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Pretrial Services Agency for the District of Columbia

Congressional Budget Justification and Performance Budget Request

Fiscal Year 2014

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Pretrial Services Agency Fiscal Year 2014 Budget Request

The Pretrial Services Agency for the District of Columbia (PSA) assists judicial officers in both the Superior Court for the District of Columbia and the United States District Court for the District of Columbia by conducting a risk assessment for every arrested person who will be presented in court and formulating release or detention recommendations based upon that risk assessment. This assessment is based upon the arrestee's demographic information, criminal history, as well as substance abuse and/or mental health information. For defendants who are placed on conditional release pending trial, PSA provides supervision and treatment services that reasonably assure that they return to court and do not engage in criminal activity pending their trial and/or sentencing. The result is that, in the District of Columbia, unnecessary pretrial detention is minimized, jail crowding is reduced, public safety is increased and, most significantly, the pretrial release process is administered fairly.

PSA was created by an act of Congress (the *District of Columbia Bail Agency Act*) in 1967. Under the *National Capital Revitalization and Self-Government Improvement Act of 1997*, PSA was established as an independent entity within the Court Services and Offender Supervision Agency (CSOSA) in the Executive Branch of the Federal Government. PSA brings to bear the strength of 45 years of excellent service to the District of Columbia, a strong sense of mission and purpose, a dedicated and professional staff, and a reputation for collaboration and cooperation with other justice partners. Since its inception as a federal agency, PSA has sharpened its mission and vision and committed itself to being an Agency driven by performance and measured by results.

Defendants are placed into PSA supervision programs during the pretrial release period based on the release conditions ordered by the Court. Defendants may be placed into one or more of PSA's supervision programs over the course of the pretrial release period depending on the release conditions ordered by the Court and/or if they have multiple cases pending. In FY 2012, PSA supervised 16,887 defendants in pretrial supervision programs. In total, PSA supervised defendants in 24,663 cases – 17,920 cases originated during FY 2012, and 6,743 cases continued under PSA supervision from the previous fiscal year.

PSA's FY 2014 Budget Request provides for the performance of its mission-critical functions in the most efficient, cost-effective manner. In FY 2014, PSA will further its strategic objective of transforming PSA into a performance-based, evidence-driven organization that can directly link costs and outcomes. PSA's approach for FY 2014 focuses on the addition of targeted identification and supervision of defendants with higher risk and higher needs, incorporation of innovative supervision strategies to reduce future criminality, integration of technology into supervision and treatment, and smarter use of community resources and partnerships.

PSA's FY 2014 Budget Request is \$59,519,000, including 372 FTE, a net increase of \$84,000 or 0.1 percent, above the FY 2012 Enacted Budget.

The FY 2014 President's Budget request reflects a net decrease of \$524,000 in adjustments necessary to reach the FY 2013 President's Policy Base. The adjustments include: (1) a reduction of \$800,000 in one-time costs associated with the FY 2012 funding to relocate PSA's drug testing laboratory, and (2) a request for resources totaling \$276,000 to fund FY 2013 non-payroll inflation adjustments.

The FY 2014 President's Budget requests resources totaling \$608,000 to fund FY 2014 non-payroll and payroll inflation adjustments. Resources are requested for non-payroll cost categories including rent, contracts, supplies, materials, equipment, and utilities. Funds are also requested for the proposed FY 2014 pay raise (1 percent). The FY 2014 President's Budget projects an increase of 5 FTE as vacant positions are hired with requested resources.

Pretrial Services Agency Summary of Change			
	Positions	FTE	Amount \$(000)
FY 2012 Enacted Appropriation	376	367	59,435
FY 2013 Annualized Continuing Resolution (CR)	376	367	59,435
Adjustments to Base (ATB):			
Adjustments to Reach FY 2013 President's Policy	0	0	-524
Adjustments to FY 2014 Base	0	5	608
Sub-Total, Adjustments to FY 2012 Enacted	0	5	84
FY 2014 Base	376	372	59,519
FY 2014 PB Request	376	372	59,519
Increase from FY 2012 Enacted Budget	0	5	84
Percent Increase from FY 2012 Enacted Budget	0%	1.4%	0.1%

Notes:

¹PSA's FY 2013 PB submitted to Congress in February 2012 totaled \$58,911,000 (a net decrease of \$524,000, or .9 percent, below FY 2012 Enacted). A full-year FY 2013 appropriation for CSOSA was not enacted at the time the FY 2014 budget was prepared; therefore, this account is operating under a Continuing Resolution (P.L. 112-175, as amended). The amounts reported above for FY 2013 reflect the annualized level provided by the Continuing Resolution (excluding the .612% adjustment to base).

² FY 2012 Enacted Budget includes \$1,000,000 to relocate the PSA drug testing laboratory.

³ PSA projects FY 2013 FTE to total 367. PSA projects FY 2014 FTE to total 372. Projected FY 2013 and 2014 FTE reflect anticipated temporary lapses in authorized on-board FTP staff due to normal attrition and postponed hiring.

PSA Program Purpose

Mission, Vision and Goals

PSA's *mission* is to promote pretrial justice and community safety by assisting judicial officers in making appropriate release decisions, and by providing supervision and pro-social interventions to defendants released into the community.

Our *vision* is 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.

Adherence to CSOSA Strategic Goals

Similar to the Community Supervision Program (CSP) component of CSOSA, PSA has adopted the Strategic Goals set forth in the *CSOSA Strategic Plan* of 1) Establish strict accountability and prevent the population supervised by CSP/PSA from engaging in criminal activity, and 2) Support the fair administration of justice by providing timely and accurate information and recommendations to criminal justice decision makers.

Strategic Outcomes

Consistent with its mission—and the legal status of pretrial defendants—PSA's three key strategic outcomes are:

- ✓ *Minimizing rearrests* among defendants released to the community pending trial, particularly new arrests on violent and drug crimes, to help assure public safety.
- ✓ *Reducing failures to appear for scheduled court appearances* to help promote more efficient administration of justice.
- ✓ *Maximizing the number of defendants who stay on pretrial supervision with no pending requests for removal or revocation at the conclusion of their pretrial status* to encourage defendant accountability.

Organizational Strategies

To translate the strategic goals and outcomes into operational terms, PSA has adopted four Organizational Strategies that define the key activities through which these goals will be achieved:

Organizational Strategy 1 – Assessments and Release Recommendations: PSA promotes informed and effective non-financial release determinations by utilizing a validated risk assessment to formulate and recommend, based upon the statutory requirement, the least restrictive release conditions to 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.

Organizational Strategy 2 – Monitoring and Supervision of Released Defendants: PSA effectively monitors or supervises pretrial defendants—consistent with the court-ordered release conditions—to promote court appearance and public safety.

Organizational Strategy 3 – Integrating Treatment and Supervision: PSA directly provides or makes referrals to effective substance dependence, 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.

Organizational Strategy 4 - Partnerships: PSA’s partnerships with the judicial system, law enforcement and the community enhance its 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.

Performance Outcomes

PSA measures achievement of its critical outcomes through three measures:

- 1) The percentage of defendants rearrested for violent or drug crimes during pretrial status.
- 2) The percentage of cases in which a defendant failed to appear for at least one court hearing.
- 3) 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 non-compliance.

PSA Performance Outcomes

OUTCOMES	FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2012- 2016 Target
Percentage of Defendants Rearrested for Violent or Drug Crimes During the Period of Pretrial Supervision						
Rearrests for all defendants:						
Any crimes	12%	12%	12%	12%	11%	12%
Violent crimes	2%	2%	3%	1%	1%	2%
Drug crimes	4%	4%	4%	4%	3%	4%
Rearrests for drug-using defendants:						
Any crimes	17%	17%	16%	16%	15%	
Violent crimes	3%	4%	4%	1%	1%	
Drug crimes	6%	6%	6%	6%	4%	
Rearrests for defendants not using drugs:						
Any crimes	5%	6%	7%	7%	8%	
Violent crimes	1%	1%	1%	1%	1%	
Drug crimes	1%	1%	1%	1%	1%	
Percentage of Cases in Which a Defendant Failed to Appear for at Least One Court Hearing						
Any defendants	12%	12%	12%	12%	11%	13%
Drug users	16%	15%	14%	14%	14%	
Defendants not using drugs	7%	8%	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 Non-compliance						
	N/A	N/A	83%	88%	88%	73%

Data Source: PSA Performance Improvement Center, October 3, 2012

Organizational Structure

PSA's organizational structure supports the effective management of risk assessment, drug testing, supervision, and treatment services for pretrial defendants, and performance of a variety of other management and administrative functions. Under the direction of the Associate Director, Operations, the Court Services, Supervision and Treatment Programs carry out PSA's court- and defendant-related operations. All management, program development and administrative support functions, including forensic toxicology services, are performed under the oversight of the Office of the Director.

Court Services Program

The **Court Services Program** consists of the Diagnostic Unit, the Release Services Unit, and the Drug Testing and Compliance Unit.

The *Diagnostic Unit* interviews defendants arrested and detained on criminal charges in the D.C. Superior Court and formulates release recommendations based on a validated risk assessment. This pre-release process includes an extensive background investigation, during which information collected in defendant interviews is verified and criminal history information is gathered and analyzed. This information is used to assess each defendant's risk and to make an individualized recommendation to the judicial officer for either pretrial release or detention at arraignment. Diagnostic Unit staff appears in court during each arraignment to provide information upon request by the judiciary and to facilitate the placement of defendants released into various PSA supervision programs. The Diagnostic Unit also conducts investigations for arrestees being considered by the arresting law enforcement agency for release on citation (so they will not be detained pending their first appearance before a judicial officer) and schedules citation arraignment dates.

Following a defendant's release into pretrial supervision with PSA, the *Release Services 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 to re-establish contact with defendants who have failed to appear for court. When preparing the surrender of defendants to the Court, the Unit conducts a new risk assessment to determine whether additional release conditions are warranted should the defendant be released following surrender. The Unit also prevents the issuance of bench warrants by verifying defendants' inability to appear in court (*e.g.*, due to incarceration in another jurisdiction or hospitalization) and notifying the Court. The Unit is also responsible for conducting criminal history investigations and preparing pretrial services reports on non-criminal D.C. Code violation and traffic lock-ups.

The *Drug Testing and Compliance Unit (DTCU)* collects urine samples for analysis from defendants detained prior to arraignment and from defendants who have been ordered to drug test as a condition of pretrial release. Because a substantial number of criminal defendants have substance dependence problems that must be addressed to mitigate their risk to public safety, drug testing provides vital data that informs judicial release decisions and PSA supervision approaches.

Supervision Program

The **Supervision Program** consists of the General Supervision Unit, the High Intensity Supervision Program, and the U.S. District Court Unit.

The *General Supervision Unit (GSU)* supervises the majority of defendants released by D.C. Superior Court to PSA on conditional release. Release conditions may include orders to stay away from designated people and places; regular in-person or telephone contact with PSA; drug testing; and referrals for treatment assessment and program placement. GSU Pretrial Services Officers (PSO) ensure that current and relevant information regarding compliance is continuously available to the Court. PSOs use a variety of case management techniques to encourage defendant compliance with release conditions. If the defendant cannot be brought into compliance through these efforts, the PSO sends a violation report to the Court, including specific recommendations, such as drug treatment or mental health treatment, designed to address the non-compliance. GSU PSOs, through two teams of designated Court Representative PSOs, also provide daily courtroom support to judicial officers to ensure placement of defendants into appropriate pretrial programs.

Defendants under GSU supervision have been charged with offenses ranging from serious misdemeanors to dangerous and/or violent felonies. Many defendants are statutorily eligible for pretrial detention based on their charge (*e.g.*, robbery, burglary, aggravated assault) or criminal history (*e.g.*, they are arrested while on release in a pending case or on probation). However, the Court can determine, after considering PSA's risk assessment and release recommendations, that supervised release in the community under extensive conditions is appropriate and cost effective. In such cases, the Court's expectation is that PSA will closely supervise compliance with release conditions and promptly report any non-compliance to the Court.

GSU also supervises defendants placed into the D.C. Department of Corrections work release (halfway house) program when the Court orders additional conditions, such as drug testing.

The *U.S. District Court Unit* conducts pre-release assessment and investigation services for federal defendants similar to those conducted in the Diagnostic Unit. 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 *High Intensity Supervision Program (HISP)* supervises higher risk defendants who have supervision-related failures from other PSA units; are charged with violent misdemeanors and felonies; were initially detained but are now eligible for release; or are compliant with halfway house conditions of work release and are now 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. If the Court orders the defendant to stay away from a location, that condition is monitored by Global Positioning Surveillance (GPS) equipment.

The program consists of two phases, the Community Supervision phase and the Home Confinement phase. During the Community Supervision phase, defendants are monitored for compliance with curfew requirements and are required to report to PSA at least once per week for drug testing and meetings with their designated PSO. Home Confinement is intended primarily as a graduated sanction for defendants who violate the program requirements under the Community Supervision phase. However, the Court may opt to order a defendant directly into home confinement and require the defendant to demonstrate compliance before graduating down to the Community Supervision phase. During home confinement, defendants are subject to up to 21 days of 24-hour electronically monitored curfew. 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. Due to the heightened risk associated with this population, PSA reports all program violations to the Court within an expedited timeframe.

Treatment Program

The **Treatment Program** is staffed by clinically trained PSOs and includes the Superior Court Drug Intervention Program (commonly referred to as Drug Court), the Sanction-Based Treatment Track, the Specialized Supervision Unit, the D.C. Misdemeanor and Traffic Initiative (DCMTI), and the Social Services and Assessment Center.

Drug Court is a treatment/supervision program that implements an evidence-based model for treating drug addicted adults involved with the criminal justice system. Generally, Drug Court targets defendants charged with non-violent offenses. Participants in the program appear frequently before the Drug Court judge, submit to random drug testing, participate in substance use treatment, and agree to immediate administrative or court-imposed sanctions for non-compliance with program requirements. The program incorporates contingency management (*i.e.*, incentives and sanctions) to modify behavior. Sanctions range from administrative or treatment responses, such as additional groups or writing assignments, to judicially-imposed jail sanctions. Incentives, such as judicial verbal acknowledgement, tokens, and related items, are provided in response to positive behavior. Program completion can result in dismissal of a misdemeanor case and favorable consideration (such as probation) in sentencing for a felony-charged defendant. Until February 2013, PSA also offered the *New Directions* program, which offered services similar to Drug Court for defendants not eligible for Drug Court participation. Drug Court now operates with expanded eligibility criteria, and a majority of defendants previously referred to New Directions are now eligible for Drug Court.

The *Sanction-Based Treatment Track (SBTT)* is intended for defendants not eligible for Drug Court but includes many features of that program. Defendants in SBTT are subject to the same administrative and judicially-imposed sanctions as Drug Court defendants. PSOs in SBTT also recommend swift sanctions and a limited array of incentives, but the SBTT is unique in that much of the substance dependence treatment is provided by contracted treatment providers. Defendants with violent and non-violent charges are eligible, and diversion from prosecution/amended sentencing is not offered.

The *Specialized Supervision Unit (SSU)* provides critical supervision and case management services for defendants with severe and persistent mental health disorders, as well as those dually diagnosed with both mental illness and substance dependence 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 SSU plays a vital role in supporting the Mental Health Diversion Court (MHDC), which is a partnership between PSA, D.C. Superior Court, the U.S. Attorney's Office, and the local defense bar created to provide alternative case processing for appropriate defendants with mental health issues. PSA's participation in the MHDC includes assessing and recommending eligible misdemeanor defendants for participation, providing close supervision and referrals for mental health and substance dependence treatment, and reporting compliance to the Court.

The *D.C. Misdemeanor and Traffic Initiative (DCMTI)* provides supervision, referrals for substance dependence and mental health treatment, and monitoring of compliance with treatment for defendants charged with certain misdemeanor traffic or D.C. Code offenses prosecuted by the Office of the Attorney General for the District of Columbia. The program primarily serves defendants charged with Driving Under the Influence (DUI), Operating While Impaired (OWI), and Driving While Intoxicated (DWI). Other defendants eligible for this program include those charged with reckless driving, aggressive panhandling, indecent exposure, and fleeing from a police officer. PSOs in this unit ensure the defendants are assessed for and referred to appropriate substance dependence (particularly alcohol) and/or mental health treatment.

The *Social Services and Assessment Center (SSAC)* conducts substance use assessments and provides 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 use 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 publicly available treatment, employment, education, housing and other social services that may be utilized by defendants in meeting pretrial release obligations.

Forensic Toxicology Services

The Office of Forensic Toxicology Services (OFTS) processes urine specimens and conducts drug testing for pretrial defendants under PSA's supervision and offenders under CSOSA Community Supervision Program (CSP) (*i.e.*, persons on probation, parole, and supervised release), as well as respondents ordered into testing by the D.C. Superior Court Family Court. Each sample is tested for three to seven drugs and all positive samples are retested. Gas chromatograph/mass spectrometry (GC/MS) analyses are conducted to confirm test results and provide affirmation of the identity of a drug when results are challenged. Toxicologists conduct levels analysis to determine drug concentrations. These interpretations are essential to the courts for determining continued drug use by a defendant. Expert witness court testimony and forensic consultations are also provided to assist the judicial officers.

OFTS, through its forensic research arm, is at the forefront of identifying emerging new drugs of abuse in the District. For instance, using its sophisticated instrumentation, such as GC/MS/MS (Tandem Gas Chromatography Mass Spectrometry), OFTS identified and characterized Levamisole in the urine samples of some defendants and offenders who tested positive for cocaine use. Levamisole has been identified as a cutting agent that has resulted in serious health consequences, including death, for persons who used it. PSA placed notices about this information in each of its treatment program waiting areas. The OFTS technology has also been used in the identification of buprenorphine (Suboxone, Subutex), designer stimulants (bath salts), and other drugs of abuse in urine samples collected.

Management, Program Development and Administrative Support

The following areas within the Agency provide management, program development, and frontline operations support:¹

- Justice and Community Relations
- Financial Management
- Human Capital Management and Training
- Information Technology
- Strategic Development

¹ 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.

Resource Requirements by Organizational Strategy

Consistent with the *Government Performance and Results Modernization Act of 2010*, (P.L.111-352), PSA's outcome and performance measure targets for FY 2012 through FY 2016 are based on the Agency's actual performance over the past five fiscal years, as well as our expectation of what constitutes appropriate targets and quality performance measures in the areas of risk assessment, supervision, substance dependence treatment and/or mental health treatment integration, and partnerships within our Organizational Strategies (formerly referred to as Critical Success Factors). The targets also reflect improvements in data collection under PSA's Pretrial Real-time Information System (PRISM) and PSA's enhanced capacity to track, report and analyze data and trends through its Performance Improvement Center (data warehouse).

Performance Measures

Beginning in FY 2012, PSA adjusted targets to 95 percent (from 99 percent) for Measures 3.1 and 3.5 starting in FY 2012 and onward. This reflects PSA's improving identification of referrals for initial substance dependence assessments in PRISM as well as increased sophistication and accuracy in measuring these data. PSA considers 95 percent to be an ambitious – but reasonable – future target, given that compliance with substance dependence and mental health assessment requests made by Pretrial staff is voluntary for pretrial defendants. Because assessments are not mandatory unless court-ordered, expecting near perfect compliance with the procedure is an unreasonable performance goal. For example, PSA recorded close to 2,800 substance use assessment referrals in FY 2012. To reach the former 99 percent performance target, no more than 28 referred defendants could decline an assessment for the entire fiscal year. The 95 percent target allows for 200 declinations for the year.

Also in FY 2012, PSA re-defined the targeted defendant population under Measure 3.2 as those in need of intensive outpatient or inpatient substance dependence treatment. These changes allow PSA to better gauge how much of the Agency's treatment resources go to defendants whose drug usage is more closely correlated to failure to appear and rearrest. For example, research suggests that the severity of drug dependence and mental health issues is a greater risk determinant than simply identifying drug use. This also supports evidence-based practices in community supervision that stress matching supervision level (*e.g.*, sanctions-based treatment and close supervision) to identified risk and needs levels. Finally, PSA believes tracking placement progress among higher-needs defendants will ensure that limited treatment resources are focused in areas that produce the greatest community safety and court appearance outcomes.

PSA's operational strategies span PSA's major functions and are linked to the strategic outcomes of reducing rearrest and failure to appear for court. The resource requirements for each operational strategy and associated activities form the basis for the FY 2014 Budget Request.

FY 2014 Budget Distribution By Program Office and Performance Measure
(Dollars in thousands)

Performance Measures	Diagnostic	Diagnostic Evening/Midnight	Court Representatives	GSU	HISP	U.S. District Court	Work Release	SSU	SSAC	Drug Court	DCMTI	Contract Treatment	DTCU	OFTS	Totals
1.1 Risk Assessment	2,298	1,390				361							305	183	4,537
1.2 Initial Release Recommendation	2,242	914				361							611	305	4,433
2.1 Compliance with Release Conditions	561	1,588	612	4,792	2,240	632	266	1,106		963	129		1,527	2,072	16,488
2.2 Sanctions for Non-compliance			3,266	3,727	1,452	271	146	295		1,147	515				10,819
3.1 Substance Abuse Assessment			82	1,065	124	36	9	37	1,900		644				3,897
3.2 Placement in Drug Treatment					42	36	4	553		1,422	773				2,830
3.3 Reduction in Drug Use					83	54		184		688	129	1,792	3,420	3,352	9,702
3.4 Connection to Education/ Employment Services			41	319	41		4	37	78	229					749
3.5 Mental Health Assessment			40	532	42	18	4	74	1,279		129				2,118
3.6 Connection to Mental Health Services	280				84			1,291	581	92	232	94			2,654
4.1 Partnerships	224	79	41	213	41	36	9	111	39	46	26		244	183	1,292
Totals	5,605	3,971	4,082	10,648	4,149	1,805	442	3,688	3,877	4,587	2,577	1,886	6,107	6,095	59,519

Analysis by Strategy
(Dollars in thousands)

	FY 2012 Enacted	Total Adjustments to Base	Program Changes	FY 2014 Request	Change from FY 2012 to FY 2014
ORGANIZATIONAL STRATEGY 1: Assessments and Release Recommendations					
<u>Major Activities:</u> Diagnostics, Risk Assessments, Drug Testing, Court Reports					
\$000s	\$8,965	+\$5	\$0	\$8,970	+\$5
FTE Projected	61	1	0	62	1
ORGANIZATIONAL STRATEGY 2: Monitoring and Supervision of Released Defendants					
<u>Major Activities:</u> Monitoring, Supervision, Drug Testing, Sanctions					
\$000s	\$27,354	-\$47	\$0	\$27,307	-\$47
FTE Projected	173	2	0	175	2
ORGANIZATIONAL STRATEGY 3: Integrating Treatment and Supervision					
<u>Major Activities:</u> Supervision, Treatment, Sanctions					
\$000s	\$21,826	+\$124	\$0	\$21,950	+\$124
FTE Projected	124	2	0	126	2
ORGANIZATIONAL STRATEGY 4: Partnerships					
<u>Major Activities:</u> Supervision through community linkages					
\$000s	\$1,290	+\$2	\$0	\$1,292	+\$2
FTE Projected	9	0	0	9	0

ORGANIZATIONAL STRATEGY 1 – Assessments and Release Recommendations: *PSA promotes informed and effective non-financial release determinations by formulating and recommending the least restrictive release conditions to 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.*

The foundation of effective pretrial supervision is based upon appropriate release conditions. The pretrial services report (PSR), or “bail report,” prepared by PSA provides much of the information the judicial officer uses to determine a defendant’s risk 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.).

For individuals arrested and charged with non-violent misdemeanors, citations issued by law enforcement officers constitute the fastest and least restrictive form of release. By providing criminal history checks and information on community ties, PSA provides data that supports the

release of appropriate defendants 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 eligible for citation release, and should be detained 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, release recommendations reflect the statutory mandate for the least restrictive release that reasonably assures appearance in court and minimizes potential danger to the community.

ORGANIZATIONAL STRATEGY 1 - Performance Measures

Measures		FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2012 -2016 Target
1.1	Percentage of defendants who are assessed for risk of failure to appear and rearrests	98%	98%	99%	98%	99%	96%
1.2	Percentage of defendants for whom PSA identifies eligibility for appropriate appearance and safety-based detention hearings	NA	NA	96%	95%	95%	94%

PSA’s pre-release process assesses both risk of rearrest and failure to appear for scheduled court appearances. The assessment process has two components:

Risk Assessment: By statute, PSA is required to collect information on each defendant and use the information to assess risk. During the risk assessment process, factors associated with the risk of rearrest and failure to appear for court, including criminal history, pending charges, substance use/dependence, mental health history and community ties, are identified and scored.

Recommendation to the Court: Based on information gathered during the pretrial investigation, PSA makes a recommendation for either pretrial detention or release, in accordance with the risk determination. If PSA recommends release, the Agency recommends the least restrictive conditions for each defendant given the need for public safety and reasonable assurance that the defendant will return to court (PSA never makes a financial release recommendation). When warranted, PSA recommends to the Court a variety of restrictive conditions including, but not limited to, drug testing, drug treatment, mental health treatment, orders to stay-away from specified persons or places, regular and frequent face-to-face contact with a PSO, halfway house placement, GPS and electronic monitoring. The electronic monitoring may include a period of home confinement with release authorized by the PSO for limited purposes.

PSA has reprioritized its drug testing and treatment programs to focus its resources on the highest risk defendant population. Using this strategic approach, PSA can redirect resources to programs and initiatives that will provide additional support to reach the desired outcomes of minimizing rearrests and reducing failures to appear for scheduled court appearances. Beginning in FY 2013

and continuing into FY 2014, PSA plans to reconstitute the *Failure to Appear Unit* to increase efforts in investigating warrants issued against defendants who miss scheduled court dates. Based on previous experience, PSA believes that heightened contact with these defendants will reduce the number of outstanding bench warrants by arranging for the defendants to turn themselves in to the judicial officer.

FY 2012 Accomplishments - Organizational Strategy 1

- ✓ Prepared Pretrial Services Reports (PSRs) for 13,646 of the 13,771 cases (99 percent) papered by the U.S. Attorney's Office (USAO).
- ✓ Interviewed defendants in 11,295 papered cases (82 percent), and provided drug test result data in 12,671 PSRs (92 percent).²
- ✓ Conducted 505 failure-to-appear investigations. Staff attempted to contact defendants, verified the reason for the failure to appear, and submitted a report to the assigned calendar judge outlining the investigation results and making a recommendation for court action. Court Services staff facilitated the surrender to court of 183 defendants who missed scheduled court dates and had outstanding bench warrants issued.
- ✓ Prepared 1,472 updated PSRs for defendants who were held for a preliminary/detention hearing following their initial appearance. 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.

ORGANIZATIONAL STRATEGY 2 – Monitoring and Supervision of Released Defendants: *PSA effectively monitors or supervises pretrial defendants—consistent with release conditions—to promote court appearance and public safety.*

PSA focuses its supervision resources on defendants most at risk of violating their release conditions and employs graduated levels of supervision consistent with the defendant's identified risk level. Very low risk defendants (those released without conditions) receive only notification of court dates. Fairly low risk defendants are placed in monitoring programs that require limited contact with PSA. Medium risk defendants are placed under PSA's extensive supervision and maintain regular contact through drug testing and/or reporting to a PSA. High risk defendants may be subject to frequent contact with an assigned PSO and drug testing, curfew, electronic monitoring, substance abuse treatment or other conditions.

Swift response to non-compliance with release conditions is at the heart of effective case management. Failure to appear for a supervisory contact, a resumption of drug use, absconding from substance abuse treatment or mental health services, and other condition violations can be precursors to serious criminal activity. Responding quickly to non-compliance is directly related to meeting the goals of reducing failures to appear and protecting the public.

² Defendants are not required to agree to the interview or to submit a urine sample. In addition, some defendants are unavailable for these purposes due to intoxication, aggressive behavior, etc.

PSA uses graduated sanctions in an attempt to modify a defendant's behavior and focuses on modifying the behaviors most closely associated with a return to criminal activity or with absconding. Conditions of release are imposed by the judicial officer in an effort to reduce the probability of non-appearance in court and to reasonably assure that the community is not endangered as a result of the defendant's presence in the community. Compliance with release conditions is supervised strictly and PSA promptly detects and responds 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.

In FY 2012, PSA strategically decided to focus on the defendants that pose the greatest risk to public safety. Reduced numbers allow for adoption of a more intensive case management approach and allows for smaller clinical groups, which should enhance the effectiveness of clinical interventions. The caseloads are more manageable and appropriate especially for the most challenging defendant populations with substance dependence problems, mental health problems, or both, and those who require high intensity supervision. Redirecting resources to the highest risk/need populations has resulted in an increase in the number of low risk defendants being released on personal recognizance. PSA's rearrest and failure-to-appear rates have been sustained with this shift in administering pretrial services for the District of Columbia. PSA will continue to be especially attentive to measuring and monitoring the effects of this new strategic approach on these outcome measures which are at the core of its mission.

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. Ensuring that caseloads remain within manageable ranges allows sanctions to be administered swiftly in order to prompt changes in behavior. Current PSA supervision caseloads are profiled in the chart below.

**PSA Supervision Caseload Ratios
As of September 30, 2012**

Category	PSOs	Cases-Defendants Based	Ratios	Functional Description
General Supervision				
Extensive Supervision	36	2,457	1:68	Medium-to-high risk defendants with drug testing, stay away, and reporting conditions.
Condition Monitoring/Courtroom Support	8	347	1:43	Low risk defendants requiring minimal level supervision.
High Intensity Supervision (HISP)	15	342	1:23	High-risk defendants placed on electronic surveillance or home confinement.
Halfway House (Work Release)	2	47	1:24	High-risk defendants ordered to the Department of Corrections halfway house. Supervision may include other conditions.
U.S. District Court	6	209	1:35	Felony and misdemeanor defendants charged in U.S. District Court.
Subtotal – General Supervision	67	3,402		
Treatment				
New Directions ³	9	111	1:12	High-risk defendants ordered to substance abuse or mental health treatment.
Drug Court (SCDIP)	8	117	1:15	
Sanctions Based Treatment Track (SBTT)	1	12	1:12	
Specialized Supervision Unit (SSU)	18	616	1:34	
DCMTI	9	287	1:32	
Subtotal –Treatment	45	1,143		
Total	112	4,545		
Released on Personal Recognizance without Supervision		1,607		

Note: In discussions with Superior Court personnel, they expected a potential reduction of 10-12% in criminal case filings for 2012. In addition, the Metropolitan Police Department made greater use of citation release during FY 2012 resulting in a greater number of defendants being released on personal recognizance without supervision.

PSA supervises defendants in accordance with release conditions that are designed to minimize risk to the community and maximize return to court. PSA’s monitoring and supervision has multiple components:

Notification of Upcoming Court Dates: Research conducted on various pretrial programs nationally, 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,

³Effective February 2013, PSA no longer offers the New Directions program as a release option.

automatic notification letters are generated and mailed to defendants. Defendants are also required to confirm the date of their next scheduled court appearance during each contact with PSA (drug testing or case management contact).

Appropriate Supervision: Appropriate supervision reduces rearrest and failures to appear. Supervision provides structure for defendants and reinforces the Court’s expectations. An important function that PSOs perform is making 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 be a precursor to illegal behavior, non-compliance must be addressed as quickly as possible. Holding defendants accountable is critical to maintaining PSA’s credibility with defendants, the Court and the community. When violations of conditions are detected, PSA employs all available administrative sanctions, informs the Court and, when warranted, seeks judicial sanctions, including revocation of release.

ORGANIZATIONAL STRATEGY 2 - Performance Measures

Measures		FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2012 - 2016 Target
2.1	Percentage of defendants who are in compliance with release conditions at the end of the supervision period.	77%	78%	79%	78%	79%	77%
2.2	Percentage of defendants whose non-compliance is addressed by PSA either through the use of an administrative sanction or through recommendation for judicial action:						
	- drug testing violations	97%	97%	93%	89%	92%	80%
	- contact violations	90%	87%	85%	84%	87%	70%
	- sanction-based treatment program violations	89%	76%	72%	84%	93%	80%
	- electronic monitoring violations	100%	99%	85%	97%	99%	92%

Defendants may be placed into one or more of PSA’s supervision programs over the course of the pretrial release period depending on the release conditions ordered by the Court and/or if they have multiple cases pending. The following chart depicts the number of cases supervised in PSA programs in FY 2012.

FY 2012 Supervised Cases

Program	Total Cases in FY 2012	Total Cases Continued from FY 2011	Total New Cases in FY 2012
General Supervision	16,810	4,081	12,729
High Intensity Supervision Program (HISP)	1,401	401	1,000
Work Release	453	106	347
U.S. District Court	482	287	195
TOTAL	19,146	4,875	14,271

FY 2012 Accomplishments - Organizational Strategy 2

- ✓ Successfully placed 1,268 higher risk defendants on electronic monitoring (EM) surveillance.
- ✓ Solicited and procured new supervision technology that allows for simultaneous monitoring of curfew and stay away conditions using a single technology. Successfully transferred all high risk defendants from multiple EM devices to the hybrid device.
- ✓ Launched enhanced automated case management modules to facilitate reports generated for the court and to increase uniformity in responses to defendant conduct.
- ✓ Successfully closed out cases for 422 HISP defendants. This means that the defendants' cases were closed without the defendants incurring any unexcused failures to appear, papered rearrests or requests for removal from PSA supervision.
- ✓ Referred 1,809 defendants for substance abuse and 558 for mental health assessment.
- ✓ Enhanced audit process to assist communication with the criminal justice partners (D.C. Department of Youth Rehabilitative Services/DYRS and D.C. Superior Court Social Services/CSS). Conducted 14 audits in various areas of supervision:
 - ✓ Monthly audits (DYRS, CSS and Gunstat)
 - ✓ Court Rep Audit (3)
 - ✓ Response to Defendant Conduct (2)
 - ✓ Supervision Summary Adjustment (3)
 - ✓ Closeout Assessments (4)
 - ✓ Halfway House/Work Release Level 2 Audit (2)

Drug Testing

- ✓ Conducted 3,071,228 drug tests on 478,005 urine samples of persons on pretrial release probation, parole, and supervised release, as well as for juveniles and adults with matters pending in the D.C. Family Court. Approximately 27 percent of the pretrial defendants tested in FY 2012 had at least one positive test.

- ✓ Performed over 22,749 levels analyses, which aid in the determination of continuing drug use and performed 7,800 GC/MS (Tandem Gas Chromatography Mass Spectrometer) confirmation tests.
- ✓ Continued successful use of the GC/MS to identify Levamisole in the urine samples of some defendants and offenders who test positive for cocaine use. The technology has also been successful in leveraging the identification and quantification of buprenorphine (Suboxone, Subutex), and designer stimulants (bath salts). The detection of Cathinone and its metabolites, the active component of Khat, an emerging illicit drug, is an example of a new use of our existing GC/MS capabilities. Progress is also being made in the identification of designer marijuana (K2/Spice) in urine samples.
- ✓ Conducted a successful pilot study using a new assay kit to more accurately detect the presence of PCP in urine samples without interference from Dextromethorphan. The new assay has resulted in greater than 99 percent of all PCP confirmation tests confirming the presence of PCP.
- ✓ Implemented two pilot studies to detect the use of 6-MAM and buprenorphine, which aid in the more precise identification of heroin and buprenorphine use by defendants and offenders in defendants.

ORGANIZATIONAL STRATEGY 3 – Integrating Treatment and Supervision: *PSA directly provides or makes referrals to effective substance dependence, 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.*

The connection between substance dependence and crime is well-established. PSA works to reduce drug-involved defendant rearrest and failure-to-appear rates through three core activities: 1) identifying and addressing problematic drug use, alcohol abuse, and other criminogenic needs; 2) utilizing motivational strategies and program incentives to encourage treatment initiation and engagement; and 3) establishing swift and certain consequences for continued drug use.

Court-supervised incentive and sanction-based treatment is one of the most effective tools for breaking the cycle of substance dependence and crime. In addition to public safety benefits, the community also benefits from the cost savings of providing treatment in lieu of incarceration. A recent study conducted by the Department of Justice found that drug courts significantly reduce drug use, crime, and costs.⁴ PSA is committed to operating a model Drug Court and other sanctions-based treatment programs that utilize research-supported techniques as a mechanism for enhancing community safety. During FY 2012, defendants using drugs had a rearrest rate of 15 percent, while defendants who did not use drugs had a rearrest rate of 8 percent. Drug use also can contribute to failures to appear for scheduled court dates. Drug addiction commonly results in a disorganized, poorly managed lifestyle, and disorganization is the most

⁴Rossmann, S., Roman, J., Zweig, J., Rempel, M., & Lindquist, C., (2011). *The Multi-Site Adult Drug Court Evaluation: Executive Summary*. Urban Institute, June 1, 2011.

frequently cited reason for failures to appear.⁵ Assuring that defendants appear for scheduled court hearings is central to PSA's mission. To fulfill its mission, the Agency therefore must address drug dependence issues with the defendants the Agency supervises.

Research has indicated that drug courts that have performed monitoring and evaluation and made changes based on the feedback have significantly better outcomes, including 50 percent reductions in recidivism rates and twice the cost savings.⁶ The D.C. Superior Court Drug Intervention Program (Drug Court), which is administered by PSA, participated in an independent experimental evaluation⁷ 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.

Although the study was conducted a number of years ago, it and subsequent research confirm 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 criminal justice system. 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 percent reduction in recidivism in the 12 months following completion of the programs.⁸

Given PSA's mission of enhancing public safety, the Agency must address drug use/dependence 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.

PSA has also developed strategies to maximize the effect of substance dependence treatment. This included strengthening PSA's internal treatment programs and working with the District's

⁵ 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.

⁶ Carey, S, Waller, M, & Pukstas, K. (2008). *Exploring the Key Components of Drug Courts: A Comparative Study of 18 Adult Drug Courts on Practices, Outcomes, and Costs*. Submitted to the U.S. Department of Justice, National Institute of Justice, May 2008. NIJ Contract 2005M114.

⁷ 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.

⁸ Certification Report, CSOSA, 2000

substance dependence and mental health treatment agencies to better respond to the treatment needs of mentally ill and dually-diagnosed defendants. As of February 2013, PSA no longer offers the New Directions Program as a PSA release option. This change was made to better achieve treatment-related strategic objectives and is consistent with PSA's commitment to adopt evidence-based treatment practices. The discontinuation of New Directions as a release option will result in more defendants being placed in the evidence-based Drug Court. Defendants who are ineligible for Drug Court still may be placed into the PSA Sanction-Based Treatment Track, and will be eligible to receive intensive outpatient or residential treatment, as necessary.

Drug-using, mentally ill defendants (referred to as dually-diagnosed) are at higher risk for rearrest and failure to appear for court. Measures associated with PSA's integration of supervision with treatment are focused on addressing the specialized needs (*e.g.*, drug use/dependence, unemployment, and mental health problems) of released defendants and are applied to in-house and contractual sanction-based substance dependence 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. PSA is looking to build relationships with a broad range of service providers to address needs that may impact criminal behavior or to provide support to defendants. Treatment and support services are provided in the following three areas:

Substance Use/Dependence: PSA responds to drug use by referring defendants to appropriate internal or external treatment. For certain categories of defendants, PSA provides both close supervision and in-house treatment. For others, PSA refers and places defendants in external, contract-funded sanction-based residential treatment while continuing to provide supervision. Finally, if sanction-based treatment is not available or is not ordered by the Court, PSA provides supervision and refers defendants to public, community-based providers, as available. Community services are limited, however, and are not optimal for higher risk defendants who require close monitoring.

Social Services: Research supports the premise that employment can contribute to a reduction in recidivism. Recognizing this, PSA utilizes its SSAC to coordinate referrals to external employment and social services for defendants on the "front end" of the criminal justice system and begin the process through which defendants may be able to secure gainful employment.

Mental Health: Many defendants in the D.C. 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 percent of defendants have a serious mental illness. Many of these defendants are in need of substance dependence treatment as well. PSA's Specialized Supervision Units address the needs of this dually diagnosed population by providing specialized supervision and by arranging for needed mental health and substance dependence treatment services.

ORGANIZATIONAL STRATEGY 3 - Performance Measures

Measures		FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2012 - 2016 Target
3.1	Percentage of referred defendants who are assessed for substance abuse treatment	99%	99%	99%	97%	96%	95%
3.2	Percentage of eligible assessed defendants placed in substance abuse treatment programs*	50%	52%	53%	50%	49%	50%
3.3	Percentage of defendants who have a reduction in drug usage following placement in a sanction-based treatment program	71%	74%	80%	84%	85%	74%
3.4	Percentage of defendants connected to educational or employment services following assessment by the SSAC	94%	100%	89%	97%	94%	92%
3.5	Percentage of referred defendants who are assessed or screened for mental health treatment	98%	98%	92%	95%	95%	95%
3.6	Percentage of service-eligible assessed defendants connected to mental health services	83%	98%	93%	82%	85%	80%

* A relatively low placement target has been established due to the voluntary nature of addiction treatment and other defendant-specific factors that complicate or delay placement. An analysis of a sample of treatment-needy defendants found the most common reasons for lack of placement include: defendants failing to report to treatment as agreed; defendants declining treatment; and defendant mental health needs that supersede addiction treatment placement.

Because drug use and mental health issues both can contribute to public safety and flight risks. PSA has reprioritized its drug testing and treatment programs to focus its resources on defendants with the highest risk and the highest need. The Agency has also placed added attention on youthful defendants and dually-diagnosed (substance dependence and mental illness) defendants. Using this strategic approach, PSA is able to redirect resources to programs and initiatives that will provide greater support to reach the desired outcomes of minimizing rearrests and reducing failures to appear for scheduled court appearances.

During FY 2012, PSA and the D.C. Superior Court revamped the resource-intensive Drug Court Program to target defendants considered to pose greater risk to public safety and in greatest need of substance-related treatment services. This change was necessary to adhere to national best practices for drug courts as well as to address significant overcrowding in the Drug Court Program. To accomplish these goals, eligibility criteria were modified to allow only those assessed to need at least *intensive* outpatient treatment. (Previously, non-addicted abusers who were assessed to need outpatient treatment were eligible for Drug Court.) The misdemeanor community courts were expanded city-wide to accommodate many of the lower risk/need defendants who otherwise would have been placed in Drug Court. As a result, the overall number of defendants participating in Drug Court decreased in FY 2012. Similarly, the number of defendants supervised

under the New Directions Program also decreased during the FY 2012. Resources are now being used for those defendants that are at greatest risk for rearrest and failure to appear.

Defendants may be placed in one or more of PSA’s supervision/treatment programs over the course of the pretrial release period depending on the release conditions ordered by the Court and/or if they have multiple cases pending. The following chart depicts the number of cases supervised in PSA programs in FY 2012.

FY 2012 Supervised Cases

Program	Total Cases in FY 2012	Total Cases Continued from FY 2011	Total New Cases in FY 2012
Drug Court (SCDIP)	716	394	322
New Directions	723	236	487
Sanctions Based Treatment Track SBTT	107	25	82
Specialized Supervision Unit (SSU)	2,600	847	1,753
D.C. Misdemeanor and Traffic Court Initiative (DCMTI)	1,371	366	1,005
TOTAL	5,517	1,868	3,649

FY 2012 Accomplishments - Organizational Strategy 3

- ✓ 271 defendants successfully graduated from Drug Court, and 16 defendants exited the program early, but in a compliant status.
- ✓ 13 defendants successfully graduated from New Directions, and 80 defendants exited the program early, but in a compliant status.
- ✓ Successfully implemented several research-based recommendations to the Drug Court and PSA’s in-house treatment program which are expected to enhance the quality of clinical services and align them more fully with evidence-based practice research. These enhancements include in-depth staff training on several evidence-based practices and contingency management; amended sentencing agreements for felony-charged defendants in Drug Court; random drug testing throughout all Drug Court phases; a dedicated group of trained Drug Court defense attorneys to provide representation at all Drug Court hearings; direct representation by the assigned PSO at those hearings; and additional status hearings and weekly Drug Court case staffing.
- ✓ Increased the frequency and intensity of PSA treatment services. Increased the program length from 21 to 24 weeks; increased the number treatment hours in Phases 1 and 2 to at least 9 hours per week; enhanced Phase 4 to require participation in outside support groups; increased the timeliness and consistency of PSO responses to missed groups; standardized protocol for treatment group observation and evaluation; and introduced a requirement for a clinical staffing for defendants failing to progress in treatment.

- ✓ Added residential substance abuse treatment services for female defendants with children and transitional housing services. Both of these added services are intended to increase defendant stability and treatment access and to mitigate the public safety risk posed by inadequately treated substance addiction.
- ✓ Continued successful operation of the D.C. Misdemeanor and Traffic Initiative (DCMTI), to supervise persons processed in D.C. Misdemeanor and Traffic Court who require drug surveillance, substance dependence treatment or mental health services as conditions of release.
- ✓ Successfully launched enhanced automated case management modules to facilitate supervision of defendants participating in internal and external treatment programs.
- ✓ The Mental Health Diversion Court (MHDC) served 589 defendants, 395 of whom were placed during the fiscal year. 309 defendants were placed onto diversion agreements during the fiscal year and 132 defendants had their cases dismissed due to successful completion of diversion requirements.

ORGANIZATIONAL STRATEGY 4 - Partnerships: *PSA's partnerships with the judicial system, law enforcement and the community enhance its 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.*

Partnering with other justice agencies and community organizations is a major strategy through which PSA enhances public safety in the D.C. 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 (OAG), the District's Criminal Justice Coordinating Council (CJCC), various D.C. 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, by developing partnerships with treatment and social service providers PSA enhances its 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.

The measure associated with Organizational Strategy 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 dependence 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).

ORGANIZATIONAL STRATEGY 4 - Performance Measures

Measures		FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2012 - 2016 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	22	20	20

FY 2012 Accomplishments - Organizational Strategy 4

- ✓ Collaborated with the D.C. Superior Court and D.C. OAG to begin planning of a DWI initiative for defendants charged with one of several impaired driving related offenses, who are also assessed as needing alcohol abuse treatment. This collaboration included participation in a number of multi-agency planning meetings, providing DCMTI defendant participation data to assist identifying the size of the “hard-core drinking driver” population, and participation in a 4-day DWI Court Implementation Planning Training in April 2012.
- ✓ Executed a Memorandum of Understanding with the D.C. Department of Corrections 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.
- ✓ Collaborated with D.C. Superior Court and USAO to expand the new “Community Court” model, in which low risk defendants are eligible for diversion after completing court-ordered community service. Provided enhanced courtroom coverage to ensure the success of this critical initiative. D.C. is the only jurisdiction in the country that has expanded its Community Court throughout its entire geographic area.
- ✓ Collaborated with D.C. Superior Court, the USAO and the D.C. Metropolitan Police Department (MPD) to develop a pilot program in the Third Police District that provides early identification and enhanced screening of defendants released on citation for diversion, including deferred prosecution, deferred sentencing, Drug Court, and Mental Health Community Court.
- ✓ Continued participation in GunStat, a collaborative District-wide effort that tracks gun cases through the criminal justice system to identify trends and system strengths and weaknesses in the handling of these cases. PSA meets monthly with other criminal justice stakeholders to discuss the status of cases already in the system as well as to identify other individuals who have been identified by law enforcement as being most likely to engage in future violent conduct. This collaborative effort continues to be credited by the MPD Chief as resulting in the District’s reduction of homicides which have reached historic lows this year.

Supporting Materials

Strategic Human Capital Management

- ✓ Successfully implemented the use of USA Staffing to simplify the application process in support of the goals of the President's hiring reform initiative to modernize the hiring process. The new system allows for applicants to respond to vacancy announcements on-line and to track their application's progress through the system. PSA also developed an on-line training module for supervisors and managers which fully explains the requirements for Veteran's preference in hiring.
- ✓ Successfully passed the Office of Personnel Management's (OPM) audit of Delegated Examining (DE) activities. Delegated examining was found to be in accordance with merit system principles, to have appropriate procedures in place for accepting and processing applications from all applicants, and to have strong evidence of a DE accountability system in place. PSA has taken the appropriate steps to address the required and recommended actions and has responded to OPM regarding those actions.
- ✓ Substantially revised the Agency's Performance Management Policy and the Collective Bargaining Agreement (CBA) to require that performance standards be results-driven and mission-focused. These changes were made to increase PSA's General Schedule Performance Appraisal Assessment Tool (PAAT) score given by OPM. Another pending change is the development of biannual on-line performance management training for both supervisors and employees beginning in FY 2013.
- ✓ Assisted CSOSA's Office of Human Resources and Equal Employment Office in the development and submission of the Agency's *Diversity and Inclusion Report*, which was submitted to OPM in June 2012. PSA's efforts over the next few years will include developing training for and educating managers on the process for hiring disabled veterans and applicants with targeted disabilities.
- ✓ Successfully initiated the implementation of the Electronic Official Personnel Folder (eOPF) Project. This initiative will provide employees with access to their individual OPFs through a secure Internet connection.
- ✓ Submitted an updated Human Capital Plan to OPM. The plan was revised simultaneously with the PSA Strategic Plan to ensure that Agency's human capital management efforts support its strategic objectives and enhancements.
- ✓ Developed skills competency models to identify job competencies for mission critical positions. An assessment tool was used to measure and address skills gaps for most mission critical employees and to track progress in efforts to close those gaps. PSA's Training and Career Development Center (TCDC) staff and supervisors identified training and developmental activities for individual employees and incorporated widely-needed training sessions in the Agency's on-site training curriculum.

- ✓ Continued to foster effective labor-management partnerships. This includes 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. The Collective Bargaining Agreement (CBA) was successfully renegotiated in FY 2012 and the final version was signed and became effective in May of 2012.
- ✓ 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 led the Hispanic Program Committee; and a third leads the Disability Employment Program Committee. Other PSA employees participate on these and other committees on an on-going basis.
- ✓ Continued to manage a Training and Career Development program committed to developing a workforce to effectively respond to current and future demands in administering pretrial services:
 - New agency supervisors are mentored by experienced supervisors/managers.
 - 15 mentoring pairs participated in the 2012-2013 agency-wide mentoring program.
 - 16 employees participated in various leadership programs, such as OPM's LEAD Certificate Program and the Graduate School Executive leadership Program.
 - 9 PSA employees participated in the Substance Abuse Treatment Training Program (SATTP). The SATTP is a year-long program that provides requisite education for criminal justice practitioners who wish to become certified addictions counselors in order to more effectively supervise defendants on release.
 - Over 167 internal training courses were offered, registering over 4,900 completions, to include PRISM 4.0 training, new hire training, supervisory development training, mandatory training, on-site classes, and reassignment training.
- ✓ Successfully collaborated with the Small Agency Council, the Public Defender Service and CSOSA in the sharing of training resources (*e.g.*, offered enrollment to one another's on-site training courses).
- ✓ Partnered with CSOSA to successfully launch a major upgrade to the Learning Management System (LMS). The upgrade included the purchase of an on-line course library.

Employee Wellness Program

- ✓ Expanded telework program to include virtually every position in the agency on at least an occasional use (*ad hoc*) basis. The telework program is reducing employee commuting time and associated problems, thereby assisting in improved morale and productivity.
- ✓ Continued participation in the Federal Occupational Health's (FOH) Employee Assistance Program (EAP). This is a professional resource providing the agency problem solving, coaching, training, information, consultation, counseling, resource identification, and support for all employees.

- ✓ Launched a child care subsidy program, which helps employees offset expenses associated with caring for infants and school-aged children.

Business Processes and Information Technology

- ✓ Continued to improve information technology (IT) posture and to utilize technology to streamline processes and improve data sharing with its customers:
 - Collaborated with the Bureau of Public Debt to evaluate the security posture and accredit PSA's network and the Drug Testing Management System. Wrote and published an updated Information Security Policy, replacing 17 outdated security policies. The new policy conforms to NIST SP800-53 (rev 3) requirements.
 - Migrated PRISM 4.0 to the Microsoft.Net platform and included the deployment of several modules: PRISM 4.0 Integrated Source Code; Streamlined Drug Testing module (SDTM); Treatment module (STARS); Treatment Plan Notes Module; Event Chronology (redesign); Case Management Dashboard; Case Review; Report Writing; Response to Defendant Conduct; and Electronic Monitoring module (EM).
 - Collaborated with other justice community partners in sharing data:
 - Established new interfaces with MPD, OAG, USAO, D.C. Superior Court and CJCC using the Case Initiation Process (CIP).
 - Shared CJCC CIP data with CSOSA.
 - PSA IT staff is working to create a real-time electronic interface between PRISM and CSP's SMART information system to exchange drug testing referrals.

Strategic Planning

- ✓ Completed the *FY 2012-2016 Strategic Plan* in February 2012. The *Plan* outlines strategic enhancements the Agency will adopt over the next four years, based on feedback from its criminal justice and community-based partners, results from its previous high priority goals and objectives, and anticipated challenges and opportunities over the next four years. The *Plan* supports PSA's goal to become a performance-based, results-oriented organization that can directly link costs and outcomes, and adds targeted identification and supervision of defendants with higher risk and needs, innovative supervision strategies to reduce future criminality, integration of technology into supervision and treatment, and smarter use of community resources and partnerships as strategic goals for the next four fiscal years.
- ✓ Reorganized the Office of Strategic Development (formerly the Office of Research, Analysis, and Development) along the mission critical areas of strategic planning, performance improvement, outcome and performance measurement, data analysis and research, and support of performance-based budgeting. This reorganization is designed to better track progress under PSA's strategic initiatives and conform to *Government Performance and Results Modernization Act of 2010* (GPRAMA) mandates for overall agency performance improvement and quality control. Additionally, PSA named the Strategic Development Director as the Agency's Performance Improvement Officer (PIO). As mandated under GPRAMA, the PIO reports directly to the Agency's Chief Operating Officer (COO) and assists the COO in driving performance improvement efforts across the organization through

goal setting, data-driven performance reviews and analysis, cross-agency collaboration, and personnel performance appraisals aligned with organizational priorities.⁹

- ✓ Completed a major revision to PSA's operating procedures for staff response to infraction of court-ordered release conditions. The new procedures support one of PSA's two supervision performance measures and outline appropriate PSO actions for defendants' failure to abide with conditions, such as drug testing, regular contact with PSA, electronic surveillance, and substance abuse and/or mental health treatment.

Research and Evaluation

- ✓ Developed validated risk assessment procedures. The goal of the project was to verify that these procedures were appropriate for the current defendant population and considered advances in high-risk defendant supervision (such as electronic surveillance and targeted substance abuse treatment and mental health services). The resulting validated risk assessment tool has a much higher predictive accuracy than the Agency's current risk instrument. The new assessment also allows for closer alignment of release and detention recommendations with factors associated with failure to appear and rearrest. This will help PSA to better target supervision, treatment and social service resources based on defendants' risk levels and minimize resource investment on defendants that require less intervention based on risk. PSA began implementation of the new assessment instrument in May 2012 and full implementation is expected in 2013.
- ✓ PSA completed external research assessments of Drug Court and its internal intensive outpatient treatment program, *PSA Support, Treatment and Addiction Recovery Services* (PSA STARS). Among many favorable findings of the assessments was the recognition that Drug Court is implemented largely within the guidelines of the *10 Key Components of Drug Courts* adopted by the United States Department of Justice and the National Association of Drug Court Professionals, and PSA's overall adoption within its treatment protocol of a variety of evidence-based treatment interventions.

Financial Statement Audit

- ✓ PSA received an "unqualified" (clean) opinion on the FY 2012 financial statements. The independent auditing firm KPMG found no significant issues or material weaknesses, and verified that PSA's financial records accurately reflected the financial condition of the Agency.

Redundant and Duplicative Reports

GPRAMA requires agencies to compile a list of reports and plans produced for Congress and to identify those plans and reports which are outdated or duplicative. PSA has reviewed its reporting requirements to Congress and proposes no reports for elimination as being outdated or duplicative.

⁹ See OMB Memorandum M-11-31, "Delivering an Effective, Efficient and Accountable Government." August 17, 2011.

BUDGET DISPLAY

SALARIES and EXPENSES SUMMARY OF REQUIREMENTS by GRADE and OBJECT CLASS *(Dollars in Thousands)*

Grade	2012 Actuals		FY 2012 Enacted		FY 2014 Request		Variance	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
SES	3	495	4	660	4	671	0	11
GS-15	11	1,685	11	1,732	11	1,763	0	31
GS-14	23	2,783	23	2,796	23	2,841	0	45
GS-13	54	5,468	53	5,391	55	5,548	2	157
GS-12	177	15,137	176	15,091	177	15,520	1	429
GS-11	26	1,648	27	1,776	27	1,812	0	36
GS-10	0	0	0	0	0	0	0	0
GS-09	11	705	12	893	13	925	1	32
GS-08	6	350	6	350	6	362	0	12
GS-07	41	2,207	42	2,280	43	2,358	1	78
GS-06	12	473	12	473	12	496	0	23
GS-05	1	31	1	30	1	32	0	2
Total Appropriated Positions	364	30,982	367	31,472	372	32,328	5	856
Object Class								
11.1 Full Time Permanent	364	30,982	367	31,472	372	32,328	5	856
11.3 Other Than Full-Time Permanent	0	51	0	58	0	58	0	0
11.5 Other Personal Compensation	0	780	0	922	0	847	0	-76
12.0 Personnel Benefits	0	12,735	0	12,632	0	13,218	0	586
13.0 Unemployment Compensation	0	0	0	0	0	0	0	0
Personnel Costs	364	44,548	367	45,084	372	46,451	5	1,367
21.0 Travel & Training		146		162		170		8
22.0 Transportation of Things		8		1		1		0
23.1 Rental Payments to GSA		2,462		2,330		2,742		412
23.2 Rental Payments to Others		1,960		1,913		1,858		-55
23.3 Communications, Utilities & Misc.		586		642		527		-115
24.0 Printing and Reproduction		30		78		43		-35
25.1 Advisory and assistance		1,160		0		0		0
25.2 Other Services		4,740		5,939		5,450		-489
25.3 Purchases from Gov't Accounts		529		0		0		0
25.4 Maintenance of Facilities		14		0		0		0
25.6 Medical Care		61		0		0		0
25.7 Maintenance of Equipment		209		0		0		0
26.0 Supplies and Materials		824		1,615		1,393		-222
31.0 Furniture and Equipment		804		1,121		885		-236
32.0 Land & Structures				550		0		-550
Non-Personnel Costs		13,533		14,351		13,069		-1,282
TOTAL	364	58,081	367	59,435	372	59,519	5	84