

Pretrial Services Agency
for the District of Columbia



**Congressional Budget Justification and
Performance Budget Request
Fiscal Year 2017**

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TABLE OF CONTENTS

Agency Overview	1
Fiscal Year 2017 President’s Budget	4
Summary of Change	6
Program Justification Changes	7
PSA Program Purpose	14
Organizational Structure	17
Program Performance	
Performance Outcomes	23
Resource Requirements by Strategic Objective	24
Strategic Objectives	
Accurately and fairly assess the risk of all pretrial defendants.....	25
Appropriately and fairly supervise defendants	27
Mitigate risk by providing appropriate treatment and pro-social interventions	32
Supporting Materials	36
Using Evidence and Evaluation to Improve Outcomes.....	36
(OMB M-14-06, <i>Guidance for Providing and Using Administrative Data for Statistical Purposes</i>)	
Federal Information Technology Acquisition Reform Act (FITARA)	39
Data Act Implementation	39
Budget Displays	41

AGENCY OVERVIEW

The Pretrial Services Agency for the District of Columbia (PSA) assists judicial officers in both the Superior Court of 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 the arrestee's demographic information, criminal history, and substance use 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 (DC or District), 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. Since its inception as a federal agency, PSA has sharpened its mission and vision and committed itself to being driven by performance and measured by results.

In FY 2015, PSA supervised over 18,000 defendants, and had oversight of approximately 4,000 individuals on any given day. The vast majority of defendants are awaiting trial in DC Superior Court, with a smaller number awaiting trial in US District Court. PSA's current caseloads include individuals being supervised on a full range of charges from misdemeanor property offenses to felony murder. On average, defendants remain under supervision for 87 days. During this period, PSA administers evidence-based and data informed risk assessment and supervision practices to identify factors related to pretrial misconduct and maximize the likelihood of arrest-free behavior and court appearance during the pretrial period.

A MODEL FOR PRETRIAL JUSTICE

PSA has served the District of Columbia for nearly 50 years and is widely recognized as a national leader in the field of pretrial supervision. PSA's drug testing and innovative supervision and treatment programs are regarded as models for the criminal justice system. The foundations of PSA's model approach include:

- providing timely and accurate information to the Courts to support informed decision-making;
- honoring the presumption of innocence and each defendant's right to pretrial release under the least restrictive conditions that assure community safety and return to court;
- promoting graduated sanctions for violation of release conditions and incentives for defendants who consistently obey release conditions;
- implementing continuous process evaluation to improve outcomes and assure the fair administration of justice;

- using evidence-based solutions that recognize substance use disorders as a medical condition that can be treated;
- partnering with other justice agencies and community organizations to enhance public safety in the District’s neighborhoods and build capacity for support services for defendants under pretrial supervision; and
- effectively managing the appropriated funds entrusted to its stewardship.

Adherence to these principles has helped PSA gain both local and national recognition. Delegate Eleanor Holmes Norton addressed the U.S. House of Representatives on July 14, 2015 with these words, “In honor of Pretrial, Probation and Parole Supervision Week 2015, I recognize, in particular, the community corrections and supervision services carried out here in the District of Columbia by the Court Services and Offender Supervision Agency for the District of Columbia (CSOSA) and the Pretrial Services Agency for the District of Columbia (PSA). CSOSA and PSA stand out as model community supervision agencies due to both their professionalism and their novel, partnership-based approach to reentry and public safety in the District of Columbia.”¹

In addition to local interest in its model, PSA receives national and international visitors year-round. National visitors tend to focus more on understanding the technical aspects of how to replicate certain operations, such as risk assessment. PSA has used some form of risk assessment since its inception in 1967—the longest continuous use of risk instruments in the pretrial field. Because of this, many jurisdictions have looked to the District’s pretrial justice model to inform their own plans for reform. Most recently, PSA has hosted delegations from New Jersey, which is reviewing its state Constitution as well as its bail statutes; and Ventura County, California, which is interested in reforming its pretrial procedures. In addition to hosting government representatives, PSA has also provided information and technical assistance to a number of states, including New York, which is evaluating its bail system in light of recent high profile cases involving persons detained while awaiting trial.

When delegations from foreign countries visit PSA, they each are at different stages in the process of reforming their pretrial justice systems or implementing new programs and their interests are much broader. Delegations in the past have included senior government officials, policy advisors, researchers and practitioners from Brazil, Argentina, Peru, Chile, Netherlands, Mexico, Kazakhstan, China, Vietnam, Republic of Congo, Republic of Georgia and Colombia. While the areas of interest vary, in general, discussions tend to focus on explanations of the U.S. civil and criminal justice systems at the federal, state and local levels; the role of various criminal justice system partners; the Drug Court model; developing and implementing alternatives to incarceration; and supervision techniques for non-violent defendants.

¹ Delegate Norton, E. Holmes (At Large Representative for DC). “Recognizing Our Nation’s Community Corrections Professionals.” Congressional Record 161:109 (July 14, 2015) page E1066. Available from: Congress.gov. Accessed: July 16, 2015.

A MODEL FOR INNOVATIVE SUPERVISION TECHNIQUES

PSA is a leader in the field of criminal justice drug testing, having established the first in-house laboratory for a pretrial agency in 1984. In January 2015, PSA relocated its drug testing operations to its new location at 90 K Street, NE, in Washington, DC, once again establishing a state-of-the-science laboratory environment poised to provide quality forensic services to the justice community. Annually, PSA's laboratory conducts over 2 million drug tests on nearly 350,000 urine specimens of persons on pretrial, probation, parole, and supervised release, as well as for persons whose matters are handled in the Family Court. These results are key to helping PSA and other justice agencies identify and address the substance use-related public safety risks posed by individuals under supervision.

As the patterns of substance use within the DC criminal justice population change, PSA helps the jurisdiction remain at the forefront of the issues by developing and implementing drug testing strategies to keep pace with emerging trends. Presently, PSA is aggressively developing testing strategies to identify and appropriately respond to the use of synthetic cannabinoids in the District of Columbia.

A MODEL FOR EFFECTIVE PARTNERSHIPS

PSA partners with criminal justice and other social service agencies and organizations to develop responses to crime and safety issues, hold defendants accountable, address the underlying causes of defendants' criminal behavior, and improve the quality of life for the community, victims and the defendants themselves. The Honorable Lee F. Satterfield, Chief Judge, Superior Court for the District of Columbia, recently applauded PSA for its contributions in these areas. Judge Satterfield wrote:

“The link below was brought to my attention by Judge Davis. Please review. It contains a letter from a woman who participated in our mental health court program presided over by Judge Keary at the time to President Obama. Essentially she states that the program and Judge saved her life. The President's response to the woman is included. This is another indication that the Superior Court and its judicial officers and court staff with its partners like the Pretrial Services Agency are doing great work to benefit members of our community. Thank you Judge Keary and PSA.

<https://www.whitehouse.gov/blog/2015/07/13/asked-and-answered-conner-s-recovery-story>”

Through a results-driven culture, as evidenced above, PSA consistently enhances community safety by minimizing re-arrest rates, promotes efficient administration of justice by reducing failures to appear for court appearances, and promotes pretrial justice by maximizing defendant compliance.

FISCAL YEAR 2017 PRESIDENT'S BUDGET

PSA's *FY 2017 President's Budget (PB)* reinforces the Agency's commitment to be a performance-based, results-driven organization that can directly link costs with outcomes. It highlights the Agency's dedication to ensuring public safety and promoting pretrial justice through high-quality risk assessment, supervision and treatment services. PSA will continue to improve its identification of defendants who pose a higher risk of pretrial failure, enhance its supervision and oversight of these defendants, expand services and support of persons with substance dependence and mental health needs, and lead efforts in implementing drug testing strategies to keep pace with emerging drug use trends.

PSA seeks additional resources to enhance its capabilities to identify and address synthetic drug use within the DC criminal justice population and to expand contract treatment services for defendants presenting the greatest risk to public safety as a result of their substance use treatment needs, including those who are arrested for impaired driving offenses.

During the summer of 2015, homicides in the District of Columbia increased by 20 percent when compared to the same time period in 2014. The district's mayor and police chief link this spike in crime, in part, to the increased sale and use of synthetic drugs. Mayor Muriel Bowser has reached out to federal law enforcement partners, including PSA, for assistance in addressing this multi-faceted issue.²

Mayor Bowser signed the *Sale of Synthetic Drugs Emergency Amendment Act of 2015* into law on July 10, 2015. In support of this effort, Dr. LaQuandra Nesbitt, Director of DC's Department of Health, explained that "synthetic drugs are not only illegal, they are also dangerous to one's health and can cause life-threatening reactions. We are working with District of Columbia hospitals to better understand the demographics of synthetic drug usage so that we can target resources to reduce the negative impact of these drugs on our community."³ While hospitals provide the data on the public health aspects of synthetic drug use, PSA's forensic testing laboratory provides key data on the public safety aspects of this developing issue. For this reason, PSA's FY 2017 request is critical to the city's efforts to stem the tide of synthetic drug use and criminal activity.

PSA's drug testing laboratory plays a unique and vital role in the DC criminal justice system. PSA's lab performs forensic drug testing for defendants under PSA's supervision and offenders under the CSOSA Community Supervision Program (CSP), as well as respondents ordered into testing by the DC Superior Court Family Division. Drug test results are key to assessing defendant and offender risk and the swift availability of testing results is critical to risk mitigation efforts employed by both PSA and CSP.

² Haake, G.W. (June 26, 2015). Bowser, Lanier link DC homicide spike to synthetic drugs. *WUSA 9* (Washington, DC). Retrieved from <http://www.wusa9.com/story/news/local/dc/2015/06/25/washington-dc-homicide-increase-spike-synthetic-drugs/29314133/> on August 15, 2015.

³ Ibid.

About 24 percent of CSOSA's (CSP and PSA) resources support the *National Drug Control Strategy (Strategy)*. In the 2014 *Strategy*, a new action item was assigned to Federal agencies to address the threat of synthetic drugs, which have been emerging in communities across the country.⁴ During the past three years, both PSA and CSP have worked with various criminal justice, research, health, and policy partners to assess the prevalence of synthetic cannabinoids in the defendant and offender populations in the District of Columbia. Often referred to as "synthetic marijuana," synthetic cannabinoids exist in several different forms, with newer ones being synthesized and added to the class rapidly. As the use of synthetic drugs increases, the risk to public safety and public health is expected to correspondingly escalate.

The DC Courts, city officials, local law enforcement partners, and the Office of National Drug Control Policy support PSA's effort to implement a comprehensive drug testing strategy to address the use of synthetic drugs. PSA has conducted extensive scientific research to develop strategies to meet this challenge. To detect and swiftly respond to the use of these synthetic substances with appropriate supervision and treatment, PSA requires additional funding to further expand its drug testing operations to better detect the use of synthetic cannabinoids, and to also begin detection of synthetic cathinones, another class of synthetics, which includes "bath salts." With this expanded capability, both CSP and PSA will be better positioned to accomplish their missions of enhancing public safety in the District.

In addition to enhanced detection of synthetic drug use, PSA's FY 2017 PB includes resources to better address the substance use treatment needs of a particularly risky segment of its population. Since 2009, PSA has provided assessment and supervision services to individuals accused of DC Code offenses prosecuted by the DC Office of the Attorney General (OAG). These include individuals charged with Driving Under the Influence (DUI), Operating While Impaired (OWI), and Driving While Intoxicated (DWI).

While PSA has consistently provided supervision for this population, due to funding limitations, it has never been able to provide treatment services to those in need. PSA's FY 2017 PB includes a proposal to fund treatment services for high-risk defendants awaiting trial on these traffic-related charges.

⁴ Executive Office of the President. (2014). *National Drug Control Strategy*. Retrieved from https://www.whitehouse.gov/sites/default/files/ondcp/policy-and-research/ndcs_2014.pdf.

SUMMARY OF CHANGE

PSA's FY 2017 PB is \$65,287,000, including 374 FTE, a net increase of \$2,930,000, or 4.7 percent, above the FY 2016 Enacted Budget. The request consists of a net increase of \$448,000 in adjustments to base (ATB) and \$2,482,000 in program changes. ATB includes resources for inflationary increases in non-payroll cost categories including rent, contracts, supplies, equipment and utilities; the anticipated FY 2017 pay raise estimated to be effective January 2017 through September 2017; and reflects a reduction of \$500,000 in non-recurring costs associated with FY 2016 funding to procure and implement an electronic document records management system (EDRMS).

FY 2017 President's Budget Submission			
	Positions	FTE	Amount \$ (000)
FY 2016 Enacted	376	373	62,357
FY 2017 Adjustments to Base			
Non-recurring FY 2016 Funding ^{Note 1}			(500)
FY 2017 Pay Raise	-	-	817
FY 2017 Non-Payroll Inflation	-	-	131
Sub-Total Adjustments to Base	-	-	448
FY 2017 Program Increases			
Strategy to Address Synthetic Drug Use	-	1	2,082
Contract Drug Treatment	-	-	400
Sub-Total Program Increases	-	1	2,482
Total FY 2017 Changes	-	1	2,930
FY 2017 President's Budget	376	374	65,287
Increase above FY 2016 Enacted	-	1	2,930
Percent Increase above FY 2016 Enacted	0.0%	0.3%	4.7%

^{Note 1} Reduction of \$500,000 in non-recurring FY 2016 funding to procure and implement an electronic document records management system (EDRMS).

PROGRAM JUSTIFICATION CHANGES

Requested Program Increases: +\$2,482,000 1 FTE

	FTE	Funding
Strategy to Address Synthetic Drug Use	1	\$2,082,000
Contract Drug Treatment	0	\$400,000
Total Requested Program Increases	1	\$2,482,000

1. Strategy to Address Synthetic Drug Use +\$2,082,000 1 FTE

PSA requests \$2,082,000 in FY 2017 resources to expand its drug testing capabilities for identifying trends and developing a strategy for addressing synthetic drug use within the DC criminal justice population.

Justification for Program Increase

Identifying Trends and Developing a Strategy for Addressing Synthetic Drug Use within the DC Criminal Justice Population

Strategic Objective 1 – Accurately and fairly assess the risk of all pretrial defendants.

Program Area	Increase in FTE	Increase in Funding	
Contractor Support to Upgrade Information Management Infrastructure	0	+\$1,800,000	One-time; Non-recurring
Laboratory Personnel	1	+\$112,000	Permanent; Recurring
Operating Costs	0	+170,000	Permanent; Recurring
Total Requested Program Increase	1	+\$2,082,000	

Background

PSA's Office of Forensic Toxicology Services (OFTS) performs forensic urine drug testing for adults under criminal justice supervision (pretrial, probation, parole and supervised release) in the District of Columbia. PSA also performs similar drug testing for respondents in the DC Superior Court Family Division. The OFTS laboratory, which is certified by the U.S. Department of Health and Human Services' Clinical Laboratory Improvement Amendments of 1988 (CLIA) program, tests tens of thousands of samples each month. The existence of PSA's in-house laboratory allows for same-day turnaround of test results in pretrial cases and expedited results for all post-adjudication and family court matters. Drug test results are key to assessing defendant and

offender risk and the swift availability of testing results is critical to risk mitigation efforts employed by both PSA and CSP.

PSA is a leader in the field of criminal justice drug testing, having established the first in-house laboratory for a pretrial agency in 1984. Since the introduction of in-house testing, PSA has remained at the forefront of trend analysis and identification of emerging drugs of abuse within the DC criminal justice population. As the patterns of substance use within the testing population have changed, PSA's testing program has evolved to keep pace with emerging trends. For example, the Agency added a test for creatinine, which allows identification of samples where excessive amounts of water are used in an attempt to evade detection of drug use. Similarly, in 2013, PSA added 6-AM, a heroin metabolite, to the panel. 6-AM allows for more precise detection of heroin use, when compared to the more generic opiates testing, which is subject to positives due to certain medications. Currently, each sample is tested for up to eight different drugs of abuse: cocaine, amphetamines, phencyclidine (PCP), opiates, methadone, marijuana, 6-AM, and alcohol (collectively referred to as the *standard panel*). PSA is also finalizing a pilot study of testing for Ethyl Glucuronide to more precisely distinguish specimens that test positive for alcohol due to consumption from those that test positive due to fermentation caused by a medical condition (e.g., diabetes). These changes were all prompted by observation of samples and identification of a need to enhance testing methods. At present, PSA is faced with the need to identify and appropriately respond to the use of two new classes of drugs being used within the District of Columbia: synthetic cannabinoids and synthetic cathinones.

Synthetic cannabinoids are a new class of synthetic designer drugs that are being used as popular substitutes for marijuana. They mimic some of the effects of marijuana but, even at low doses, may result in serious adverse effects on users. They are referred to by a variety of names, including "Black Mamba," "K2" and "Spice." Synthetic cathinones are a class of drugs containing an amphetamine-like stimulant that naturally occurs in the khat plant. Similar to cannabinoids, synthetic cathinones are known by a number of aliases, including "bath salts." Several different forms of these drugs exist, and newer ones are frequently synthesized and added to the classes. This endless supply of newer and varied forms of these drugs has resulted in the lack of a validated and standardized database of scientific information and testing procedures. Therefore, identifying these synthetic substances and their metabolites has been an analytical challenge for laboratories.

OFTS received its first request for synthetic cannabinoid testing in late 2012. An offender under CSP supervision was caught smoking what was believed to be K2. Because PSA did not have the ability to conduct in-house testing of the sample, it was sent to a contracted laboratory. The results showed the presence of two synthetic cannabinoids, JWH-018 and AM-2201. Partially in response to these data and in response to information being reported by local law enforcement partners, in 2013 PSA entered into a partnership with the DC Office of the Chief Medical Examiner (OCME) to further explore the use of synthetic drugs within the DC criminal justice population. This partnership was necessary because PSA lacked the necessary instrumentation to perform liquid chromatography–mass spectrometry (LC-MS) analysis, which is required for the confirmatory step of detecting synthetic compounds in urine specimens.

During its two-year partnership with OCME, PSA has tested an average of 100 samples per month. Samples are obtained from individuals supervised by PSA and CSP and selected for OCME analysis due to suspected use of synthetic cannabinoids (internally referred to as *highly suspicious samples*). Results of these samples reveal not only the presence of the two compounds found in the 2012 sample, but additional substances, including XLR-11, UR-144, 5-Fluoro PB-22 metabolites, and AB-Pinaca. Analysis of sample results over the period of the partnership indicate that the compounds used are rapidly changing and indicate a need to maintain a reliable, in-house mechanism for detecting new compounds as they are introduced.

Also during 2013, PSA provided specimens in support of a joint study conducted by the Office of National Drug Control Policy (ONDCP) and the University of Maryland's Center for Substance Abuse Research (CESAR). Among other areas of examination, the study tested the specimens for the presence of 12 synthetic cannabinoids. Within the specimens submitted by OFTS, which included samples collected from individuals supervised by PSA and CSP, the study found that 39 percent of the CSP specimens and 36 percent of the PSA specimens that were deemed negative under PSA's standard panel were found to contain synthetic cannabinoids. This means that – unless PSA acquires the ability to expand testing for synthetic compounds – many defendants and offenders who shift to the use of synthetic substances will be able to successfully avoid detection of use while under supervision.

Prompted in part by the results seen within the highly suspicious samples, during FY 2015 PSA initiated a random study of samples obtained from defendants at the time of arrest. During the study, 517 samples were tested for the presence of synthetic cannabinoid metabolites. Of these, 15.3 percent tested positive for at least one synthetic cannabinoid. Although based on a very small sample size, the results indicate a need to expand testing. As a first step in this process, in FY 2015, PSA purchased the necessary LC-MS/MS instrumentation and will fully implement its use by the end of the calendar year.

Due to the urgency of the issue, PSA has temporarily allocated FY 2015 and FY 2016 financial resources to purchase reagents to begin limited screening for synthetic cannabinoids beginning October 1, 2015. This action will significantly propel the Agency towards establishment of an effective synthetic testing protocol. However, even with this adjustment, PSA will still be limited in its ability to conduct confirmatory tests after screening and will not have the capability to screen for or confirm the use of synthetic cathinones.

The most scientifically sound testing system consists of two steps: screening and confirmation. For PSA's standard panel, all specimens are screened for the presence of drugs of abuse. All positive specimens are screened a second time to ensure validity of the result. Screening results are then reported out to the supervising agency (PSA, CSP or Family Court). If the results are challenged by the contributor of the specimen, the lab conducts a confirmation step using gas chromatography–mass spectrometry (GC-MS) analysis. For synthetic cannabinoids and cathinones, the scientifically ideal protocol would mirror that of the standard panel, with one exception: LC-MS analysis would be used for the confirmation process.

Justification of Request

PSA confirmed that offenders and defendants are using synthetic drugs and have made a connection between the use of these substances and increased risk to public safety. During FY 2015, PSA conducted a rudimentary analysis of outcomes for defendants known to be synthetic drug users. This study suggests that synthetic drug users are at greater risk of failure on PSA's two primary outcomes: re-arrest during the pretrial period and failure to appear for court appearances. Specifically, known users of synthetics are 20 percent more likely to be arrested during the pretrial period and 4 percent less likely to make all scheduled court appearances. These results affirm the need for PSA to establish a comprehensive in-house synthetics testing program, using available state-of-the-science technology to mitigate the risk posed by users of these substances. In addition, establishment of an in-house synthetic testing program will allow PSA to conduct more in-depth testing for CSP and for Family Court respondents. Establishment of this testing program will allow PSA to provide critical trend information, which will not only support achievement of PSA's and CSP's missions to enhance public safety, but will also provide information that will be of use to the District of Columbia criminal justice system as a whole.

PSA's FY 2017 request consists of three elements: sustaining recurring supplies and materials for on-going operation of the LC-MS/MS instrument; one full time equivalent to support expanded synthetic testing; and one-time costs to upgrade PSA's information management infrastructure to allow reporting of test results.

OFTS estimates annual operating costs for the LC-MS/MS instrument to be approximately \$170,000. This estimate is for supplies, materials and consumables, such chemicals, solvents, reagents, test columns and other materials, necessary to conduct testing.

In addition, one additional full time equivalent (FTE) is required to accommodate the increased duties associated with synthetic testing and data analysis. These duties include consolidation and extraction of specimens, LC-MS/MS testing, analyzing and interpreting results and posting them to the Agency's information management systems for retrieval by PSA staff and its partner agencies, including CSP and DC Superior Court Family Division.

PSA's existing information management system for drug testing data, the Drug Testing Management System (DTMS), is currently configured to record drug testing results for the standard panel and the following substances, which were added after the initial release of DTMS: creatinine, heroin metabolite, EtG (Alcohol), Buprenorphine, and K2 (synthetic cannabinoids). Expanding the current iteration of DTMS to accommodate additional synthetic substances would impact performance, increase the complexity to maintain it, and overwhelm the efficiency/speed of the original design.

In order to have the flexibility to accommodate an unlimited number of substances for testing (including additional synthetics), DTMS needs to be redesigned. The redesign would include upgrades to the user interface, including system reports. To achieve this objective, the core of the system – the database – must be redesigned. In addition, existing data must be converted to the new format, data interfaces with toxicology analyzers will have to be enhanced, and internal and

external interfaces to other systems such as PSA’s Pretrial Real-time Information System Manager (PRISM) and CSP’s Supervision and Management Automated Record Tracking (SMART) system have to be enriched. PRISM will also have to be modified to support the reporting of results for an increased number of substances. PSA’s Office of Information Technology estimates that the upgrade project can be completed over an 18-month period with contractor support at a one-time cost of \$1.8 million.

Without expansion of its synthetic drug testing capabilities, both PSA and CSP will be significantly restrained in their ability to detect and respond to the emerging trend of synthetic drug use within the DC criminal justice population, which places both agencies at risk of negatively impacting their missions to enhance public safety.

2. Contract Drug Treatment +\$400,000 0 FTE

PSA requests \$400,000 in FY 2017 resources for Contract Drug Treatment funding to address the unmet treatment needs of the defendants placed in the Traffic Safety Supervision Unit (TSSU)⁵ who are in need of medical and social detoxification, residential and intensive outpatient services. The target TSSU population includes those defendants who are assessed with the highest treatment needs and who do not have the financial/insurance means to obtain these services. Funding will also be used to address substance use disorders associated with synthetic drug use.

The connection between drug use and crime is well known. Treatment offers the best alternative for interrupting the drug use/criminal justice cycle for defendants with substance use disorders. Untreated substance-using defendants are more likely to relapse into drug use and criminal behavior, jeopardizing public health and safety. This funding will provide appropriate treatment services for up to 100 additional defendants, thereby increasing the likelihood of successful completion of pretrial supervision, mitigating the public safety risk, and enriching defendants’ lives.

Justification for Program Increase
Contract Drug Treatment

Strategic Objective 3 – Effectively mitigate risk by providing appropriate treatment and pro-social interventions.

Program Area	Increase in FTE	Increase in Funding	
Contract Drug Treatment	0	+\$400,000	Permanent; Recurring
Total Requested Program Increase	0	+\$400,000	

⁵ Formerly titled “DC Misdemeanor and Traffice Initiative”. In FY 2016, PSA retitled this unit to reflect it as a full-fledged supervision program rather than an initiative.

Background

PSA's Traffic Safety Supervision Unit (TSSU) provides supervision, substance/alcohol use disorder and mental health assessments, connection to treatment services, and encourages compliance with treatment for defendants charged with certain impaired driving-related and other DC Code offenses prosecuted by the DC Office of the Attorney General (OAG). The TSSU primarily serves defendants charged with Driving Under the Influence (DUI), Operating While Impaired (OWI), and Driving While Intoxicated (DWI) who are in need of treatment services.

Each year, nearly 600 defendants charged with an impaired driving offense are assessed to need treatment services. While PSA administers supervision and drug testing services for these defendants, PSA has limited financial resources to deliver or provide treatment services for this population. PSA relies on self-pay and local government sources to meet the treatment needs of these defendants. While most of these defendants are eventually placed in some level of treatment, defendants typically encounter significant delays in securing those placements, are provided services at a lower clinical level than that identified in the assessment, and have no way of providing PSA information relative to the quality of care or their compliance with program requirements.

Individuals with chronic histories of substance abuse typically require a continuum of care to satisfy clinical treatment recommendations. A typical continuum consists of detoxification, followed by a period of residential treatment and subsequent aftercare which includes intensive outpatient or outpatient services. For defendant populations other than those placed in TSSU, PSA uses a contract-funded continuum of care to supplement the treatment services it provides in-house and those provided by the District of Columbia and surrounding jurisdictions.

PSA's performance measure 3.3 illustrates the positive result that using a sanction-based treatment program has in reducing drug usage.

Measures	FY	FY	FY	FY	FY	FY
	2011 Actual	2012 Actual	2013 Actual	2014 Actual	2015 Actuals	2015 - 2017 Target
3.3 Percentage of defendants who have a reduction in drug usage following placement in a sanction-based treatment program	84%	85%	83%	85%	91%	74%

Justification for Request

PSA considers judicial officers in both the Superior Court and the District Court to be its primary stakeholders and collaborators in helping the Agency to fulfill its mission and objectives. The Agency values the feedback that these officials provide and strongly considers their recommendations when developing enhancements to its overall services. In the 2014 PSA *Annual Judicial Survey*, judges recommended that PSA explore requesting and utilizing more funding and

resources for drug and mental health treatment for defendants, which they identified as a critical resource needed to support and improve the overall conditions of defendants.

Alcoholism and alcohol abuse act as strong catalysts for criminal behavior by attracting potential offenders and victims into high risk locations or situations, thus making crime victims more vulnerable⁶ and increasing violent or reckless behavior by those who drink.⁷ Alcoholism and alcohol abuse are risk factors for increased frequency and severity of future criminal behavior.⁸ In fact, considerable research supports the premise that alcohol is the major drug associated with person, property, and public order crimes.⁹ Alcoholism is a progressive medical condition that, if left untreated or inappropriately managed, can dramatically worsen. Furthermore, defendants with substance use disorders present greater risks of non-compliance during the pretrial period.

Based on the success of PSA's contract drug treatment services used for other supervised populations, the Public Safety Division of the DC OAG has asked that PSA examine alternatives for extending its contract treatment services to the TSSU defendants. In FY 2015, PSA allocated a limited portion of its contract drug treatment budget to begin a pilot program to provide contract treatment services for defendants placed in TSSU assessed with the highest need. If funding permits, PSA will continue this pilot approach through FY 2016.

Presently, many defendants who shift to the use of synthetic substances avoid detection while under supervision. However, as PSA strengthens and expands its drug testing capabilities for synthetic substances, the number of defendants who test positive for drug use and who are assessed to need treatment services will increase. This additional funding will also provide treatment services to address the use of synthetic substances in the District.

Lastly, this request for additional funding strengthens PSA's ability to support the courts' recommendations and the 2014 *National Drug Control Strategy* to build and support a public health approach to drug control through drug prevention programs and expanding access to drug treatment for people with substance use disorders.

⁶ Lipsey, M.W.; Wilson, D.B.; Cohen, M.A.; and Derzon, J.H. (1998) "Is there a causal relationship between alcohol use and violence? A synthesis of evidence." In: Galanter, M., ed. *Alcohol and Violence: Epidemiology, Neurobiology, Psychology, Family Issues*. "Recent Developments in Alcoholism," Vol. 13. (New York: Plenum Press, 1997. pp. 245–282). Parker, R. N. and Cartmill, R.S. (1998). "Alcohol and Homicide in the United States 1934–1995—or One Reason Why U.S. Rates of Violence May Be Going Down." *Journal of Criminal Law and Criminology* 88, no. 4: 1369–1398. Parker, R.N. and Rebhun, L.A. (1995). "Alcohol and Homicide: A Deadly Combination of Two American Traditions." (Albany, N.Y.: State University of New York Press).

⁷ Lipsey, *et al.* (1998). Graham, K., Schmidt, G. and Gillis, K. (1996). "Circumstances When Drinking Leads to Aggression: An Overview of Research Findings." *Contemporary Drug Problems* 23, no. 3: 493–558.

⁸ Greenfield, L.A. (1998). Muelleman, R., Barton, E., and Kraus, J.F. (1999). Wiley, J. and Weisner, C. (1995). "Drinking in Violent and Nonviolent Events Preceding Arrest." *Journal of Criminal Justice* 23, no. 5: 461–476.

⁹ Greenfield, L.A. (1998). "Alcohol and Crime: An Analysis of National Data on the Prevalence of Alcohol Involvement in Crime" (Washington, DC: US Department of Justice). Noonan, J. H., Vavra, M.C. 2007. "Crime in Schools and Colleges: A Study of Offenders and Arrestees Reported via National Incident-Based Reporting System Data." (Washington, DC: U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division. Miller, T. R., Levy, D.T, Cohen, M.A., and Cox, K.L.C. (2006). "Costs of Alcohol and Drug-Involved Crime." *Prevention Science* 7:4, 333-42. Benson, B.L., Rasmussen, D.W., and Zimmerman, P.R. (2003). "The Impact of Alcohol Control Policies on the Incidence of Violent Crime." (Washington, DC: U.S. Department of Justice, National Institute of Justice. (NCJ 191199). Kyriacou, D.N., Anglin, D., Taliaferro, E., Stone, S., Tubb, T., Linden, J.A., Muelleman, R., Barton, E., and Kraus, J.F. (1999) "Risk factors for injury to women from domestic violence." *The New England Journal of Medicine* 341:1892-98. December 16, 1999.

PSA PROGRAM PURPOSE

MISSION

To promote pretrial justice and enhance community safety.

VISION

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.

STRATEGIC FRAMEWORK

PSA's Strategic Framework (page 16) is the cornerstone by which the Agency sets outcome-oriented goals, determines actions to achieve the goals, and mobilizes resources to execute the actions. The framework starts with a clear mission statement. Cascading strategic goals, objectives and performance goals and measures are directly aligned to the mission.

For the FY 2016 – FY 2018 strategic period,¹⁰ PSA introduces several revisions to its Strategic Framework:

- Previous *Strategic Outcomes are defined as Strategic Goals*, consistent with requirements under GPRAMA. The strategic goals articulate outcome-oriented, long-term goals for advancing PSA's mission.
- The Strategic Framework better illustrates the link between PSA's mission, goals, objectives and performance measures.
- A new FY 2016 strategic goal is added focusing on the rate at which the judicial officers concur with PSA's recommendations for pretrial release or detention made at initial appearance. A new performance outcome target to track this goal will be introduced in FY 2016.
- The label *Strategic Goal* is replaced with *Strategic Objective*. PSA's strategic objectives are used to develop performance measures which provide leading and lagging information, monitor agency operations, show how employees contribute to the organization's mission, determine program evaluations needed, communicate Agency progress, and consider the impact of external factors on the Agency's progress.

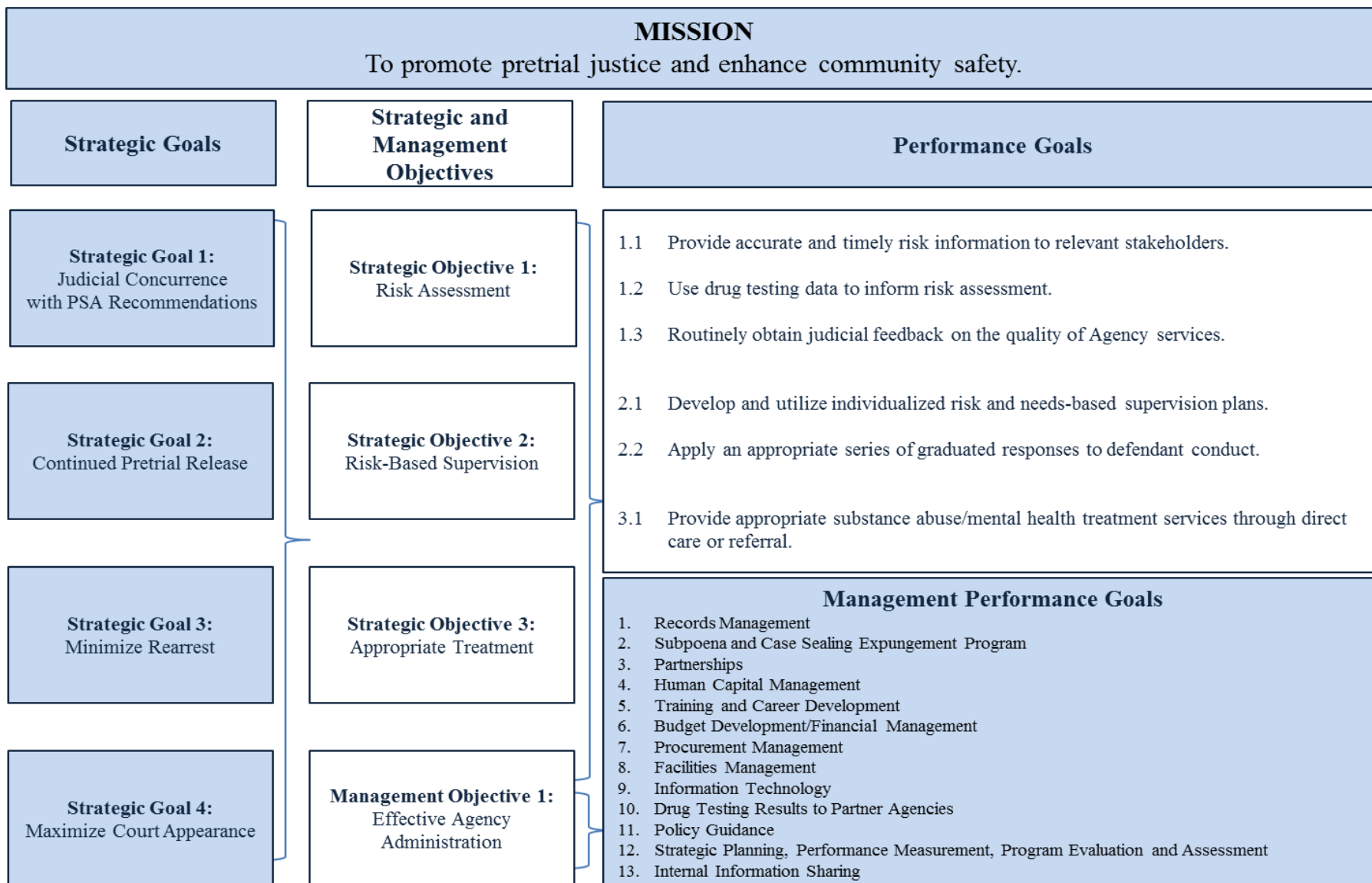
¹⁰ GPRAMA allows heads of agencies to "make adjustments to the strategic plan to reflect significant changes in the environment in which the agency is operating, with appropriate notification of Congress." *GPRAMA Modernization Act of 2010, PL 111-352* Jan. 4, 2011.

- PSA’s partnership goal is eliminated as a standalone strategic objective. Partnering with justice system agencies, local government and private social service providers, and the community remain a vital component of PSA’s operations. PSA’s partnerships cross-cut PSA programs; therefore, the partnership objectives are integrated with the other strategic objectives.
- PSA is also refining its management objectives that link the Agency’s administrative functions to strategic goals and objectives to create a set of strategic objectives which are comprehensive of all Agency activity. Refinements will be finalized in FY 2016.

Revisions to the definitions of PSA's strategic objectives are provided below:

FY 2015	Revision for FY 2016 – FY 2018
Strategic Goal	Strategic and Management Objectives
Help judicial officers make informed release and detention decisions throughout the pretrial period.	Risk Assessment - Accurately and fairly assess the risk of all pretrial defendants.
Supervise defendants to support court appearances and enhance public safety.	Risk-Based Supervision - Appropriately and fairly supervise defendants in accordance with their risk level.
Integrate treatment and pro-social interventions into supervision to support court appearance and enhance public safety.	Appropriate Treatment - Effectively mitigate risk by providing appropriate treatment and pro-social interventions.
Partner with stakeholders to address defendant needs and produce better system outcomes.	(integrated with other strategic objectives)
Maintain a results-driven culture.	Effective Agency Administration - Provide effective administrative support to organizational components.

FY 2016 – FY 2018 PSA STRATEGIC FRAMEWORK



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 for 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 DC Superior Court, formulates release recommendations based on a comprehensive, scientifically validated risk assessment, and provides the recommendations to judicial officers in a pretrial services report (PSR). The 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 of rearrest and failure to appear in Court. It is also used to make an individualized recommendation to the judicial officer for either pretrial release or detention at arraignment. Recommendations for release include specific conditions that are designed to mitigate the risk of rearrest and failure to appear. 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).

Following a defendant's release onto 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 explanation 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. The Unit 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 *Drug Testing and Compliance Unit (DTCU)* collects urine and oral fluid samples for analysis from defendants detained prior to arraignment, defendants who have been ordered to drug test as a condition of pretrial release, and respondents with matters in DC Family Court. Because a substantial number of criminal defendants have substance use disorders that must be addressed to mitigate their risk to public safety, drug testing provides vital data that informs judiciary 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 DC 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 (PSOs) 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 substance use disorder treatment or mental health treatment, designed to address the non-compliance. 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 DC Department of Corrections work release (halfway house) program when the Court orders additional conditions, such as drug testing and reporting in person to PSA.

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 DC 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. PSOs in this Unit also provide daily courtroom support to judicial officers.

The *High Intensity Supervision Program (HISP)* supervises high 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 System (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 weekly 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 PSOs experienced in supervising and providing services for defendants with substance use and/or mental health disorders. It includes the Superior Court Drug Intervention Program (Drug Court), the Sanction-Based Treatment Track, the Specialized Supervision Unit, the Traffic Safety Supervision Unit (TSSU), and the Social Services and Assessment Center.

Drug Court is a treatment/supervision program that implements an evidence-based model for treating defendants with substance use disorders. Drug Court PSOs are clinically credentialed and provide both supervision and treatment services. 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 disorder 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 and nominal value tokens, are provided in response to positive behavior. Program completion can result in dismissal of a misdemeanor case and reduction of felony charges to misdemeanor convictions through amended sentencing agreements.

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 receive the same treatment options and are subject to the same administrative and judicially-imposed sanctions as Drug Court defendants. SBTT defendants may also receive incentives for positive behavior. However, these incentives are more limited and less immediate than those awarded in Drug Court. Unlike Drug Court, SBTT defendants have limited judicial interaction (except when being sanctioned) and are not eligible for case dismissal or other favorable case disposition upon successful completion.

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 use disorders. The SSU ensures that these defendants are linked with community-based mental health treatment through the DC Department of Behavioral Health and similar agencies in Maryland and Virginia, for residents of those states. SSU defendants also receive treatment services through PSA's Building Bridges in-house intensive outpatient program. This program provides group psychotherapy services for defendants with co-occurring substance use and mental health disorders.

This unit is staffed with personnel who have mental health expertise and/or specialized experience in working effectively with the mentally-ill and dually-diagnosed defendants. The SSU plays a vital role in supporting the Mental Health Community Court (MHCC), which is a partnership among PSA, the DC Superior Court, U.S. Attorney's Office, and local defense bar created to provide an alternative to traditional case processing for appropriate defendants with mental health issues. The MHCC is available to eligible defendants charged with either misdemeanors or felonies and enables positive defendant judicial interaction and full participation in mental health services. PSA's participation in the MHCC includes assessing and recommending eligible defendants for participation, providing close supervision and connection to mental health and substance use disorder treatment, and reporting compliance to the Court.

The *Traffic Safety Supervision Unit (TSSU)* provides supervision, substance/alcohol use disorder and mental health assessments, connection to substance use disorder and/or mental health treatment, and encourages compliance with treatment for defendants charged with certain impaired driving-related and other DC Code offenses prosecuted by the Office of the Attorney General for the District of Columbia. The unit primarily serves treatment-needy defendants charged with Driving Under the Influence (DUI), Operating While Impaired (OWI), and Driving While Intoxicated (DWI). Other eligible defendants include those charged with reckless driving, aggressive panhandling, indecent exposure, and fleeing from a police officer, if they are found to require substance use disorder and/or mental health treatment. Prior to FY 2015, PSA linked defendants in this program only to treatment services provided by local government sources. While most of these defendants are eventually placed in some level of treatment, defendants typically encounter significant delays in securing those placements, are provided services at a lower clinical level than that identified in the assessment, and have no way of providing PSA information relative to the quality of care or their compliance with program requirements. In FY 2015, PSA allocated a limited portion of its contract drug treatment budget for those defendants in the TSSU program assessed with the highest treatment needs.

The *Social Services and Assessment Center (SSAC)* conducts substance use disorder and mental health assessments and provides social service referrals for defendants under pretrial supervision. These services are provided in response to court-ordered release conditions and/or as the result of a PSO determining that services may be needed to enable release condition compliance. The SSAC conducts approximately 170 substance use disorder assessments or re-assessments and 200 mental health assessments per month. The SSAC also assesses defendants suspected of experiencing mental illness. Staff in the SSAC identify and maintain information on available

treatment, employment, education, housing and other social services that may be utilized by defendants in meeting pretrial release obligations or achieving life stability.

FORENSIC TOXICOLOGY SERVICES

The Office of Forensic Toxicology Services (OFTS) performs urine forensic drug testing for pretrial defendants under PSA's supervision and offenders under the CSOSA Community Supervision Program (CSP) (i.e., persons on probation, parole, and supervised release), as well as respondents ordered into testing by the DC Superior Court Family Division. Each sample is tested for up to eight drugs of abuse and all positive samples are retested for confirmation. OFTS, through collaboration with the DC OCME, also conducts urine analysis for the presence of synthetic cannabinoids. 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 if the detected drug concentration signifies new use or if it is residual. 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 conducts forensic research that leads directly to practical enhancements in drug testing, improves strategies in surveillance monitoring, develops beneficial bi-directional partnerships with the scientific and social research community, and introduces cutting edge technologies that improve efficiency, reduce cost and enhance Agency stature.

MANAGEMENT, PROGRAM DEVELOPMENT AND ADMINISTRATIVE SUPPORT

The following areas within the Agency provide management, program development, and frontline operations support:¹¹

JUSTICE AND COMMUNITY RELATIONS

The Office of Justice and Community Relations establishes and maintains 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. It is through these partnerships with the courts, the United States Attorney's Office, various District government agencies and non-profit community-based organizations that PSA can effectuate close supervision to reasonably assure that defendants will return to court and not pose a danger to the community while on pretrial release.

¹¹ 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

The **Office of Finance and Administration** (OFA) assures the effective management and financial integrity of PSA programs, activities, and resources by developing, implementing and monitoring policies, procedures and systems in the areas of budget formulation and execution, finance and accounting, travel, internal controls, financial systems, and contract management. OFA also has responsibility for developing and administering policies, standards, and procedures regarding facilities management, property management and control, space management, vehicles, mail and distribution services, printing and reproduction services, and emergency and continuity of operations management planning.

HUMAN CAPITAL MANAGEMENT

The **Office of Human Capital Management** (OHCM) develops and administers the full range of human resources programs, including organizational design; a comprehensive classification, pay, and position management program; staffing and recruitment; awards and recognition; payroll administration; employee and labor relations, benefits and assistance; and personnel security. OHCM also includes the **Training and Career Development Center** (TCDC), which manages programmatic, systems and management training; performs training needs assessments; develops curricula; prepares, presents, procures and administers training courses; and designs training on PSA programs and systems for external agencies. TCDC also offers formal developmental programs and training and opportunities to all staff.

INFORMATION TECHNOLOGY

The **Office of Information Technology** (OIT) plans, develops, and manages the information technology systems that support PSA programs and management operations as well as information technology-related standards, policies and procedures. OIT assesses PSA technology requirements; analyzes potential return on technology investment for internal systems and for PSA interface with external systems; designs and administers system configuration and architecture including hardware and software, telecommunications, network operations, desktop systems, and system security; and reviews and approves acquisition of all PSA major hardware, software, and information technology contracts.

STRATEGIC DEVELOPMENT

The **Office of Strategic Development** (OSD) promotes informed action within PSA by leading the Agency's strategic planning, performance improvement, and research efforts. OSD also encourages innovative thinking within the Agency to advance best practices in risk assessment, supervision, treatment, and performance management. OSD's Director serves as PSA's Performance Improvement Officer.

PROGRAM PERFORMANCE

PSA measures achievement of its critical outcomes through three measures:

1. Arrest-Free Rate - percentage of defendants who remain arrest-free during the pretrial release period.
2. Appearance Rate - percentage of defendants who make all scheduled court appearances during the pretrial period.
3. Continued Pretrial Release - percentage of defendants who remain on release at the conclusion of their pretrial period without a pending request for removal or revocation due to non-compliance.

PSA PERFORMANCE OUTCOMES

OUTCOMES	FY 2011 Actual	FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2015- 2017 Target
Arrest-Free Rate - Percentage of Defendants Who Remain Arrest-Free During the Pretrial Release Period						
Any crimes	88%	89%	90%	89%	89%	88%
Violent crimes	99%	99%	>99%	99%	98%	98%
Appearance Rate - Percentage of Defendants Who Make All Scheduled Court Appearances During the Pretrial Period						
	88%	89%	88%	88%	88%	87%
Continued Pretrial Release - 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						
	88%	88%	87%	88%	88%	85%

RESOURCE REQUIREMENTS BY STRATEGIC OBJECTIVE

PSA uses a cost allocation methodology to determine actual and estimated appropriated resources, including both direct (e.g., staff performing direct defendant supervision) and indirect (e.g., rent, administrative activities, management), supporting each strategic objective. Program summaries and accomplishments for each objective are discussed in the following pages. The chart below reflects the funding allocation by strategic objective for fiscal years 2015, 2016 and 2017.

FUNDING BY STRATEGIC OBJECTIVE

	FY 2015 Actual	FY 2016 Enacted	One-Time Adjustment ¹	ATB	Program Changes	FY 2017 PB	Change from FY 2016 Enacted
Strategic Objective 1: <i>Risk Assessment</i> - Accurately and fairly assess the risk of all pretrial defendants.							
\$ in thousands	9,713	10,022	(80)	64	396	10,402	380
FTE	62	66	0	0	0	66	0
Strategic Objective 2: <i>Risk-Based Supervision</i> - Appropriately and fairly supervise defendants in accordance with their risk level.							
\$ in thousands	27,925	29,500	(237)	304	1,169	30,736	1,236
FTE	163	180	0	0	1	181	1
Strategic Objective 3: <i>Appropriate Treatment</i> - Effectively mitigate risk by providing appropriate treatment and pro-social interventions.							
\$ in thousands	21,855	22,835	(183)	580	917	24,149	1,314
FTE	113	127	0	0	0	127	0
Strategic Goal 4: Partner with stakeholders to address defendant needs and produce better system outcomes. ²							
\$ in thousands	1,213	0	0	0	0	0	0
FTE	7	0	0	0	0	0	0
Total \$ in thousands	60,706	62,357	(500)	948	2,482	65,287	2,930
Total FTE	345	373	0	0	1	374	1

Notes:

¹FY 2017 budget includes a reduction of \$500,000 in one-time costs associated with FY 2016 funding to procure and implement an EDRMS.

²PSA's partnerships cross-cut PSA programs. Under PSA's FY 2016 - 2018 Strategic Framework, the partnership goal is integrated into the other strategic objectives. Costs associated with the components of PSA's Management Objective: *Effective Agency Administration* are allocated to the three operational strategic objectives based on FTE.

STRATEGIC OBJECTIVE 1 – Accurately and fairly assess the risk of all pretrial defendants.

PROGRAM SUMMARY

PSA promotes informed and effective 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 criminal history, lock-up drug test results, risk assessment, treatment needs and verified defendant information (residence, employment status, community ties, etc.).

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: PSA uses a scientifically validated risk assessment instrument (RAI) that examines relevant defendant data to help identify the most appropriate supervision levels for released defendants. The assessment scores various risk measures and assigns weights for each item that are specific to the District's defendant population (e.g., previous failure to appear for court, previous dangerous and violent convictions, suspected substance use disorder, current relationship to the criminal justice system, among numerous others). It then generates a score that provides a guideline for determining each defendant's risk level. This risk level designation informs the recommendation made by PSA at arraignment and, for defendants released to PSA while awaiting trial, the level and nature of supervision required to reduce the risk of failure to appear in court and rearrest.

Recommendation to the Court: PSA makes recommendations for release or detention based on risk determination and statutory guidelines. If pretrial release is recommended, 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. When warranted, PSA recommends to the Court a variety of release conditions including, but not limited to, drug testing, substance use disorder 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.

PERFORMANCE MEASURES

Measures	FY 2011 Actual	FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2015 - 2017 Target
1.1 Percentage of defendants who are assessed for risk of failure to appear and rearrests	98%	99%	99%	99%	99%	96%
1.2 Percentage of defendants for whom PSA identifies eligibility for appropriate appearance and safety-based detention hearings	95%	95%	95%	95%	93%	94%

FY 2015 ACCOMPLISHMENTS

- ✓ Prepared timely pretrial services reports (PSRs) for 13,757 of the 13,761 cases (over 99 percent) papered by the U.S. Attorney's Office.
- ✓ Interviewed defendants in 10,506 papered cases (76 percent).
- ✓ Conducted 333 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 54 defendants who missed scheduled court dates and had outstanding bench warrants issued.
- ✓ Prepared 445 updated PSRs for defendants who were held for a preliminary/detention hearing following their initial appearance.
- ✓ Conducted 7,650 citation investigations, from which 6,419 defendants were deemed eligible for citation release.
- ✓ Prepared timely PSRs for 1,631 citation cases papered by the U.S Attorney's Office and the Office of the Attorney General.
- ✓ Collected 76,383 urine and 2,025 oral fluid specimens for drug testing and analysis from arrestees detained prior to arraignment, defendants ordered to drug test as a condition of pretrial release, and respondents with matters in DC Family Court.
- ✓ Successfully completed pilot testing of a new mobile application for conducting defendant interviews. The application allows PSOs to collect interview information using tablet technology instead of paper folders. It also allows for the information to be entered into the information management system in real-time during the interview, which decreases the amount of time required to develop the PSR and also decreases the likelihood of data entry errors due to transcription of interview notes.

STRATEGIC OBJECTIVE 2 – Appropriately and fairly supervise defendants in accordance with their risk level.

PROGRAM SUMMARY

PSA effectively monitors or supervises pretrial defendants—consistent with the court-ordered release conditions—to promote court appearance and public safety.

PSA supervises defendants in accordance with release conditions that are designed to minimize risk to the community and maximize the likelihood of each defendant returning to court. 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 PSO. High risk defendants may be subject to frequent contact with an assigned PSO and drug testing, curfew, electronic monitoring, substance use disorder treatment or other conditions.

PSA's monitoring and supervision has multiple components:

Notification of Upcoming Court Dates: In order to minimize failures to appear, automated notification letters are mailed to defendants once PSA is notified by the court system of upcoming court appearance dates. 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). PSA sends nearly 80,000 notification letters annually.

Appropriate Supervision: Defendants who are appropriately supervised are held accountable to the Court. PSA's supervision strategy includes promoting swift and effective consequences for violation of release conditions, and promoting incentives for defendants who consistently comply with release conditions.

Swift response to non-compliance with release conditions is at the heart of effective case management. 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 failure to appear for court. Failure to appear for a supervisory contact, drug use, absconding from substance use disorder 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. 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.

Numerous studies have documented the power of incentives to change behavior.¹² Common incentives recommended by PSA include: reduction in the number of contacts required; reduction in the frequency of drug testing; and placement in less intensive treatment or supervision programs.

Caseload Management: 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.

PSA supervised over 18,000 defendants during FY 2015. With caseloads expected to remain stable or to drop slightly for the remainder of the fiscal year and into the first quarter of FY 2016, PSA is actively reviewing and streamlining its case management protocols. Specifically, case management techniques are being evaluated to ensure that interventions are appropriately responsive to risk levels designated by the new risk assessment instrument (RAI). PSA will also begin to explore the concept of *weighted caseloads*, which uses complexity of cases to help determine appropriate caseload ratios.

¹² Finigan, M.W. et al. (2007). *Impact of a Mature Drug Court Over 10 Years of Operation: Recidivism and Costs*. Washington, DC: United States Department of Justice, National Institute of Justice. Meyer, W. (2007). *Developing and Delivering Incentives and Sanctions*. Alexandria, VA: National Drug Court Institute. Lindquist, C., et. al. (2006). *Sanctions and Rewards in Drug Court Programs: Implementation, Perceived Efficacy and Decision Making*” *Journal of Drug Issues* Volume 36(1), pp.119-144. Marlowe, Douglas B. and Kimberly C. Kirby. (2000). “Effective Use of Sanctions in Drug Courts: Lessons from Behavioral Research,” *National Drug Court Institute Review*, Vol. 2, No. 1. Alexandria, VA: National Drug Court Institute. Harrell, A. and Roman, J. (2001). “Reducing Drug Use and Crime Among Offenders: The impact of graduated sanctions. *Journal of Drug Issues* (Vol. 31(1) pp. 207-232).

**PSA SUPERVISION CASELOAD RATIO AVERAGES
FISCAL YEAR 2015**

Category	PSOs	Defendants	Ratios	Functional Description
GENERAL SUPERVISION				
Extensive Supervision	35	1,965	1:56	Defendants with drug testing, stay away, and reporting conditions
Condition Monitoring/ Courtroom Support ^{Note 1}	6	336	1:56	Defendants requiring minimal level supervision
High Intensity Supervision (HISP)	19	354	1:19	Defendants placed on electronic surveillance or home confinement
Halfway House (Work Release)	2	78	1:39	Defendants ordered to the Department of Corrections halfway house; supervision may include other conditions
U.S. District Court	5	162	1:32	Felony and misdemeanor defendants charged in U.S. District Court
Subtotal – General Supervision	67	2,895		
TREATMENT				
Extensive Treatment ^{Note 2}	9	165	1:18	Defendants ordered to participate in substance use disorder and/or mental health treatment
Traffic Safety Supervision Unit	4	317	1:79	
Specialized Supervision Unit (SSU)	20	623	1:31	
Subtotal –Treatment	33	1,105		
TOTAL	100	4,000	1:40	
Released on Personal Recognizance without Supervision		1,255		
^{Note 1} A total of 14 PSOs are assigned to the Court Representative Team. Most of the PSOs spend the majority of their time serving as Court Representatives to provide daily courtroom support to judicial officers to ensure defendants are placed in appropriate programs, and in addition; six carry a partial supervision caseload.				
^{Note 2} Includes totals from SCDIP and SBTT.				

Drug Testing, Forensic Analysis and Testimony: PSA’s in-house laboratory, operated by the Office of Forensic Toxicology Services (OFTS), conducts drug testing for pretrial defendants under PSA’s supervision, offenders under the CSOSA CSP (i.e., persons on probation, parole, and supervised release), as well as respondents ordered into testing by the DC Superior Court Family Division. The laboratory is certified by the U.S. Department of Health and Human Services as being in compliance with the Clinical Laboratory Improvement Amendments (CLIA) standards. It is staffed by professionals with credentials in forensic toxicology, forensic science, medical technology, chemistry and biology.

PSA’s same-day turnaround for drug test results in pretrial cases allows test results from lock-up cases to be presented to judicial officers at defendant arraignments and presentments. The OFTS can perform *spot* tests ordered by a judicial officer within a two-hour time frame through state-of-the art testing and management information systems. The OFTS performs tests on tens of thousands of samples each month, which translates to millions of analyses for various drugs each year. Laboratory personnel interpret results for new or residual use for over 1,500 individuals each month. When requested, the laboratory’s toxicologists and chemists provide expert testimony in support of analytical results.

PERFORMANCE MEASURES

Measures	FY 2011 Actual	FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2015 - 2017 Target
2.1 Percentage of defendants who are in compliance with release conditions at the end of the supervision period	78%	79%	78%	76%	75%	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: ^{Note 1}						
- drug testing violations	89%	92%	98%	90%	90%	80%
- contact violations	84%	87%	97%	85%	86%	70%
- sanction-based treatment program violations	84%	93%	65%	39%	84%	80%
- electronic monitoring violations	97%	99%	85%	88%	95%	92%

^{Note 1} In FY 2013, PSA revised its policy for staff responses to infractions of the electronic surveillance and substance use disorder treatment conditions. The new protocols call for more specific and frequent responses than the prior policy. The results reported reflect the early results of compliance with the new requirements.

FY 2015 ACCOMPLISHMENTS

- ✓ Supervised 1,324 higher risk defendants under electronic surveillance.
- ✓ Sixty-one percent of HISP defendants reaching final disposition during the first nine months of FY 2015 were successful on supervision, having made all scheduled court appearances, remaining arrest-free during supervision, and having no outstanding requests to the court for supervision termination.
- ✓ Three hundred ninety-nine (399) HISP defendants were ordered to lesser levels of supervision by the Court due to successful compliance with HISP requirements.
- ✓ Reviewed existing case management protocols for Supervision and Treatment programs to ensure that interventions are appropriately responsive to risk levels designated by the new RAI.
- ✓ Developed guidance for PSA employees on how to respond proactively when observing or interacting with a defendant who expresses suicidal thoughts or ideations. This guidance provides techniques for identifying the risk factors that indicate a person's tendency toward suicidal behavior and for intervening to promote a defendant's safety in a crisis situation.
- ✓ Began information exchange under recently executed MOU with the U.S. Probation and Pretrial Services to obtain access to their national case management system, PACTS. Information derived from PACTS provides defendant's criminal history which is used to assess criminogenic risk and formulate release or detention recommendations.
- ✓ Reorganized the HISP work unit into three teams to enhance response time to law enforcement partners for time-sensitive GPS tracking data requests and expand supervision capacity for higher risk defendants.

Drug Testing

- ✓ Conducted 2,245,958 drug tests on 282,833 urine samples of persons on pretrial release, probation, parole, and supervised release, as well as for persons (juveniles and adults) whose matters are handled in the Family Court.
- ✓ Performed over 14,244 levels analyses, which aid in the determination of continuing drug use, and performed 4,773 GC/MS confirmation tests.
- ✓ Provided expert witness testimony in 74 cases to interpret drug test results in the face of challenges by defendants, as well as during Drug Court daily pre-court interdisciplinary team meetings.
- ✓ Entered into an agreement with CSP which extends the use of CSP's field site specimen collection operation to female defendants living in the NW corridor of the District and bordering jurisdictions. Easier access to a collection site helps alleviate transportation barriers that impact defendants' compliance with court-ordered drug testing.

Synthetic Drug Testing

- ✓ Obtained testing assays for a Randox analyzer and validated testing procedures to screen oral fluid specimens for drugs of abuse as well as urine specimens for synthetic cannabinoids. The Randox analyzer has been used in a preliminary pilot study to investigate the relationship between synthetic drug use by a defendant and the risk level associated with rearrest and court appearance during the pretrial period. Future expanded use of the analyzer is expected to enhance PSA's capacity to track new drugs of abuse such as new varieties of synthetic cannabinoids and synthetic stimulants within the defendant population.
- ✓ Continued partnership with the DC OCME to research and develop methods for analyzing and characterizing the identities of emerging new synthetic drugs and their urinary metabolites. During this two-year partnership, an average of 100 urine specimen samples per month was tested for synthetic substances. Samples are obtained from individuals supervised by PSA and CSP and selected for OCME analysis due to suspected use of synthetic drugs (internally referred to as *highly suspicious samples*).
- ✓ Purchased a liquid chromatography–tandem mass spectrometry (LC-MS/MS) to establish an in-house capability for the detection and analysis of synthetic compounds in urine specimens. Full use of the LC-MS/MS will begin in 2016 following successful completion of the installation and validation studies of the equipment.

STRATEGIC OBJECTIVE 3 – Effectively mitigate risk by providing appropriate treatment and pro-social interventions.

PROGRAM SUMMARY

PSA directly provides or makes referrals to effective substance use disorder, 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.

PSA is committed to reducing drug-involved defendant rearrest and failure-to-appear rates through four core activities: 1) identifying and addressing illicit drug use, problematic alcohol use, and other criminogenic needs; 2) delivering and facilitating evidence-based substance use disorder treatment; 3) using motivational strategies and program incentives to encourage treatment initiation, engagement and retention; and 4) establishing swift and certain consequences for continued drug use.

Drug use and mental health issues can both contribute to public safety and flight risks. PSA has developed specialized supervision programs that include treatment as an essential component for defendants with substance use disorders, mental health disorders, or both (referred to as *dual diagnosis*). Treatment, either for substance use or mental health disorders, is provided as a supplement to – and never in lieu of – supervision. Just as defendants are assigned to supervision levels based on risk, they are assigned to supervision units that provide treatment based both on risk and need. Defendants placed in these programs have drug testing, contact, and other release conditions and are held accountable for compliance with the same.

Court-supervised, evidence-based treatment is one of the most effective tools for breaking the cycle of substance involvement and crime. In addition to public safety benefits, the community also benefits from the cost savings of providing supervision with appropriate treatment in lieu of incarceration. A study conducted by the Department of Justice found that drug courts significantly reduce drug use, crime, and costs.¹³ PSA operates a model Drug Court and other sanction-based treatment programs, which utilize research-supported techniques as a mechanism for enhancing community safety.

PSA's specialized treatment and supervision programs offer defendants access to various treatment levels of care, modalities and interventions. Each unit provides centralized case management of defendants, with Drug Court also providing direct treatment services. This organizational structure facilitates specialized supervision practices and consistent responses to positive and problem behaviors, which lead to better interim outcomes for defendants. 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 four areas:

Substance Use Disorder¹⁴: PSA responds to drug use by referring defendants to appropriate internal or external treatment services. For certain categories of defendants, PSA provides both close supervision and in-house treatment. For others, PSA refers and places defendants in sanction-based residential treatment via contract-funded providers while continuing to provide supervision. If sanction-based treatment is not available or is not ordered by the Court, PSA provides supervision and refers defendants to 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 Social Services and Assessment Center 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.

Peer Recovery Support: Research has demonstrated the utility of peer support networks (e.g., Alcoholics Anonymous) in helping to achieve treatment goals and initiate recovery. Government, research, and clinical professionals are coalescing around a Recovery-Oriented System of Care (ROSC) approach to substance use disorders and mental health-related public health issues. The ROSC views both substance use and mental health disorders recovery as best facilitated by a chronic care, community-centered approach that utilizes an array of professional, non-professional, and peer-related services that span a lifetime. PSA is actively involved in engaging defendants in a

¹³ Rossman, S., Roman, J., Zweig, J., Rempel, M., & Lindquist, C., (2011). *The Multi-Site Adult Drug Court Evaluation: Executive Summary*. Urban Institute, June 1, 2011.

¹⁴ American Psychiatric Association. (2013). *Diagnostic and Statistical Manual of Mental Disorders (DSM-5)*. Substance use disorder in DSM-5 combines DSM-IV categories of substance abuse and substance dependence into a single disorder measured on a continuum from mild to severe. www.dsm5.org.

ROSC by introducing defendants to peer support groups during PSA in-house treatment, referring defendants to an array of community-based services that support recovery throughout supervision, and requiring peer support group participation for defendants in the final phase of in-house treatment.

Mental Health: Many defendants in the DC 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 use disorder treatment as well. PSA’s Specialized Supervision Unit address the needs of this dually-diagnosed population by providing specialized supervision and by arranging for needed mental health and substance use disorder treatment services.

PERFORMANCE MEASURES

	Measures	FY 2011 Actual	FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2015 - 2017 Target
3.1	Percentage of referred defendants who are assessed for substance use disorder treatment	97%	96%	96%	94%	91%	95%
3.2	Percentage of eligible assessed defendants placed in substance use disorder treatment programs <small>Note 1</small>	50%	49%	52%	40%	49%	50%
3.3	Percentage of defendants who have a reduction in drug usage following placement in a sanction-based treatment program	84%	85%	83%	85%	91%	74%
3.4	Percentage of defendants connected to educational or employment services following assessment by the SSAC <small>Note 2</small>	97%	94%	90%	N/A	N/A	N/A
3.5	Percentage of referred defendants who are assessed or screened for mental health treatment	95%	95%	96%	96%	84%	95%
3.6	Percentage of service-eligible assessed defendants connected to mental health services	82%	85%	88%	85%	91%	80%

Note 1 A relatively low placement target has been established due to the voluntary nature of substance use disorder treatment and other defendant-specific factors that complicate or delay placement.

Note 2 PSA discontinued this performance measure as of FY 2014. The data presented here mostly are administrative and not tied to mission-critical activities.

FY 2015 ACCOMPLISHMENTS

- ✓ One hundred three (103) defendants successfully graduated from Drug Court, with 93 defendants charged with misdemeanors having their cases nolleed due to participation.
- ✓ Enhanced Drug Court by implementing recommendations made by NPC Research. PSA also implemented procedures to expand placement options utilizing PSA contract vendors to provide residential substance use disorder treatment for defendants on medicated assisted therapy to ensure appropriate therapeutic interventions.
- ✓ Trained 40 PSOs to provide comprehensive case management, group and individual treatment services, criminal justice supervision and conduct substance use and mental health disorder assessments consistent to the new American Society of Addiction Medicine (ASAM) criteria. The ASAM criteria is the most widely used and comprehensive set of guidelines for placement, continued stay, and transfer/discharge of individuals with addiction and co-occurring conditions.

SUPPORTING MATERIALS

USING EVIDENCE AND EVALUATION TO IMPROVE OUTCOMES

OMB Memorandum M-15-11, *Fiscal Year 2017 Budget Guidance*, continues the Administration's commitment (first outlined in M-14-06) to "building evidence and better integrating evidence into policy, budget, operational, and management decision-making."¹⁵ Building on these efforts, the FY 2017 PB places a priority on institutionalizing the progress that PSA has made in these areas. In FY2015, PSA completed or carried over several internal evaluations from the previous fiscal year within its strategic areas.

Validated Risk Assessment Implementation

PSA implemented its research-validated risk assessment instrument (RAI) in FY 2014. In FY 2015, PSA contracted with the RAI developer to examine the results of data from the first year of RAI implementation, including re-evaluation of the cut-off points used for the current risk designations (very low, low, medium, high and very high) and the effects of potential alternate scoring options for several RAI factors. The vendor made several suggestions regarding changes to certain risk factor scoring and the proper use of the RAIs that predict the likelihood of specific types of pretrial rearrest. PSA will implement recommended changes to scoring the global Appearance, Non-Arrest, and Danger/Violence risk instruments in FY 2016.

Court Notification

To help improve court appearance outcomes, PSA has notified released defendants of upcoming court appearances since its inception. With recent research validating this as a best practice for pretrial services agencies,¹⁶ the Agency tested the efficiency of court notification by mail, text message and e-mail to determine which method may be the most efficient means of court notification. This internal review found that text and e-mail messaging appear to promote better rates of court appearance than the traditional letter notification approach. As a result of these findings, the Agency is revising its court notification protocol to include text messaging and e-mail notification as primary methods of court notification, when cellular phone and e-mail information is available.

Dynamic Drug Use within the Defendant Population

To ensure that drug testing remains an effective deterrent to future drug use and a control on potential pretrial misconduct, PSA is enhancing its capability to proactively track and report drug use trends within the defendant population. In FY 2015, the Agency's focused on the potential

¹⁵ Office of Management and Budget, "Memorandum for the Heads of Departments and Agencies" (M-15-11), May 1, 2015.

¹⁶ Herian, M.N. and Bornstein, B.H. (2010). *Reducing Failure to Appear in Nebraska: A Field Study*. Lincoln, NE: University of Nebraska at Lincoln. Jefferson County Criminal Justice Strategic Planning Committee 2005. *Jefferson County, Colorado Court Date Notification Program FTA Pilot Project Summary*. O'Keefe, M. (2007). *Court Appearance Notification System: 2007 Analysis Highlights*. Portland. OR: Multnomah County Budget Office.

growth in the use of synthetic drugs by pretrial defendants. PSA initiated a random study of samples obtained from defendants at the time of arrest. During the study, 517 samples were tested for the presence of synthetic metabolites. Of these, 15.3 percent tested positive for at least one synthetic drug. Although based on a very small sample size, the results indicate a need to expand testing.

Identifying Potential Point of Failure during Pretrial Supervision

PSA investigated whether defendants were more likely to engage in pretrial misconduct at certain points during pretrial supervision.¹⁷ The analysis also attempted to identify commonalities in risk assessment factors, supervision level and release conditions of defendants that fail within identified time periods. A final report was presented to PSA Management in September 2015 with a follow-up presentation in November 2015. In FY 2016, PSA will conduct further research on defendants whose failure occurred within the first 60 days of supervision and appearance rate by court hearing type. Also for review will be the possible relationship between residence and pretrial failure and current criteria for acceptance into PSA's HISP program.

Judicial Survey

The *Annual Judicial Survey* allows PSA to gauge the opinions of its principal consumers about the Agency's risk assessment, supervision and treatment services and support. In FY 2014,¹⁸ all judicial officers responding from the DC Superior Court and U.S. District Court were "Satisfied" or "Very Satisfied" with PSA services, while 99 percent of Superior Court respondents and 87 percent of District Court respondents were "Satisfied" or "Very Satisfied" with the information PSA provides about its services and programs. Judicial officers made several recommendations to improve how PSA presents information used for judicial decision-making, including better explanations for release or detention recommendations, more options for defendants on the domestic violence calendars besides release to electronic monitoring, offering judges a menu of release conditions instead of specific Agency programs, and improving on the timeliness of reports.¹⁹ PSA augmented its survey with follow-up interviews with judges that expressed an interest in follow-up discussions in their survey responses. This will become a regular feature with future surveys.

In FY 2015, PSA created a standing *Judicial Action Committee* to prioritize and, where appropriate, manage implementation of select recommendations from the FY 2014 and future surveys. PSA also adopted a biennial schedule for future judicial surveys, with surveys conducted every other year and feedback and recommendations reviewed and analyzed the following year.

¹⁷ This evaluation was, in part, a follow-up to findings from PSA risk assessment validation study, which suggested that a significant level of pretrial misconduct occurred within the first 30 days of supervision, and that the risk of pretrial rearrest for most defendants declined by 45 percent after the first month of supervision.

¹⁸ PSA's reports here are always from the previous fiscal year.

¹⁹ House, L.E. (2015). *2014 PSA Annual Judicial Survey*. Washington, DC: Pretrial Services Agency for the District of Columbia.

Initial Detention and Subsequent Release Report

PSA continued its series on defendants that were initially detained by DCSC and USDC judicial officers and subsequently released to PSA's supervision or on PR without supervision. For DCSC, PSA compared initial and subsequent release data from FY 2013 and FY 2014 to similar data from FYs 2007-2012 to identify trends in rates of release and detention. FY 2011 was the first year that PSA analyzed initial detention and subsequent release information from USDC, and the 2015 report compared FYs 2011-2012 and FY 2013 and FY 2014 data. In DCSC, 56.5 percent of initially detained defendants were subsequently released, with just over 95 percent released to PSA's supervision. This represented a drop from FY 2013 from 58 percent released, with 95 percent to PSA. Seventy percent of releases occurred within seven days of initial detention. In USDC, 22 percent of initially-detained defendants subsequently were released, with all but two defendants released to PSA supervision. Just under 43 percent of releases occurred within seven days of initial confinement.

MANAGEMENT AND ADMINISTRATION

Strategic Human Capital Management

- ✓ Improved the quality and timeliness of suitability investigations. A review by OPM covering the first three quarters of FY 2015 revealed only 4 percent of applications were rejected for corrections, which is a 25 percent decrease from the average for FY 2014. The average time elapsing from the date applicant completed e-QIP and date PSA sent application to OPM was 5 days, a 90 percent decrease from the average for FY 2014 which was 52 days. No duplicate requests were submitted.
- ✓ Enhanced recruitment efforts by increasing attendance at job fairs for various disability advocacy groups. Participation at the fairs included conducting mock interviews with potential applicants with disabilities. These targeted recruitment efforts align to PSA goals to "recruit, develop and retain a competent, committed and diverse workforce that reflects the communities we serve; cultivate a flexible, inclusive and equitable work environment that promotes inclusiveness; and foster a culture that values diversity and empowers individuals in the workforce."²⁰
- ✓ Continued to manage a Training and Career Development program committed to developing a workforce capable of effectively responding to current and future demands in administering pretrial services and creating a work environment that promotes inclusiveness and growth:
 - PSA employees completed over 6,279 training events including on-line courses, instructor-led courses, and on-the-job instruction. Over 2,200 of these hours were completed during PSA's two-day Training and Professional Conference. Conference training tracks included: Substance Abuse and Mental; Criminal Justice; Personal and Professional Development; Finance; Health and Safety and Leadership Skills.

²⁰ CSOSA/PSA FY 2012-2014 Diversity and Inclusion Strategic Plan, Introduction.

- Agency executives partnered with professional coaches as part of their continuous learning objectives to enhance managerial performance and leadership skills.
- Successfully collaborated with the DC Metropolitan Police Department in conducting training in the genesis, misconceptions, illicit use, legal challenges, trends and dangers of synthetic cannabinoids.
- Twelve employees participated in leadership development programs to gain the skills, experience and exposure necessary to prepare them for positions of more responsibility.
- Launched an internal pilot leadership academy targeting employees at the GS-9 grade level and below to enhance skill sets and aid in career development.
- Fourteen pairs of mentors/proteges participated in the Agency's mentoring program which is designed to enhance employee skills, promote career development and strengthen the Agency's workforce.

Financial Statement Audit

- ✓ Achieved an *unmodified* (clean) opinion on the FY 2015 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.

Improper Payments Reporting

- ✓ Conducted a review of programs and activities to determine susceptibility to improper payments in accordance with the Improper Payments Information Act of 2002, as amended by the Improper Payments Elimination and Recovery Act of 2010. Given the inherent risks of the programs, internal controls, the results of prior financial audits, and PSA internal testing of its FY 2015 payment transactions, PSA has determined its programs are not susceptible to significant improper payments.

Federal Information Technology Acquisition Reform Act (FITARA)

- ✓ The Chief Information Officer (CIO) has reviewed and approves the major information technology (IT) investments portion of this budget request.
- ✓ The Chief Financial Officer (CFO) and CIO jointly affirm that the CIO had a significant role in reviewing planned IT support for major program objectives and significant increases and decreases in IT resources.
- ✓ The IT Portfolio (formerly Exhibit 53) includes appropriate estimates of all IT resources included in the budget request.

Data Act Implementation

OMB Memorandum M-15-12, *Increasing Transparency of Federal Spending by Making Federal Spending Data Accessible, Searchable, and Reliable*, issued May 8, 2015, requires Federal agencies to submit Digital Accountability and Transparency (DATA) Act implementation plans to OMB.

The DATA Act of 2014 calls for establishing government-wide financial data standards and increasing the availability, accuracy, and usefulness of Federal spending information.

CSOSA (CSP and PSA) is a small Federal Agency and obtains financial services from a Federal Shared Service Provider (FSSP), the Department of Interior, Interior Business Center (IBC). CSP and PSA, through separate interagency agreements, rely on IBC to provide financial management systems (Oracle Federal Financials) and operational support services and are highly dependent on IBC for implementing the Data Act requirements.

CSOSA submitted its implementation plan to OMB on October 8, 2015. CSP and PSA continue to work with IBC and participate in meetings led by OMB, Treasury or the Small Agency Council concerning DATA Act requirements and implementation. OMB has allowed CSP and PSA to postpone reporting object class accounting data until late February 2016 in order to give Oracle time to provide a system configuration which will facilitate this reporting requirement.

BUDGET DISPLAYS

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

Grade	FY 2015 ¹ Actual		FY 2016 Enacted		FY 2017 PB		Variance		FY 2015 ² 95-13/15-1734 Fund Actual	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
SES	3	521	3	523	3	526	0	3	0	0
GS-15	9	1,552	11	1,634	11	1,680	0	46	0	0
GS-14	24	3,122	26	3,284	26	3,375	0	91	0	0
GS-13	60	6,283	61	6,373	61	6,520	0	147	0	0
GS-12	184	16,028	188	15,832	189	16,255	1	423	0	0
GS-11	3	576	19	1,250	9	637	-10	-613	0	0
GS-09	14	811	12	717	17	1,054	5	337	0	0
GS-08	8	519	11	628	8	474	-3	-154	0	0
GS-07	33	1,802	40	2,008	44	2,353	4	345	0	0
GS-06	0	0	2	80	1	46	-1	-34	0	0
GS-05	7	223	0	0	5	210	5	210	0	0
Total Appropriated FTE	345	31,437	373	32,329	374	33,130	1	801	0	0
Object Class										
11.1 Full-time Permanent	345	31,254	373	32,247	374	33,043	1	796	0	0
11.3 Other than Full-time Permanent	0	183	0	82	0	87	0	5	0	0
11.5 Other Personnel Compensation	0	746	0	743	0	761	0	18	0	0
12.0 Personnel Benefits	0	13,675	0	14,611	0	14,721	0	110	0	0
Personnel Costs	345	45,858	373	47,683	374	48,612	1	929	0	0
21.0 Travel and Transportation of Persons		99		86		89		3	0	0
22.0 Transportation of Things		0		1		0		-1	0	0
23.1 Rental Payments to GSA		2,522		3,028		3,071		43	0	247
23.2 Rental Payments to Others		2,013		1,796		1,814		18	0	0
23.3 Communications, Utilities & Misc. Charges		708		760		797		37	0	0
24.0 Printing and Reproduction		25		41		42		1	0	0
25.1 Advisory and Assistance Services		281		410		344		-66	0	0
25.2 Other Services from non-Federal Sources		5,090		5,066		5,331		265	0	71
25.3 Other Goods/Services from Federal Sources		927		994		960		-34	0	40
25.4 Operation and Maintenance of Facilities		96		45		46		1	0	0
25.7 Operation and Maintenance of Equipment		239		353		476		123	0	23
26.0 Supplies and Materials		910		1,019		1,208		189	0	6
31.0 Equipment		1,936		1,075		2,497		1,422	0	311
43.0 Interest		2		0		0		0	0	0
Non-Personnel Costs		14,848		14,674		16,675		2,001		698
TOTAL	345	60,706	373	62,357	374	65,287	1	2,930	0	698

¹FY 2015 Actual does not include the unobligated FY 2014 balance of \$77,732 which was carried forward to FY 2015 (P.L. 113-76 GP 815). This funding was fully expended in FY 2015 under BOC 310 to purchase the LC-MS/MS technology for enhancing drug testing capabilities used in detecting and analyzing synthetic substances.

²The FY 2013 Enacted contained three-year (FY 2013-2015) resources for the PSA Drug Lab relocation.

FY 2017 REQUESTED PROGRAM CHANGES
SALARIES and EXPENSES
SUMMARY OF REQUIREMENTS by GRADE and OBJECT CLASS
(Dollars in Thousands)

Grade	FY 2017 Request	
	FTE	Amount
GS-15	0	0
GS-14	0	0
GS-13	0	0
GS-12	1	78
GS-11	0	0
GS-10	0	0
GS-09	0	0
GS-08	0	0
GS-07	0	0
GS-06	0	0
GS-05	0	0
Total	1	78
Object Class		
11.1 Full Time Permanent	1	78
11.3 Other Than Full Time Permanent		0
11.5 Other Personnel Compensation		0
12.0 Personnel Benefits		34
Total Personnel Costs	1	112
21.0 Travel and Transportation of Persons		0
22.0 Transportation of Things		0
23.1 Rental Payments to GSA		0
23.2 Rental Payments to Others		0
23.3 Communications, Utilities, and Misc. Charges		0
24.0 Printing and Reproduction		0
25.1 Advisory and Assistance Services		0
25.2 Other Services from non-Federal Sources		400
25.3 Other Goods/Services from Federal Sources		0
25.4 Operation and Maintenance of Facilities		0
25.7 Operation and Maintenance of Equipment		0
26.0 Supplies and Materials		170
31.0 Furniture and Equipment		1,800
Total Non-Personnel Costs		2,370
TOTAL	1	2,482