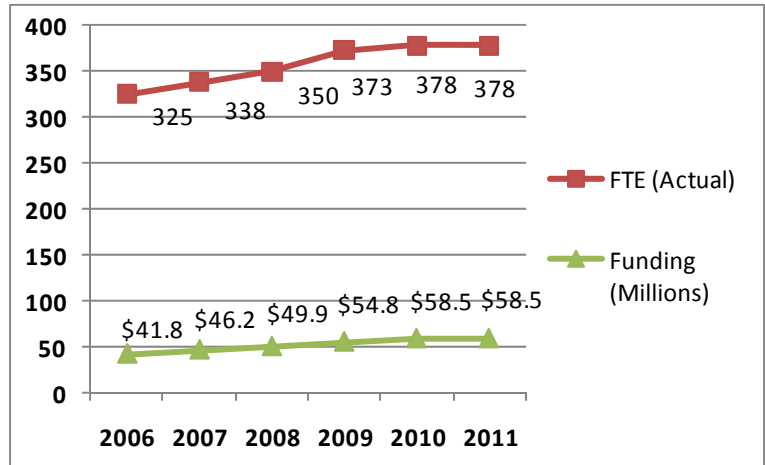
PSA celebrates its tenth year of existence in the Federal community this year and is a recognized leader in its field nationwide. This is due, in no small measure, to the resources—both financial and institutional—provided by the Federal government. These resources have allowed the dedicated employees of this Agency to achieve a remarkable level of success that keeps the community safer while safeguarding the rights of defendants.

To support its mission, PSA performs two critically important tasks that contribute significantly to the effective administration of justice:

- PSA investigates and presents demographic and criminal history information about newly arrested defendants and recommends release options for use by judicial officers and law enforcement agencies in deciding what, if any, release conditions are to be set; and
- PSA supervises defendants released from custody during the pretrial period by monitoring their compliance with conditions of release, bringing them into compliance through an array of supervision and treatment options, or alternatively, recommending revocation of release; and by notifying defendants about scheduled court hearings.

Funding History

PSA’s FY 2012 budget request is \$60,761,000, an increase of \$2,209,000 above the FY 2010 enacted appropriation.



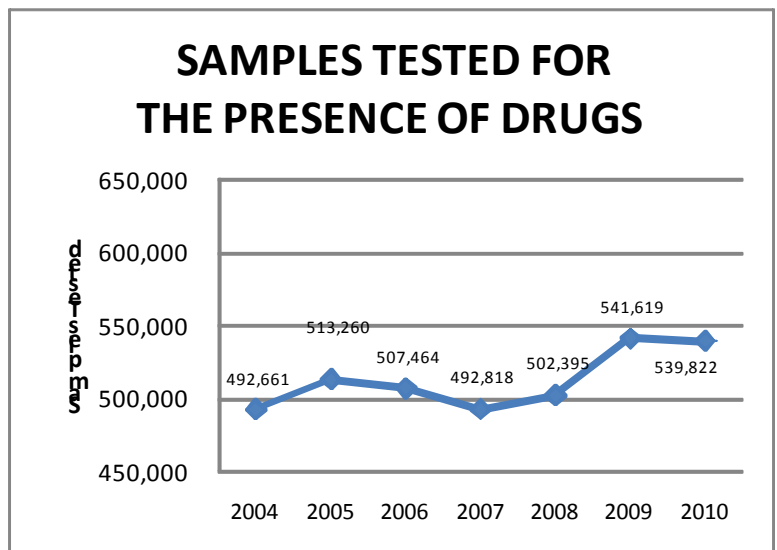
Supervision Caseloads

Defendants with extensive supervision conditions within the General Supervision Unit account for over half of all cases with pretrial conditions of release. Defendants who fall into this category have been charged with a range of offenses — from serious misdemeanors to dangerous and/or violent felonies. Even though many of the felony defendants potentially are eligible for pretrial detention based on their charge (e.g., robbery, burglary, aggravated assault) or criminal history (e.g., a pending case or on probation), the Court has determined that initial supervised release placement in the community under extensive conditions is appropriate and cost effective. The Court’s expectation, however, is that, in order to mitigate the risk to public safety while on pretrial release, conditions such as drug testing and regular reporting will be supervised closely by PSA, and violators will be reported promptly to the Court. Higher levels of supervision and treatment (“specialized supervision”) are requested as needed to reasonably assure compliance with conditions of release.

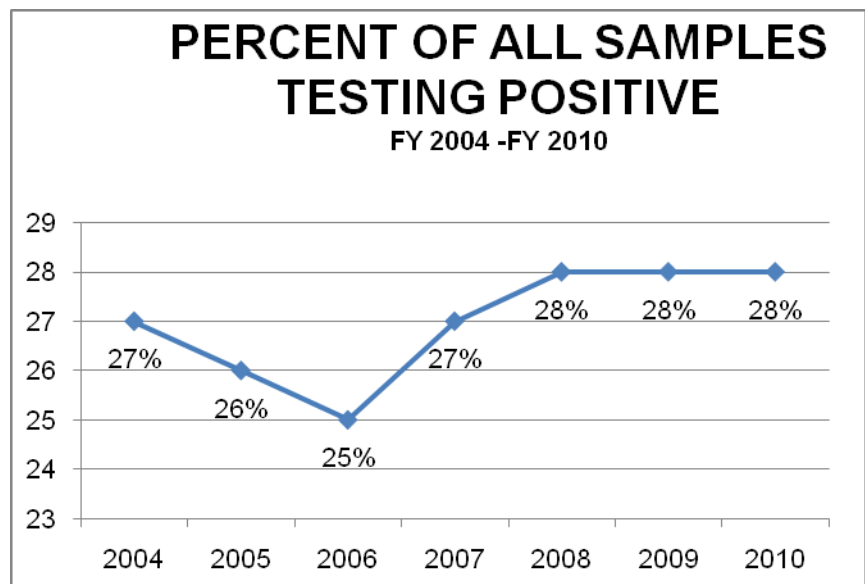
Supervision Caseload Ratios As of September 30, 2010			
Category	PSOs	Defendants	Ratio
General Supervision			
Condition Monitoring / Courtroom Support:	15	1,243	1:83
Extensive Supervision:	42	3,209	1:76
Subtotal – General:		4,452	
High Intensity Supervision	18	470	1:26
Specialized Supervision: (includes Drug Court, New Directions, SSU, and DCMTI)	37	1,628	1:44
U.S. District Court:	6	300	1:50
Total All:	118	6,850	

Drug Testing

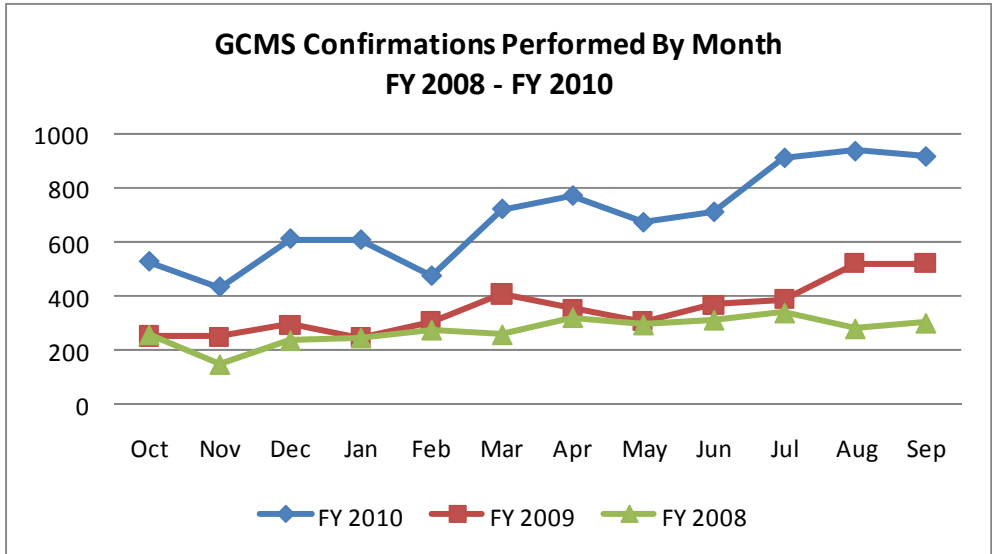
The PSA Forensic Toxicology Drug Testing Laboratory (FTDTL) conducts drug testing for pretrial defendants under PSA’s supervision and for offenders under Court Services and Offender Supervision Agency’s (CSOSA) supervision (i.e., probation, parole, and supervised release. During FY 2010, the FTDTL conducted 3,429,261 drug tests on 539,822 urine (and a few oral fluid) samples (each sample can be tested for up to seven different drugs) collected from defendants and offenders. The FTDTL operates 24 hours per day during the week and has extended hours on weekends.



The overall rate of samples testing positive has remained relatively level over the past six years. It should, however, be noted that this data includes both the high levels of positive testing of defendants tested at the time of lockup (approximately 40% for opiates, PCP and Cocaine) as well as the lower level of positive results from the supervised defendant and offender population included in these percentages.

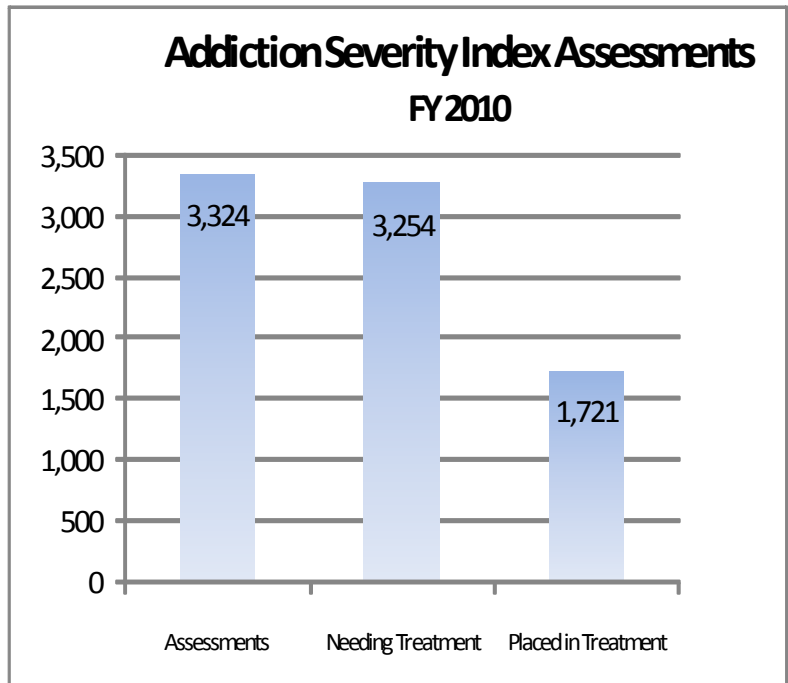


The chart below reflects the increasing number of GCMS tests that PSA’s drug testing laboratory performs to confirm positive test results to ensure the quality of information provided to the Courts.



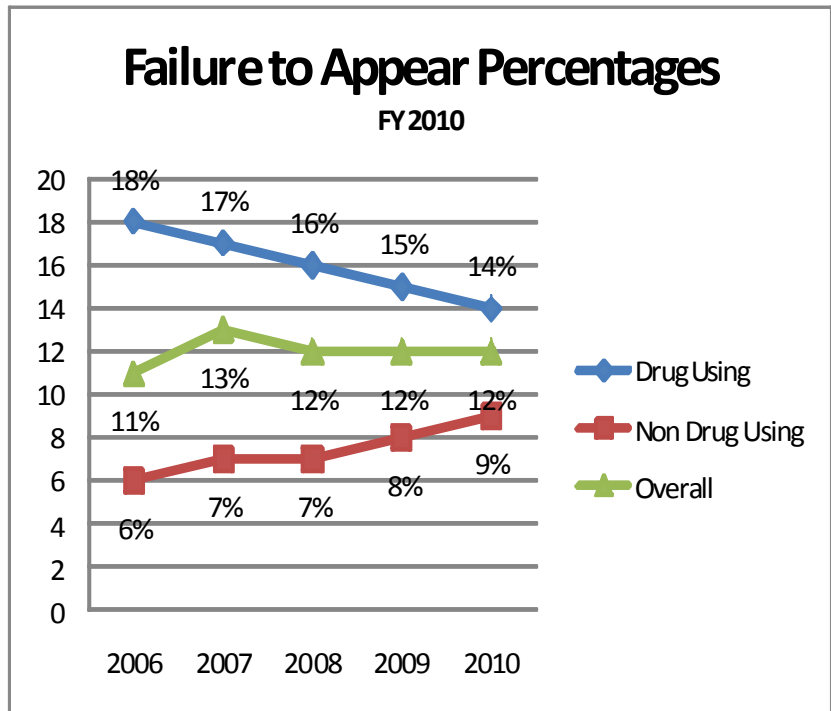
Drug Treatment

During FY 2010, PSA conducted 3,324 initial Addiction Severity Index (ASI) assessments, not including those in the District of Columbia Misdemeanor/Traffic Initiative (DCMTI) program. Of these, 98% indicated the defendant was in need of treatment. PSA placed 1,721 (53%) of those found to be in need of treatment into some type of sanction-based substance abuse treatment (i.e., in-house, contractual, or a combination of both). In addition, PSA conducted 1,124 re-assessments to identify the need for adjustments to current treatment modalities.



Failure to Appear

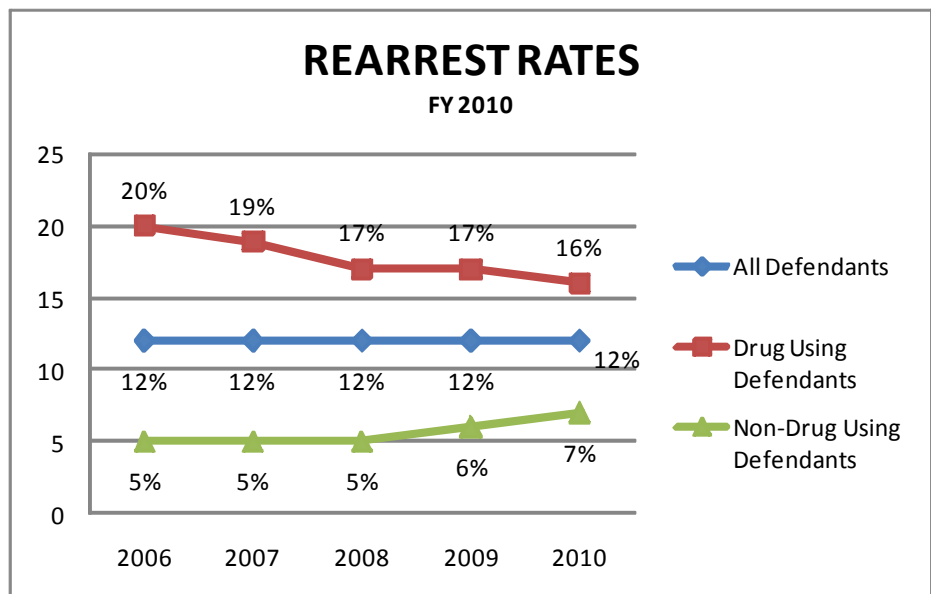
When defendants fail to appear (FTA) for scheduled court hearings, court resources are expended even though the case does not advance through the system. To avoid this needless expenditure of resources, PSA assists the Court by notifying defendants in writing and in person of scheduled hearings. Over the past four years FTA rates have shown a strong, steady decline for drug using defendants, but a slight increase for non-drug using defendants. The FTA rate for drug using defendants is still over 55% higher than the rate for non-drug using defendants.



Rearrest Rate

Rearrest is the outcome most closely related to public safety. PSA identifies each defendant's risk of rearrest and provides a corresponding level of supervision to minimize that risk. Through its automated system, PSA is alerted immediately if a defendant is rearrested in the District of Columbia so that the appropriate response can occur.

Similar to its link to FTA, drug use also appears correlated to rearrest.



Strategic Plan, Gov't Performance and Results (GPRA) Goals, Outcomes and Strategies

PSA Organizational Structure

PSA provides risk assessment, drug testing, and monitoring, supervision, and treatment services for pretrial defendants and performs a variety of other management, program development and support functions. The Agency's **Office of Operations**, the office responsible for providing court and defendant-related services, consists of the following program areas: Court Services, Supervision, Treatment, and the Drug Testing and Compliance Unit. The Forensic Toxicology Drug Testing Laboratory, along with other management, program development, and support functions, reports to the Office of the Director.

The **Court Services Program Area** consists of the Diagnostic Unit. The Diagnostic Unit staff interview defendants charged with criminal offenses in the D.C. Superior Court and formulate release recommendations. This pre-release process includes background investigations and defendant interviews. Diagnostic Unit staff verify information collected from the defendant, research and update prior and/or current criminal history, formulate a risk assessment, and prepares a written recommendation to the judicial officer. The Diagnostic Unit also conducts citation interviews and investigations, and schedules citation arraignment dates.

Following a defendant's release, the Diagnostic Unit conducts a post-release interview that includes a review of the defendant's release conditions and an advisement to the defendant of the penalties that could result from non-compliance, failure to appear, and rearrest. This Unit also investigates outstanding bench warrants for the purpose of re-establishing contact with defendants who have failed to appear for court. In preparing the surrender of defendants to the Court, the Unit updates PSA's existing records and conducts a new risk assessment to determine whether or not additional release conditions are warranted. The Unit also prevents the issuance of bench warrants by verifying a defendant's inability to appear in court (e.g., due to incarceration in another jurisdiction) and notifying the Court. The Diagnostic Unit is also responsible for conducting criminal history investigations and preparing the pretrial service reports on D.C. Code violation and traffic lock-ups.

The **Supervision Program Area** consists of the General Supervision Units (GSU), the High Intensity Supervision Program (HISP), and the U.S. District Court Unit. **GSU** supervises compliance with release conditions imposed by the D.C. Superior Court for the majority of defendants released to PSA's supervision. Release conditions may include stay away orders from designated people and places, regular in-person or telephone contact with PSA, drug testing, and referrals for treatment assessment and program placement. The GSU PSO ensures that relevant information regarding compliance is current and available to the judge. If the defendant cannot be brought into compliance with the conditions of release, the PSO sends a violation report to the Court, including specific recommendations such as drug treatment or mental health treatment designed to address the

violation. PSOs also provide daily courtroom support to judicial officers to ensure placement of defendants in appropriate pretrial programs.

The **High Intensity Supervision Program (HISP)** consists of two primary components – the Community Supervision Phase and the Home Confinement Phase.

Community Supervision targets high risk defendants who have supervision-related failures from other PSA units, are charged with violent misdemeanors and felonies, were initially-detained but now eligible for release, or are compliant with conditions of work release and appropriate for placement back into the community. Supervision requirements include face-to-face contact and drug testing at least once per week and a daily electronically monitored curfew.

Home Confinement is intended primarily for defendants who violate the program requirements under Community Supervision. However, the Court maintains the option of ordering defendants directly into this increased level of supervision. Defendants are subject to 21 days of 24-hour curfew which is monitored electronically, and otherwise will have the same supervision requirements as Community Supervision. They are allowed to leave their homes only for work, to attend school, to report to PSA for face-to-face contacts and drug testing, and for other pre-approved purposes. Defendants are returned to Community Supervision once they have completed the 21 days without incurring any infractions. PSA continues to notify the court of all program violations.

The HISP staff supervises defendants who are placed by the Court under Global Positioning Surveillance (GPS), and HISP also supervises, with the D.C. Department of Corrections, defendants placed in work release with additional conditions such as drug testing or GPS monitoring.

The **U.S. District Court Unit** follows the same pre-release procedures for federal defendants as the Diagnostic Unit does for D.C. defendants. In addition to those responsibilities, the Unit supervises released defendants and convicted persons pending surrender for service of their sentences. Like their counterparts in the D.C. Superior Court, PSOs in the U. S. District Court Unit notify U.S. District Court judges and magistrate judges of violations of release conditions in federal criminal cases. An added responsibility of the U.S. District Court Unit is preparation of compliance reports that are incorporated into pre-sentence investigations by the U.S. Probation Office.

The **Treatment Program Area** includes the Superior Court Drug Intervention Program (Drug Court), the New Directions Program, the Sanction-Based Treatment Track (SBTT), the Specialized Supervision Unit (SSU), the D.C. Misdemeanor and Traffic Court (Drunk Driving) Program (DCMTI), and the Social Services and Assessment Unit (SSAC). Each of the drug treatment programs includes a system of sanctions and incentives designed to motivate compliant behavior and to reduce drug use. PSA has developed and delivers or contracts for treatment for defendants in Drug Court, New Directions, Sanctions Based Treatment, HISP, and SSU. These services are delivered both by PSA staff and through contracted service providers. Further, each program features the use of a treatment plan that guides case managers in tailoring and modifying therapeutic interventions for a population involved in the criminal justice system.

Drug Court is a sanction-based program with a proven approach to dealing with a non-violent population of drug-involved defendants. Participants in the program appear before one judge throughout their time in the program, must meet strict eligibility criteria to participate, must submit to twice-weekly drug testing, must participate in substance abuse treatment, and must agree to immediate administrative or Court-imposed sanctions for non-compliance with program requirements. Sanctions are graduated and initially involve a treatment response (e.g., mandatory participation in motivational enhancement groups) leading up to two days participation in the jury box and then three nights in jail for ongoing drug-testing infractions. Incentives, such as recognized phase progression, reduced drug testing, and deferred prosecution, are also offered to motivate defendants' compliance and recovery from addiction.

The **New Directions** Program includes many of the features of the Drug Court. The key differences are that New Directions provides treatment to defendants charged with violent as well as non-violent crimes, does not offer diversion from prosecution, and has less restrictive eligibility criteria. Defendants in New Directions also must participate in sanction-based substance abuse treatment. PSOs in New Directions utilize swift administrative sanctions in response to defendant non-compliance and rely on court-imposed sanctions only when a defendant refuses to comply with an administrative sanction or when discharge from the program seems warranted. Sanctions in New Directions are graduated and also initially involve treatment responses. However, jury box and jail sanctions are replaced with enhanced treatment placements. Incentives, such as recognized phase progression ceremonies and reduced drug testing and reporting requirements, are offered to motivate defendants' compliance and recovery from addiction.

The **Sanction-Based Treatment Track (SBTT)** also includes many features of Drug Court. Defendants in SBTT are subject to the same administrative and Court-imposed sanctions as Drug Court defendants. Like other Treatment program areas, PSOs in SBTT recommend swift sanctions and provide recognized incentives to defendants, but the SBTT is unique in that much of the substance abuse treatment is provided by contracted treatment providers. Like New Directions, the eligibility criteria for participating in SBTT are minimal (violent as well as non-violent charges are eligible), and diversion from prosecution is not offered.

The **D.C. Misdemeanor and Traffic Court (Drunk Driving) Program (DCMTI)** provides supervision, referrals for substance abuse and mental health treatment, and monitoring of compliance with treatment for defendants charged with certain misdemeanor traffic or D.C. code offenses. Defendants charged with Driving Under the Influence (DUI), Operating While Impaired (OWI), and Driving While Intoxicated (DWI) are primarily eligible for this treatment program. Other D.C. code offenses are also eligible such as reckless driving, aggressive panhandling, drinking in public, indecent exposure, and fleeing from a police officer, among others. PSOs in this unit ensure the defendants are assessed for substance abuse (particularly alcohol) and/or mental health treatment.

The **Specialized Supervision Unit (SSU)** provides critical supervision and case management services for defendants with severe and persistent mental health disorders, as well as for those with co-occurring mental illness and substance use disorders. The SSU ensures that these defendants are linked with community-based mental health treatment through the D.C. Department of Mental Health. Personnel in this unit have mental health expertise and/or specialized training in working effectively with the mentally ill and dually diagnosed defendants.

The **Social Services and Assessment Center (SSAC)** provides substance abuse assessments and social service referrals for defendants under pretrial supervision. These services are provided in response to a Court-ordered release condition and/or as the result of a needs assessment. The SSAC conducts approximately 380 substance abuse assessments or re-assessments per month. The SSAC also tests and evaluates defendants suspected of having a mental illness. Staff in the SSAC identify and maintain information on treatment, employment, education, housing and other social services that may be utilized by defendants in meeting pretrial release obligations. In addition, the SSAC provides liaison with community organizations that provide opportunities for defendants to perform community service as part of diversion in the East of the River Community Court.

The **Drug Testing and Compliance Unit** is responsible for collecting urine samples for analysis. With a majority of all criminal defendants having substance abuse problems, drug testing is vital for several reasons. The criminal justice system must identify defendants using drugs for *risk assessment* purposes. Drug-dependent defendants are significantly more likely to become involved in future criminal activity than their non-drug using counterparts. Drug testing also is critical for *risk reduction* purposes. Supervision of drug-dependent individuals is most effective when the criminal justice system is capable of responding quickly – through treatment and immediate sanctions – to continued drug use.

The **Forensic Toxicology Drug Testing Laboratory** processes urine specimens for all of PSA and CSOSA. This includes testing for the sentenced offender population as well as those under pretrial supervision. Each sample is tested for three to seven drugs of abuse. All positive samples are retested. Toxicologists conduct levels analysis to determine drug concentration, gas chromatograph/mass spectrometry to confirm test results, and provide forensic consultations and court testimony.

The following areas within the Agency provide management, program development, and frontline operational support:¹⁹

- Justice and Community Relations
- Forensic Research

⁹ Certain functions are performed by CSOSA for PSA, including those of the Office of General Counsel; Legislative, Intergovernmental, Public Affairs; Equal Employment Opportunity; Diversity and Special Programs; and Professional Responsibility.

- Finance and Administration
- Office of Human Capital Management and Training
- Information Technology
- Research, Analysis and Development (RAD)

Progress Towards Outcomes

Driven by its mission to enhance public safety through the formulation of appropriate and fair release recommendations and to provide effective community supervision for defendants, PSA has established three critical outcomes: 1) reduction in the rearrest rate for violent and drug crimes during the period of supervision, 2) reduction in the rate of failures to appear for court and 3) percentage of defendants who remain on release at the conclusion of their pretrial status without a pending request for removal or revocation due to noncompliance. These outcomes are related to the defendant population and are the end result of PSA activities.

OUTCOMES	FY 2007 Actual	FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2010 Target	FY 2011 Target	FY 2012 Target
Percentage of Defendants Rearrested for Violent or Drug Crimes During the Period of Pretrial Supervision							
For all defendants rearrested for:							
Any crimes	12%	12%	12%	12%	12%	12%	12%
Violent crimes	2%	2%	3%	3%	3%	3%	3%
Drug crimes	4%	4%	4%	4%	4%	4%	4%
For drug-using defendants rearrested for:							
Any crimes	19%	17%	17%	16%	18%	18%	18%
Violent crimes	3%	3%	4%	4%	4%	4%	4%
Drug crimes	6%	6%	6%	6%	7%	7%	7%
For non-drug-using defendants rearrested for:							
Any crimes	5%	5%	6%	7%	5%	5%	5%
Violent crimes	1%	1%	1%	1%	1%	1%	1%
Drug crimes	1%	1%	1%	1%	1%	1%	1%
Percentage of Cases in Which a Defendant Failed to Appear for at Least One Court Hearing							
Any defendants	13%	12%	12%	12%	13%	13%	13%
Drug users	17%	16%	15%	14%	15%	15%	15%
Non drug users	7%	7%	8%	9%	9%	9%	9%
Percentage of Defendants Who Remain on Release at the Conclusion of Their Pretrial Status Without a Pending Request for Removal or Revocation Due to Noncompliance							
New outcome for FY 2010 – No historical data				83%		75%	75%

Data Source: PSA/RAD

*Based on historical trends, the percentages in this column will revert to the annual trend when full year data becomes available.

Proposed Budget Distribution By Program Office and Performance Measure

(in thousands)

Performance Measure	Diagnostic	Diagnostic Evening/Midnight	US District Court	General Supervision	HISP	Court Representation Team	Specialized Supervision Unit	SSAC	SCDIP	New Directions Program	D.C. Misdemeanor and Traffic Initiative	Contract Treatment	Drug Testing/Compliance Unit	Lab
1.1 - Risk Assessment	3,305	1,088	248										1,766	
1.2 - Initial Release Recommendation	3,373	3,045	248											
2.1 - Compliance with Release Conditions		174	660	4,749	3,768	628	1,443		1,730	1,464	1,367			2,811
2.2 - Sanctions for Noncompliance			330	3,696	1,765	2,644	288		577	488	480		1,766	
3.1 - Substance Abuse Assessment								1,864						
3.2 - Placement in Drug Treatment			66	1,984	206									
3.3 - Reduction in Drug Use			83						577	488	372	2,473	3,532	2,810
3.4 - Connection to Education/Employment Services								133						
3.5 - Mental Health Assessment							865	399						
3.6 - Connection to Mental Health Services							288	266				130		
4.1 - Partnerships	67	44	17	105	58	33								
TOTAL	6,745	4,351	1,652	10,534	5,797	3,305	2,884	2,662	2,884	2,440	2,219	2,603	7,064	5,621

Proposed FY 2012 Funding by Critical Success Factor

	Critical Success Factors	Major Activities	(\$000)	FTE
<p>Goal 1 Support the fair administration of justice by providing accurate information to the Court.</p> <p>Goal 2 Establish strict accountability of defendants to prevent criminal activity.</p>	CSF 1	Diagnostics		
	Risk/Needs Assessment	Risk Assessments Drug Testing Court Reports	\$13,073	89
	CSF2	Monitoring		
	Close Supervision	Drug Testing Supervision Sanctions	\$30,827	197
	CSF 3	Supervision		
	Treatment and Related Activities	Treatment Sanctions	\$16,537	90
	CSF 4	Supervision through community linkages		
	Partnerships		\$ 324	2

Critical Success Factor 1: Risk and Needs Assessment

Analysis by Critical Success Factor

Budget Request

CSF 1; Risk and Needs Assessment	FY 2010 Enacted *	Total Adjustments to Base	Total Program Changes	FY 2012 Request	Change from FY 2010 to FY 2012
\$000s	\$12,566	\$ 507	\$ 0	\$13,073	\$ 507
FTE	89	0	0	89	+ 0

* PSA has recently updated its formulas and refined its data for allocating personnel costs by critical success factor. As a result the information in the FY 2010 column chart above has been updated.

Program Summary

The foundation of effective pretrial supervision is based upon appropriate release conditions. The bail report provides much of the information the judicial officer uses to make a determination of the risk the defendant poses to the community and to determine what level of supervision, if any, the defendant requires. The bail report includes prior and current criminal history, lock-up drug test results, risk assessment, treatment needs and verified defendant information (residence, employment status, community ties, etc.). An initial drug test at lock-up is fundamental to the determination of PSA release conditions. Approximately 40% of initial drug tests were positive for cocaine, opiates, PCP or amphetamines.

Support judicial officers in making the most informed and effective non-financial release determinations throughout the pretrial period by formulating and recommending to the courts the least restrictive release conditions that will reasonably assure that the defendant will:

- Appear for scheduled court dates; and
- Not pose a threat to any person or to the community while on release.

For individuals arrested and charged with non-violent misdemeanors, citations issued by law enforcement officers constitute the quickest and least restrictive form of release. In providing background criminal history checks and verified information on community ties, PSA may elicit additional data that supports the release of the defendant on citation. This reduces the unnecessary

detention of defendants charged with non-violent misdemeanors, regulatory and traffic offenses. Alternatively, data provided by PSA may indicate that the defendant is not a good risk for citation release, and should be held pending a first appearance before the Court.

PSA operates as an independent component of the criminal justice system. The Agency conveys factual information to the Court and, in deference to the fact that the defendant is presumed innocent, bail recommendations reflect the statutory preference for the least restrictive release that reasonably assures appearance in Court and minimizes potential danger to the community.

Performance Measures

Measures		FY 2007 Actual	FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2010 Target	FY 2011 Target	FY 2012 Target
1.1	Percentage of defendants who are assessed for risk of failure to appear and rearrest.	93%	98%	98%	99%	96%	96%	96%
1.2	Percentage of defendants for whom PSA identifies eligibility for appropriate appearance and safety-based detention hearings	NA	NA	NA	96%	95%	95%	95%

PSA’s pre-release process strives to classify defendants properly. Defendants are classified into risk categories (for both risk of rearrest and failure to appear for court) based on criminal history, substance abuse and mental health history, drug test results, and individual factors such as community ties. Assessment is successful when PSA has formulated its release recommendations using all available and relevant defendant information. PSA’s assessment process has two components:

Risk Assessment: PSA conducts a risk assessment for each defendant to determine the probability of the risk of flight and the potential for criminal behavior. By statute, PSA is required to collect information on each defendant and use the information to assess risk. Factors associated with the risk

of rearrest and flight from prosecution are identified. Each defendant is assessed and recommendations are made to the Court that match the risk associated with each defendant to appropriate levels of monitoring and supervision.

Recommendation to the Court: For each defendant, PSA recommends the least restrictive non-financial release conditions needed to protect the community and reasonably assure the defendant's return to Court. PSA begins the defendant assessment process with a presumption in favor of release without conditions. Based on evidence gathered during the pretrial investigation, PSA recommends the least restrictive conditions warranted for each defendant given the need for public safety, and does not make financial release recommendations. When warranted, PSA recommends to the Court a variety of restrictive conditions including, but not limited to, drug testing, drug treatment, mental health treatment, stay-aways from specified persons or places, regular and frequent face-to-face contact with a Pretrial Services Officer (PSO), halfway house placement, global positioning surveillance (GPS) and electronic monitoring. The electronic monitoring may include a period of home confinement with release authorized by the PSO for limited purposes.

Accomplishments

- ✓ As of September 30, 2010, 23,214 arrestees were processed through the lock up. These resulted in 16,292 cases papered by the United States Attorney's Office (USAO). PSA prepared Pretrial Services Reports (PSRs) for 16,225 (99.6 percent) of the papered cases. In addition, PSA prepared 3,346 criminal history reports for Superior Court judicial officers for consideration of release in D.C. Misdemeanor/Traffic cases.
- ✓ Court Services Program staff interviewed defendants in 14,740 papered cases (90.5 percent), and provided drug test result data in 11,177 PSRs (75.8 percent).
- ✓ Court Services decreased the number of cases called in arraignment court without a PSR—only 67 cases (less than one percent) were recorded during the fiscal year.
- ✓ PSA worked with its stakeholders, including the USAO, D.C. Superior Court, and the Metropolitan Police Department (MPD), to revise the criteria for citation release eligibility. As a result, 24,958 citation release investigations were conducted to determine if arrestees could be released directly from police custody pending arraignment. Based partly on these investigations, MPD cited and released 12,590 arrestees.
- ✓ PSA collaborated with the D.C. Department of Youth Rehabilitation Services and D.C Superior Court Social Services Division on identifying youthful defendants who have pending juvenile cases but are arrested and charged as an adult in a new case. By working with these stakeholders, PSA is better able to provide the judicial officers in arraignment court with information that will assist them in making decisions for release or detention at arraignment.
- ✓ PSA staff conducted 826 Failure to Appear (FTA) investigations on defendants who missed scheduled court appearances. Staff attempted to contact defendants, verify the reason for the

failure to appear, and submit a report to the assigned calendar judge outlining the investigation results and making a recommendation for court action. Of that number, Court Services staff facilitated the surrender to court of 250 defendants who missed scheduled court dates and had outstanding bench warrants.

- ✓ From January 14, 2010 (the date that this process began) to September 30, 2010, staff prepared 1,620 updated Pretrial Services Reports (PSRs) for defendants who were held for a preliminary/detention hearing following their initial appearance. In addition, PSA implemented new procedures that require PSOs to provide the court with information on all prior papered arrests (rather than just convictions) at detention hearings for defendants charged with violent and weapons offenses (including offenses involving domestic violence).
- ✓ To better ensure consistency of the work performed in the Release Services Unit, Court Services management developed a comprehensive training guide.
- ✓ PSA continues to improve its mission critical system—PRISM and in FY 2010 conducted several rounds of user testing on PRISM 3.1. The system has been redesigned to streamline the case initiation, interview and PSR production. It is anticipated that the new system will be released in early FY 2011.

Critical Success Factor 2: Close Supervision

Analysis by Critical Success Factor

Budget Request

CSF 2; Close Supervision	FY 2010 Enacted *	Total Adjustments to Base	Total Program Changes	FY 2012 Request	Change from FY 2010 to FY 2012
\$000s	\$29,553	\$ 774	\$ 500	\$ 30,827	\$ 1,274
FTE	197	0	0	197	0

* PSA has recently updated its formulas and refined its data for allocating personnel costs by critical success factor. As a result the information in the FY 2010 column chart above has been updated.

Program Summary

Conditions of release are imposed in an effort to reduce the probability of non-appearance in court and to reasonably assure that the community is not endangered. Compliance with release conditions must be supervised strictly. Compliance monitoring allows PSA to detect and respond to condition violations. Non-compliant defendants are subject to administrative or judicial sanctions. Information on a defendant's performance during the pretrial period also may be useful to the judge for consideration during sentencing.

PSA provides a wide range of supervision programs to support local and federal courts. Some defendants are released without conditions, but the majority of defendants are monitored or extensively supervised by the General Supervision Unit. These defendants have a wide variety of risk profiles, from those posing limited risk and requiring condition monitoring, to those posing considerable risk with extensive release conditions such as frequent drug testing, stay away orders, drug treatment or mental health treatment if deemed appropriate through PSA's assessment process, and/or frequent contact requirements with PSOs.

Provide effective monitoring or supervision of pretrial defendants, consistent with release conditions, so that they return to court and are less likely to engage in criminal activity while under pretrial supervision.

The Agency also has a number of programs that provide increasing levels of restrictive and specialized supervision. In addition to the extensive conditions noted above, the highest risk defendants who are eligible may be subject to curfew, global positioning surveillance, electronic monitoring, home confinement or residence in a halfway house. Sanctions for this population are immediate.

PSA Supervision Caseload Ratios As of September 30, 2010				
Category	PSOs	Defendants	Ratios	Functional Description
General Supervision				
Condition Monitoring / Courtroom Support:	15	1,243	1:83	Low risk defendants requiring minimal level supervision
Extensive Supervision:	42	3,209	1:76	Medium -to-high risk defendants with drug testing, stay away, and reporting conditions
Subtotal – General:		4,452		
High Intensity Supervision	18	470	1:26	Higher-risk defendants placed on electronic surveillance, home confinement, or into half-way houses
Specialized Supervision (includes Drug Court, New Directions, SSU, and DCMTI)	37	1,628	1:44	Higher-risk defendants ordered to substance abuse or mental health treatment
US District Court	6	300	1:50	Felony and Misdemeanor defendants charged in US District Court
Total All:	118	6,850		

Caseload size affects the quality of supervision. Successful pretrial supervision hinges on the ability of the PSO to respond quickly to violations of the conditions of release. To be effective, sanctions must be swift and certain in order to prompt changes in behavior. Current PSA supervision caseloads are profiled in the chart below.

In FY 2010, approximately 17,000 defendants were ordered by the Court into pretrial supervision, and PSA also supervised an additional 8,000 defendants whose supervision continued from the previous fiscal year. The supervision programs for these 25,000 defendants are noted below:

Pretrial Services Agency
 Number of Defendants Placed and Supervised
 FY 2010

	Total Supervised	Placed in FY 2010
General Supervision	17,712	11,238
High Intensity Supervision Program (HISP)	1,716	1,288
Work Release	589	440
Superior Court Drug Intervention Program	828	611
New Directions	1,112	865
Sanctions Based Treatment Program	182	131
Specialized Supervision Unit	2,012	1,641
D.C. Traffic/Misdemeanor Initiative	863	863
TOTAL	25,014	17,077

Performance Measures

Measures		FY 2007 Actual	FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2010 Target	FY 2011 Target	FY 2012 Target
2.1	Percentage of defendants who are in compliance with release conditions at the end of the pretrial period.	75%	77%	78%	79%	77%	77%	77%
2.2	Percentage of defendants whose noncompliance is addressed by PSA either through the use of an administrative sanction or through recommendation for judicial action.							
	- drug testing violations	95%	97%	97%	93%	80%	80%	80%
	- contact violations	77%	90%	87%	85%	70%	70%	70%
	- sanction-based treatment program violations	67%	89%	76%	72%	80%	80%	80%
	- electronic monitoring violations	99%	100%	99%	85%	92%	92%	92%

PSA supervises defendants in accordance with release conditions that are designed to minimize risk to the community and maximize return to court. PSA is concerned with assuring defendant compliance with all conditions it recommends. PSA's monitoring and supervision has multiple components:

Notification of Upcoming Court Dates: Research conducted on various pretrial programs, including PSA, clearly demonstrates that most instances of failure to appear for court result from misunderstandings on the part of the defendants. Very few failures to appear are deliberate flights from prosecution. In order to minimize failures to appear, PSA notifies defendants of upcoming court hearings in person (when possible) and in writing. PSA is notified by the court system of upcoming court appearance dates. Once PSA receives this information, automatic notification letters are generated and mailed to defendants.

Appropriate Supervision: Appropriate supervision may reduce rearrest and failures to appear. Defendants who are appropriately supervised are held accountable to the Court. Supervision provides structure for defendants and reinforces the courts' expectations. An important function that PSOs perform is to make defendants aware of behavioral expectations while on pretrial release. Defendants are informed of the conditions by which they must abide and the consequences of non-compliance. Because violations of conditions may indicate that defendants are about to engage in illegal behavior, non-compliance must be addressed as quickly as possible. Holding defendants accountable is critical to keeping PSA's supervision credible as perceived by defendants, the court and the community. When violations of conditions are detected, PSA informs the Court, and when warranted, seeks sanctions, including revocation of release. Defendants in certain programs are also subject to administrative sanctions for non-compliance.

Accomplishments

- ✓ PSA reduced average extensive supervision caseloads per PSO in the General Supervision Units (GSU) to 1:76, although they have risen periodically due to staff movement, vacancies, and trainings. GSU supervised 17,712 defendants in FY 2010, including 11,238 defendants ordered into the program during that time.
- ✓ PSA has begun the process of consolidating supervision of defendants under electronic surveillance (those defendants with court-ordered electronic monitoring (EM) or Global Positioning Satellite (GPS) requirements) into its High Intensity Supervision Program (HISP). This should enhance PSA's monitoring of these higher risk defendants, particularly in applying appropriate sanctions for non-compliance. PSA made 1,590 total location monitoring placements: GPS (97), cellular EM (895) or landline EM (602).¹
- ✓ PSA implemented guidance to staff for handling GPS/EM tampering alerts. This ensures consistent handling of visual evidence of tampering of GPS/EM bracelets, tampering alerts received from the service provider or damage to monitoring equipment.
- ✓ HISP handled 1,716 higher risk defendants, including 1,288 defendants ordered into the program during the fiscal year. The unit averaged a daily caseload of 410 defendants, including defendants on electronic surveillance and those ordered into the Department of Correction's halfway houses. On September 30, 2010, the HISP caseload stood at 470.
- ✓ HISP also supervised 589 Halfway house defendants, including 440 defendants placed during the fiscal year. HISP averaged 96 supervised halfway house defendants per day during the fiscal year.
- ✓ Operations staff, Information Technology staff and contractors worked together to develop requirements for an update to the supervision and treatment-related components of PRISM. PRISM 3.5 is being enhanced to help PSOs more efficiently prioritize tasks and otherwise manage their caseloads.

¹ Some defendants that moved from one technology to another during this period are included in the numbers.

- ✓ PSA developed technological requirements for an interface to electronically transmit data between the PSA contractor who provides electronic monitoring services and existing PSA PRISM systems.
- ✓ PSA's Supervision staff developed a new electronic monitoring quality assurance process.

Critical Success Factor 3: Treatment and Related Services

Analysis by Critical Success Factor

Budget Request

CSF 3; Treatment Related Services	FY 2010 Enacted *	Total Adjustments to Base	Total Program Changes	FY 2012 Request	Change from FY 2010 to FY 2012
\$000s	\$16,122	\$ -85	\$ 500	\$ 16,537	\$ 415
FTE	90	0	0	90	0

* PSA has recently updated its formulas and refined its data for allocating personnel costs by critical success factor. As a result the information in the FY 2010 column chart above has been updated.

Program Summary

The connection between substance abuse and crime has been well established. Success in reducing rearrest and failure to appear for court depends on two key factors: 1) identifying and treating drug use and other social problems, and 2) establishing swift and certain consequences for continued drug use.

Provide for, or refer defendants to, effective substance abuse, mental health, and social services that will assist in reasonably assuring that defendants return to court and do not pose a danger to the community.

Sanction-based treatment is one of the most effective tools for breaking the cycle of substance abuse and crime. In addition to public safety benefits, the community also benefits from the cost savings of providing treatment in lieu of incarceration. PSA is committed to providing sanctions-based treatment programs to the defendant population as a mechanism for enhancing community safety. During FY 2009, defendants using drugs had a rearrest rate of 17%, while non-drug using defendants had a rearrest rate of 6%. For FY 2010, these percentages were 16% and 7% respectively.

Drug use also can contribute to failures to appear for scheduled court dates. Drug use is often an indicator of a disorganized lifestyle, and disorganization is the most frequently cited reason for failures to appear.² Assuring that defendants appear for scheduled court hearings is central to PSA's

² Clarke, Stevens H., "Pretrial Release: Concepts, Issues and Strategies for Improvement," Research in Corrections, Vol. 1, Issue 3, National Institute of Corrections, U.S. Department of Justice, Washington, DC, 1988.

mission. To fulfill its mission, the Agency therefore must address drug usage issues with the defendants the Agency supervises.

The D.C. Superior Court Drug Intervention Program (Drug Court), which is administered by PSA, participated in an independent experimental evaluation³ designed to compare the impact of sanction-based contingency contracts with an intensive drug treatment program. The sanction-based contingency contract program, which did not require mandatory treatment, and the intensive drug treatment program both were compared with traditional case processing. PSA used drug test results to identify defendants in need of drug treatment. Drug testing was found to be an effective and efficient way of identifying habitual drug users, and test results helped PSA focus its resources on known users.

The evaluation established that defendants participating in the intensive drug treatment program had greater reductions in drug use and reported significantly fewer drug-related social problems in the year following sentencing than did those defendants whose cases traditionally were processed through the DC Superior Court. Defendants participating in the sanction-based contingency contract program received graduated sanctions for failing compulsory drug tests. Participants in this program were significantly less likely than traditionally processed defendants to be arrested in the year following sentencing. In response to the evaluation findings, PSA has combined intensive drug treatment with graduated sanctions for all defendants participating in the Drug Court. The synergistic impact of treatment and graduated sanctions is expected to produce better results than either approach individually.

Research performed by the Washington/Baltimore High Intensity Drug Trafficking Area project has found that the length of time in treatment contributes proportionately to reductions in arrest, drug use and technical violations. In addition, this study found that involvement in drug treatment programs with regular drug testing and immediate sanctions for violations resulted in a 70% reduction in recidivism in the 12 months following completion of the programs.⁴

Given PSA's mission of enhancing public safety, the Agency must address drug use in the defendant population and has done this in a number of ways. PSA has expanded the use of sanction-based drug treatment and continues to expand the range of tools available to assist in the supervision of higher risk defendants. Defendant access to employment and other types of social services has improved. PSA also is working closely with CSOSA's Community Supervision Program (CSP) to leverage their investments in community-based resources.

³ Harrell, A., Cavanaugh, S., and John Roman, "Evaluation of the DC Superior Court Drug Intervention Programs," Research in Brief, National Institute of Justice, U.S. Department of Justice, 2000.

⁴ Certification Report, CSOSA, 2000

Performance Measures

Measures		FY 2007 Actual	FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2010 Target	FY 2011 Target	FY 2012 Target
3.1	Percentage of referred defendants who are assessed for substance abuse treatment	99%	99%	99%	99%	99%	99%	99%
3.2	Percentage of eligible assessed defendants placed in substance abuse treatment programs	40%	50%	52%	53%	50%	50%	50%
3.3	Percentage of defendants who have a reduction in drug usage following placement in a sanction-based treatment program	75%	71%	74%	80%	74%	74%	74%
3.4	Percentage of defendants connected to educational or employment services following assessment by the Social Services and Assessment Center	94%	94%	100%	89%	92%	92%	92%
3.5	Percentage of referred defendants who are assessed or screened for mental health treatment	100%	98%	98%	92%	99%	99%	99%
3.6	Percentage of service-eligible assessed defendants connected to mental health services	75%	83%	98%	93%	80%	80%	80%

Drug using, mentally ill, or dually diagnosed defendants are at higher risk for rearrest and failure to appear for court. The measures associated with PSA's integration of supervision with treatment are focused on addressing the specialized needs (e.g., drug use, unemployment, and mental health problems) of released defendants and are applied to in-house and contractual sanction-based substance abuse treatment programs and social and mental health services.

In addition to drug use, other factors such as unemployment, low educational attainment, and homelessness can contribute to criminal activity. As PSA builds successful relationships with a broad

range of service providers, other services are being identified that may impact criminal behavior or provide support to defendants. Treatment and support services are provided in the following three areas:

Substance Abuse: PSA responds to drug use by referring defendants to appropriate treatment and working to ensure their placement. PSA utilizes a variety of treatment resources. For certain categories of defendants, PSA provides both close supervision and in-house treatment. For others, PSA refers and places defendants in sanction-based treatment via contractual providers while continuing to provide supervision. Finally, if sanction-based treatment is not available or is not ordered by the Court, PSA will provide supervision and refer defendants to community-based providers, as available. Community services are limited, however, and are not optimal for higher risk defendants that require close monitoring.

Social Services: Research supports the premise that employment can contribute to a reduction in recidivism. Recognizing this, PSA utilizes its Social Services and Assessment Center to coordinate employment and other social services for defendants on the “front end” of the criminal justice system and begin the process through which defendants will be able to secure gainful employment. Referrals are made to community resources.

Mental Health: Many defendants in the District’s criminal justice population have mental health problems severe enough to affect their ability to appear in court and to remain arrest-free. Based on surveys in jail systems across the country, it is expected that over 15% of defendants will have a serious mental illness. Many of these defendants are in need of substance abuse treatment as well. The Specialized Supervision Unit addresses the needs of this dually diagnosed population by providing specialized supervision and by arranging for needed mental health and substance abuse services.

Accomplishments

- ✓ In February 2010, PSA completed a 12-month pilot of PSA Support, Treatment, and Addiction Recovery Services (PSA STARS). This pilot effectively created a single combined treatment program that provides defendants with a wider array of group offerings and allows PSA to better match individual treatment need to specialized group interventions. Enhancements include a more intensive group treatment regimen, designed to lessen the demand for expensive residential treatment; gender specific groups; and co-occurring disorder groups. Following the conclusion of the pilot, PSA assessed the implementation of PSA STARS, which included staff and defendant focus groups. Qualitative data from these focus groups, as well as quantitative performance data, are currently being gathered and analyzed. PSA STARS groups are continuing during the assessment phase. As a part of the PSA STARS pilot, PSA staff implemented several group interventions recognized as being evidenced-based in the Substance Abuse and Mental Health Services Administration (SAMHSA) National Registry of Evidenced Based Programs and Practices. These interventions include the Matrix Model, Twelve Step Facilitation Therapy, and TCU Mapping-Enhanced Counseling. Additionally, using both staff and contractors, we have initiated weekly gender-specific groups, SMART Recovery mutual help groups, life skills seminars, cognitive behavior groups, health and nutrition groups, and groups for those with co-occurring substance-related and mental disorders.

- ✓ Staff completed 4,448 initial and subsequent Addiction Severity Index substance abuse assessments and 569 Triage Assessment of Addictive Disorders alcohol assessments on 4,494 defendants.
- ✓ The Superior Court Drug Intervention Program (SCDIP) managed 828 defendants, including 611 defendants placed into the program during the fiscal year. In FY 2010, 172 defendants graduated the program and 17 exited early but were compliant with treatment requirements. (These numbers include some defendants that were placed in the program during the previous fiscal year). On September 30, 2010, SCDIP managed 316 defendants, a 64 percent increase over the number of SCDIP participants at the end of FY 2009 (194).
- ✓ The New Directions Program supervised 1,112 defendants—865 of whom were placed into the treatment program during the fiscal year. Unlike SCDIP, these defendants' cases appear on multiple criminal calendars whose timelines often do not facilitate defendants' completing treatment prior to case disposition. If sentenced to a term of probation, defendants continue their treatment with CSOSA. New Directions recorded 32 graduates and 19 defendants who exited the program early but were compliant with treatment requirements. On September 30, 2010, 223 defendants were under New Directions treatment and supervision.
- ✓ One hundred eighty-two defendants were under sanction-based treatment contracts, including 131 defendants ordered into treatment during this period. The sanction-based program is designed for those defendants who are not eligible for SCDIP or New Directions. On September 30, 2010, 31 defendants were under sanction-based treatment and supervision.
- ✓ A total of 3,556 mental health assessments were completed on 2,319 defendants. PSA staff completed 2,539 assessments and Department of Mental Health staff completed 1,017. Of the defendants assessed, 2,113 (83.2 percent) were in need of treatment or adjustments to current treatment.
- ✓ The Specialized Supervision Unit (SSU) supervised 2,012 defendants in need of mental health services, 1,641 of whom were placed into the unit during the fiscal year. The SSU caseload on September 30, 2010 stood at 591, a nearly 47 percent increase in census over the same period last year. Accordingly, PSA assigned two additional PSOs to the SSU and reassigned 60 to 100 of the more stable defendants to other units. A work group developed a set of revised SSU criteria to assist in determining which mentally troubled defendants require SSU supervision and which can be managed in other units.
- ✓ PSA Treatment staff facilitated 2,808 defendants in its in-house treatment group sessions for a total of 3,732 group hours.
- ✓ PSA implemented its D.C. Misdemeanor/Traffic Supervision (Drunk Driving) Program (DCMTI) in December 2009. DCMTI supervises persons processed in D.C. Misdemeanor and Traffic Court who require drug surveillance, substance abuse treatment or mental health services as conditions of release. Defendants released to DCMTI are required to submit to regular drug surveillance and, when appropriate, are connected to community-based treatment and service providers. From December 2009 to September 30, 2010, DCMTI supervised 863 defendants. On

September 30, 2010, PSA supervised 459 DCMTI defendants, 97 percent of whom presented an alcohol abuse or alcoholism issue.

- ✓ The Mental Health Diversion Court (MHDC) serviced 474 defendants, 366 of whom were certified to the diversion program during the fiscal year. The diversion court also recorded 163 participants who had their cases dismissed due to successful completion of diversion requirements. PSA continued to assess and recommend eligible defendants for participation, provide close supervision and referrals for mental health and substance abuse treatment, and report compliance to the court. PSA has also been instrumental in preparing for the expansion of MHDC to include certain defendants charged with felonies, beginning in October, 2010.
- ✓ PSA increased its capacity to provide in-house services to defendants with co-occurring substance and mental-health related disorders by adding weekly contractor-led groups focusing on those with post-traumatic stress disorders and other trauma-related problems. This year, more than 40 such PSA STARS “Beyond Trauma” groups have been conducted, with an average attendance of 10 defendants per group.
- ✓ In June 2010, PSA completed a 12-month pilot project on random drug testing for newly-placed defendants in New Directions. Analysis has been completed on the first seven months of the pilot. During these seven months, 5,222 random drug tests were administered to 270 defendants. The analysis suggests similar rates of compliance, illicit drug use detection, and abstinence between those randomly tested and those tested on a fixed schedule.
- ✓ To better assess the overall workload of and resource allocation to the Social Services and Assessment Center (SSAC), a workload measurement study began in December 2009. This study included a month long observation and analysis of all SSAC activities—substance abuse assessments, mental health assessments, social service referrals, and community service placements. The second phase of this study will involve a qualitative review of a sample of the assessments completed during that period. The study results are expected during the second quarter of FY 2011.

Critical Success Factor 4: Partnerships

Analysis by Critical Success Factor

Budget Request

CSF 4; Partnerships	FY 2010 Enacted *	Total Adjustments to Base	Total Program Changes	FY 2012 Request	Change from FY 2010 to FY 2012
\$000s	\$312	\$ 12	\$ 0	\$ 324	\$ 12
FTE	2	0	0	2	0

* PSA has recently updated its formulas and refined its data for allocating personnel costs by critical success factor. As a result the information in the FY 2010 column chart above has been updated.

Program Summary

Effective partnering with other justice agencies and community organizations is a major strategy through which PSA enhances public safety in the District's neighborhoods and builds the capacity for support services for defendants under pretrial supervision. It is through these partnerships with the courts, the United States Attorney's Office (USAO), the Office of the Attorney General for the District of Columbia, the District's Criminal Justice Coordinating Council (CJCC), various District government agencies, and non-profit community-based organizations that PSA can effectuate close supervision to assure that defendants will return to court and not be a danger to the community while on pretrial release. In addition, treatment and social service options are developed and/or expanded to enhance PSA's ability to address the social problems that contribute to criminal behavior, thereby increasing a defendant's likelihood of success while under pretrial supervision. In order for partnerships to be viable, PSA proactively identifies initiatives, seeks partnering entities, and collaborates with stakeholders to develop goals, objectives, and implementation plans.

Establish and maintain effective partnerships with the judicial system, law enforcement, and the community to enhance PSA's ability to provide effective community supervision, enforce accountability, increase community awareness of PSA's public safety role, and develop opportunities for defendants under pretrial supervision and pretrial diversion.

The Office of Justice and Community Relations leads interagency planning for community-based initiatives, develops interagency collaborations with CSOSA's Community Supervision Program, and identifies opportunities for partnerships with other justice agencies and community organizations that enhance the work of PSA.

Performance Measures

The measure associated with Critical Success Factor 4 is the output measure described below and provides the foundation for other targeted outcomes. For example, this measure contributes to the achievement of the targets established for Measure 3.2 (placement in substance abuse treatment), Measure 3.3 (reduction in drug use), Measure 3.4 (connection to educational or employment services) and Measure 3.6 (connection to mental health services).

Measures		FY	FY	FY	FY	FY	FY	FY
		2007	2008	2009	2010	2010	2011	2012
		Actual	Actual	Actual	Actual	Target	Target	Target
4.1	Number of agreements established and maintained with organizations and/or agencies to provide education, employment, or treatment related services or through which defendants can fulfill community service requirements	19	19	20	20	20	20	20

Accomplishments

- ✓ PSA continued participation in GunStat, a collaborative District-wide effort initiated in FY 2008 aimed at tracking gun cases through the criminal justice system to identify trends and system strengths and weaknesses in the handling of these cases. This effort is now focused on those persons who are considered to be major violators as identified by law enforcement. PSA provides information regarding the importance of requesting appropriate pretrial release conditions for defendants who are to be released pending disposition of their cases and provides specific updates on the performance of certain GunStat defendants.
- ✓ In 2010, a number of particularly violent offenses occurred within the District of Columbia, allegedly committed by youth who were under the supervision of D.C.'s Department of Youth

Rehabilitation Services (DYRS) and/or the Superior Court Social Services Division (CSS). Currently, confidentiality statutes associated with juvenile delinquency proceedings preclude those agencies from sharing their information with other agencies that may have a need for it. Given the importance of such information in promoting community safety, PSA has been working with DYRS, CSS, CSOSA, and the Criminal Justice Coordinating Council (CJCC) to expand the capacity for data-sharing concerning persons under such concurrent or sequential supervision. This collaboration has resulted in an administrative order signed by the Chief Judge of the D.C. Superior Court authorizing the sharing of such information as appropriate.

- ✓ PSA continued its collaboration with the D.C. Superior Court's East of the River Community Court (ERCC). ERCC made 248 community services referrals to agencies east of the Anacostia River. These resulted in 220 defendants' completing 3,550 hours of service within the east of the river community.
- ✓ Along with the Director of the D.C. Department of Mental Health, PSA's Director serves as co-chair of the CJCC's Substance Abuse Treatment and Mental Health Services Integration Taskforce. Since its inception, this Taskforce has undertaken significant work in planning and coordinating efforts to connect mental health treatment, substance abuse treatment, and treatment services for persons in the criminal justice system who have co-occurring disorders. In FY 2010, PSA has been working collaboratively with the court, the USAO, and the defense bar to expand the mental health services and diversion opportunities provided in the D.C. Superior Court Mental Health Diversion Court to defendants who have been charged with certain non-violent felony offenses. Previously, such diversion options were only available to defendants with misdemeanor charges. Implementation of this expanded diversion program began in October, 2010.
- ✓ Together with the Presiding Judge of the D.C. Superior Court's Criminal Division, PSA's Director serves as co-chair for the CJCC's Pretrial Services and Community Options Committee. This committee facilitates data sharing, process improvement and collaboration with other law enforcement agencies and the court. In FY 2010, Committee members regularly met and shared information on initiatives such as the Mental Health Diversion Court, performance measurement for the East of the River Community Court, the levels of pretrial detention at the D.C. Jail, including defendants held on nominal financial bonds, and the tracking of defendants placed into the Department of Corrections' contracted halfway houses. In addition, the Committee was instrumental in establishing the collaborative effort through which data are supplied to the CJCC on performance measures such as recidivism, use of diversion options, and linkages to substance abuse and mental health treatment and services.
- ✓ PSA also is supporting the CJCC's Case Initiation project that will automate the filing of adult criminal cases in the District of Columbia Superior Court from arrest through prosecutorial action to actual case filing. This electronic exchange will forward case information (both data and documents) among the participants through a new secure messaging infrastructure. The benefits will be improved defendant identification, fewer mistaken identity cases, faster case filing from prosecutors, and a more efficient arraignment process.

Management and Agency-Level Accomplishments

Strategic Planning and Research

- PSA revised its measures this fiscal year, consistent with GPRA's requirement that outcome and performance measures are reasonable but ambitious and fit an agency's mission and objectives. Revisions included the adoption of a third outcome measure—the percentage of defendants who remain on release at the conclusion of their pretrial status without a pending request for removal or revocation due to noncompliance—and re-defining a diagnostic performance measure to target the Agency's identification at initial appearance of defendants eligible by statute for pretrial detention. These changes will improve PSA's ability to better measure how its mission critical functions of risk assessment and risk management are helping achieve the goals of low failure to appear and rearrest rates among pretrial defendants.

PSA identified four *high priority performance goals* for fiscal years 2011 through 2013:

1. Improving defendant risk identification and classification
2. Enhancing supervision of high-risk pretrial defendants
3. Evaluating PSA's substance abuse treatment protocol
4. Implementing the Human Capital Assessment and Accountability Framework

Performance Goals 1 through 3 tie directly to PSA's statutory requirements under District of Columbia Code Title 23, Chapter 13, Section 23-1303;⁵ the Agency's current mission statement, strategic goals and objectives;⁶ and recognized evidence-based practices in defendant and offender assessment and supervision.⁷ Goal 4 meets the President's new human capital requirements for Federal agencies and complements PSA's vision to thrive as a leader within the justice system by developing an empowered workforce that embodies integrity, excellence, accountability, and innovation in the delivery of the highest quality services.

⁵ *District of Columbia Official Code* (2001). Title 23. Criminal Procedure. Chapter 13. Bail Agency [Pretrial Services Agency] and Pretrial Detention. Subchapter I. District of Columbia Bail Agency [Pretrial Services Agency], §23-1303, (a) and (h).

⁶ District of Columbia Pretrial Services Agency (2008). *D.C. Pretrial Services Agency Strategic Plan, FY 2008 – FY 2013*. Washington, D.C.: District of Columbia Pretrial Services Agency.

⁷ See, for example, Crime and Justice Institute. (2004). *Implementing Evidence Based Practice in Community Corrections: the Principles of Effective Intervention*. Washington, D.C.: National Institute of Corrections.

To meet Goal 1, PSA contracted in October 2009 with the Urban Institute to validate its current risk assessment procedures. The validation will include an independent empirical study to identify defendant factors most closely correlated to failure to appear at scheduled court dates and rearrest during pretrial release. PSA also will evaluate the need for separate risk assessments or risk criteria for certain high-risk defendant populations.

Under Goal 2, PSA is continuing its earlier work with Abt Associates to identify the defendant and system factors related to successful supervision outcomes.

To satisfy Goal 3, PSA hired Maxarth LLC to perform a comprehensive assessment of the Agency's treatment protocols and NPC Research to gauge the Superior Court Drug Intervention Program against established drug court critical elements. Further, staffs from the Offices of Research, Analysis and Development and Operations are conducting qualitative and quantitative reviews of current substance abuse treatment practices, with emphasis on developing services needed to complete the Agency's continuum of treatment and measuring existing programs' effectiveness in reducing drug use and pretrial misconduct.

Finally, in Goal 4, PSA's Office of Human Capital Management (OHCM) has developed and is implementing a Human Capital Assessment and Accountability Plan. The Office of Personnel Management (OPM) developed the Human Capital Assessment and Accountability Framework (HCAAF) to assist federal agencies in establishing and maintaining systems that (1) set standards for applying merit principles, (2) measure the agency's effectiveness in meeting those standards, and (3) correct deficiencies in meeting the standards. OHCM leads PSA's efforts to develop goals and activities for each HCAAF system area, along with milestones, timelines for completing these tasks, specific outcomes, and identified lead offices and individuals within PSA. Each of these elements is included in PSA's recently submitted Human Capital Assessment and Accountability Plan as part of its Human Capital Plan. Meeting HCAAF requirements will align PSA to OPM's goal of creating a more effective Government by attracting, developing, and retaining quality employees from diverse backgrounds. It also will complement PSA's vision to thrive as a leader within the justice system by developing an empowered workforce that embodies integrity, excellence, accountability, and innovation in the delivery of the highest quality services.

Audit and Program Reviews

- ✓ Audit, program review and process efficiency continued to be part of PSA management operations. Examples of reviews and audits, with results, follow.
- ✓ The most recent (FY 2010) independent financial audit, conducted by KPMG, resulted in an "unqualified" (clean) opinion, found no significant issues and verified that PSA's financial records accurately reflected the financial condition of the Agency. No material weaknesses were found requiring action by the Agency.
- ✓ Consistent with guidance from the Office of Federal Procurement Policy, PSA reviewed the training records of its professional procurement staff and verified that all mandatory training has been accomplished to support the levels of responsibility and authority assigned to its employees.

- ✓ In accordance with National Archives and Records Administration directives, PSA entered into an Interagency Agreement with the Federal Records Center to manage its inventory of records and documents and to comply with published and agency-specific records schedules. Efforts continue in-house to identify and classify all agency records and to ensure that they are maintained in accordance with relevant rules and regulations.
- ✓ Congress passed the Clinical Laboratory Improvement Amendments (CLIA) in 1988 establishing quality standards for all laboratories testing human specimens for diagnosis, prevention or treatment of illnesses. A 2008 survey of agencies testing probation and parole populations conducted by the American Probation and Parole Association found that the vast majority of respondents did not use CLIA-certified laboratories. PSA's Forensic Toxicology Drug Testing Laboratory (FTDTL) is certified by DHHS/CLIA and is staffed by professionals with credentials in forensic toxicology, forensic science, medical technology, chemistry, and biology.
- ✓ While audit and internal control are regular parts of ongoing OHCM operations, in August 2009, OPM conducted an extensive audit of the OHCM, covering talent management, performance culture, and learning management. Auditors reviewed internal and external hiring actions, performance evaluations, awards, internal actions, and training. No legal or regulatory violations were found and reports from the audit team were extremely favorable. In response to the auditors' recommendations, OHCM is planning to administer the Performance Accountability and Assessment Tool (PAAT) in FY 2011 to assess the new performance management system, is revising applicant assessment procedures on an on-going basis, is now providing examples of specialized experience at all grade levels in vacancy announcements, has included additional information in USAJobs on assessment of applications from veterans, has revised numerous forms and is now reporting Delegated Examining data separately from CSOSA. As a result of these actions, the OPM audit has been successfully closed.

Business Processes and Information Technology

- ✓ The Agency continued to improve its information security posture. Accomplishments in this area include:
 - installation of a new network management system to facilitate more efficient and reliable operating system updates to work stations and servers; as a result, critical updates (patches) are now maintained at a 99 percent rate and unknown network assets and unauthorized software are readily identified;
 - implementation of a proactive approach to user account management and monitoring; and
 - improvements in IT asset management including increased controls for equipment check-out and physical inventory; and a consolidated asset management database to enhance and facilitate control of equipment.
- ✓ PSA fully utilized information technology to support and facilitate mission accomplishment. Examples include:
 - establishment of secure wireless network access in the Superior Court building for the agency's Operations staff;
 - migration of PRISM, the agency's case management system, to the latest Microsoft software platform;

- development of two new modules in PRISM: one enhances Office of Finance and Administration’s management of treatment and electronic monitoring contracts; the other improves the efficiency of specimen delivery to the Forensic Toxicology Drug Testing Laboratory;
 - implementation of a more efficient employee locator system using the network’s Active Directory and an off-the-shelf application; and
 - providing support to the Office of Research, Analysis and Development’s PSA-Stat effort to improve data quality and statistical measures in the agency.
- ✓ PSA reduced its IT environmental footprint through server and database consolidation and virtualization, with a 26 percent reduction in the number of physical servers. As a result, 42 percent of the agency’s servers are now virtualized. Central management of workstation power produced a 50 percent reduction in electrical consumption by the agency’s personal computers.
 - ✓ In response to Executive Order 13514 (Federal Leadership in Environmental, Energy, and Economic Performance), PSA formed a staff committee to heighten awareness of environmental stewardship, investigate and propose strategies for achieving energy savings, and reinforce and strengthen the existing waste management/reduction program (e.g., recycling) at the Agency. Progress toward the goals of the Executive Order includes: the addition of new recycling bins in more locations, the launch of an automatic “snooze” function on all Agency computers and encouragement of staff to review documents on monitors without printing them; emphasis throughout the Agency on double-sided copying and printing; consideration of paperless operations to every extent feasible and acceptable to partners and stakeholders; procurement of the most energy efficient cost-effective products available and inclusion of such initiatives among contract evaluation factors; the development and posting of signage encouraging employees to conserve water, electricity, fuel, and to increase recycling; increasing telecommuting among agency staff; utilizing alternative work schedules; and providing employees with a transit subsidy authorized within the federal government.

Strategic Human Capital Management

- ✓ In response to OPM requirements, PSA submitted its first Human Capital Management Report, which provided data, outlined achievements and articulated future efforts targeted at meeting the human capital goals outlined in PSA’s Human Capital Plan.
- ✓ Responding to the President’s Hiring Reform initiative, OHCM began working with OPM to develop a method for eliminating the requirement for narrative responses to KSAs (Knowledge, Skills, and Abilities) in initial job applications. As part of this process, OHCM has revised vacancy announcements to reflect the new processes.
- ✓ PSA simplified its performance management process, consistent with the Collective Bargaining Agreement, with two significant changes:
 - 1) Rating categories were redefined and PSA leadership emphasized more rigorous application of performance standards for the appraisal cycle ending July, 2010. As a result, Outstanding (top level) ratings were reduced from 30.92 percent in 2009 to 10.67 percent in 2010.

2) OHCM worked with all office areas and staff throughout the agency to review and revise performance plans for all PSA employees to facilitate realistic ratings and ensure meaningful distinctions between rating levels. The new plans were developed and put into place at the beginning of the new performance cycle in August 2010.

- ✓ The 2010 Employee Viewpoint Survey (formerly the Federal Human Capital Survey), completed in February 2010, included all PSA employees and was proactively supported by PSA management. As a result, more than 60 percent of PSA employees completed the survey. Although the results of this survey are available in full detail, the highlights below show that PSA's index scores across the four HCAAF systems exceeded that of the federal workforce sample:
 - Leadership and Knowledge Management: 68 percent for PSA as compared to 61 percent for the federal workforce sample;
 - Results-Oriented Performance Culture: 62 percent for PSA as compared to 54 percent for the federal workforce sample;
 - Talent Management: 71 percent for PSA as compared to 60 percent for the federal workforce sample;
 - Job Satisfaction: 72 percent for PSA as compared to 69 percent for the federal workforce sample.

In addition to scoring higher than the federal workforce sample on the HCAAF indices, PSA employees provided more positive responses than the federal workforce sample on about 90 percent of the survey questions. These responses highlight strengths across work experiences, unit performance, agency-level practices and accomplishments, management performance, leadership and flexible work place options.

- ✓ OHCM and PSA management continue to foster effective labor-management partnerships; FY 2010 was the second full year of implementation for the Collective Bargaining Agreement (CBA). Examples and results include:
 - the development of 23 online training modules and three onsite classes for managers and supervisors and the launch of the new performance management system consistent with the CBA;
 - regular bi-weekly forum meetings between union representatives and agency leadership, pre-decisional union involvement in both organizational improvements and policy development, and one-on-one meetings with senior staff and union leadership to resolve potential issues; and
 - collaboration between management and union representatives in determining how best to measure satisfaction across the Agency with labor-management relationships.
- ✓ To ensure fair and equal treatment of all employees throughout the Agency, OHCM, in collaboration with CSOSA, planned a one-day symposium on alternative dispute resolution and equal employment opportunities for all Agency supervisors, managers and executives. The Symposium provided information on proactively addressing conflict issues in the workplace.

- ✓ PSA expanded outreach to groups that are underrepresented in the work force, with particular focus on Hispanic recruitment. PSA is researching and building relationships with organizations with a high constituency of Hispanics and organizations with the ability to connect Hispanic job seekers with the organization. Examples include:
 - A PSA employee volunteered at the 2nd Annual Maryland Hispanic Youth Summit, hosted by the Hispanic College Fund. More than 200 local Hispanic high school students come together to develop a network of peers and mentors, learn about resources and tools for college, and develop a long-term career vision.
 - PSA created a partnership with the Hispanic Association of Colleges & Universities (HACU) and hosted its first HACU intern from June 2010 through August 2010.
 - Recruitment efforts focused on Hispanic-serving institutions which include the John Jay College of Criminal Justice and the University of Maryland at College Park. In an effort to expand outreach, PSA continues to send vacancy announcements to the National Association of Latino Fraternal Organizations group.
- ✓ PSA continued to support Special Emphasis Committees and Equal Employment Opportunity initiatives with CSOSA, making staff available on a regular basis for these important efforts. A PSA employee leads the Federal Women's Committee; another leads the Hispanic Program Committee; and a third is acting chair of the Disability Employment Program Committee. Other PSA employees participate on these and other committees on an ongoing basis.
- ✓ PSA's second iteration of the supervisory mentoring program is currently underway. All new agency supervisors are required to be mentored by an experienced supervisor/manager for his/her first year in the position. In FY 2010, a 360 degree assessment was completed for managers and supervisors to document their future training needs. PSA is also in the process of beginning its fifth iteration of the agency-wide mentoring program (which is open to all staff).
- ✓ An upgrade of the Learning Management System (LMS) was completed, enhancing PSA's ability to measure the effectiveness of its training programs and improving end-user access to the system. In addition, training staff are currently attending various training courses to develop their skills in designing on-line learning modules so that more training opportunities can be offered on-line in the future via the LMS.
- ✓ PSA offered a number of developmental opportunities for all grade levels across the Agency in a variety of different types of classes, including several of OPM's LEAD Certificate Programs. Participants were identified through a competitive process.

Summary of Requirements by Grade and Object Class

SALARIES and EXPENSES

SUMMARY OF REQUIREMENTS by GRADE and OBJECT CLASS

(Dollars in Thousands)

Grade	2010 Actual		FY 2010 Enacted		FY 2012 Request		Variance	
	Pos	Amount	Pos	Amount	Pos	Amount	Pos	Amount
SES	3	469	3	487	3	487	0	0
GS-15	11	1,564	11	1,622	11	1,622	0	0
GS-14	22	2,666	22	2,765	22	2,765	0	0
GS-13	52	5,126	52	5,317	52	5,317	0	0
GS-12	164	13,293	164	13,789	164	13,789	0	0
GS-11	29	1,827	29	1,895	29	1,895	0	0
GS-10	0	0	0	0	0	0	0	0
GS-09	29	1,612	29	1,672	29	1,672	0	0
GS-08	8	444	8	461	8	461	0	0
GS-07	25	1,243	25	1,289	25	1,289	0	0
GS-06	14	600	14	623	14	623	0	0
GS-05	21	901	21	934	21	934	0	0
Total Appropriated Positions	378	29,745	378	30,854	378	30,854	0	0
Object Class								
11.1 Full Time Permanent	378	29,745	378	30,854	378	30,854	0	0
11.3 Other Than Full-Time Permanent		45		0		0		0
11.5 Other Personal Compensation		1,179		267		267		0
12.0 Personnel Benefits		11,649		11,601		11,601		0
13.0 Unemployment Compensation		0		19		19		0
Personnel Costs	378	42,618	378	42,741	378	42,741	0	0
Non-Personnel Costs								
21.0 Travel & Training		319		326		455		129
22.0 Transportation of Things		0		12		12		0
23.1 Rental Payments to GSA		0		2,295		2,486		191
23.2 Rental Payments to Others		3,508		2,486		2,710		224
23.3 Communications, Utilities & Misc.		513		558		734		176
24.0 Printing and Reproduction		53		58		63		5
25.2 Other Services		7,977		8,520		9,687		1,167
26.0 Supplies and Materials		1,785		858		934		76
31.0 Furniture and Equipment		1,311		471		761		290
32.0 Buildout		0		227		178		-49
Non-Personnel Costs		15,466		15,811		18,020		2,209
TOTAL								
	378	58,084	378	58,552	378	60,761	0	2,209
OUTLAYS								
		48,892		58,458		60,319		1,861

Note: in FY 2010, reimbursements received from other Federal and non-federal governmental entities for drug testing services were credited to 25.2 – Other Services. In FY 2011 and FY 2012, receipts will be credited to 26.0 – Supplies and Materials. Also, in FY 2011, PSA will begin to lease property from GSA.