

THE GUIDE TO PSA'S PROGRAMS AND SERVICES

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Pretrial Services Agency for the District of Columbia

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THE GUIDE TO PSA'S PROGRAMS AND SERVICES

This Guide is designed to inform our criminal justice system partners – primarily judicial officers, prosecutors and defense counsel – of the programs and services offered by the Pretrial Services Agency.

After a brief description of the Agency, this Guide provides a summary of each of PSA's primary operations components – court support, defendant supervision, and interventions and defendant support. The sections provide a table for each unit or program that includes information on targeted defendants, eligibility criteria, supervision and services provided, program sanctions and incentives, and placement and discharge/removal procedures. This is followed by a more detailed narrative that provides additional information, including a list of key program contacts. Note that all programs and services as described are subject to change. A glossary of critical terms and acronyms is available at the end of the document.

Please contact PSA directly for additional information, clarification or questions. This publication is available online at PretrialServices.gov.

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ABOUT THE PRETRIAL SERVICES AGENCY

PSA's mission is to promote
pretrial justice and enhance
community safety

ABOUT THE PRETRIAL SERVICES AGENCY

About the Pretrial Services Agency

PSA'S MISSION, VISION AND VALUES

The mission of the Pretrial Services Agency for the District of Columbia (PSA) is to promote pretrial justice and enhance community safety.

PSA's vision is to thrive as a leader within the justice system through a diverse, inclusive and empowered workforce that embodies integrity, excellence, accountability, and innovation in the delivery of the highest quality services.

The following core beliefs and values guide PSA in carrying out its day-to-day activities in support of its mission:

- The presumption of innocence of each pretrial defendant should result in:
 1. The least restrictive conditional release in the community; and
 2. The preventive detention of a pretrial defendant only following a judicial determination of the risk of non-appearance at court and/or dangerousness to any person or to the community.
- PSA's accountability to the public for carrying out its mission is essential.
- Non-financial conditional release, based on the history, characteristics, and reliability of the defendant, is more effective than financial release conditions. Reliance on money bail discriminates against indigent defendants and cannot effectively address conditioning a defendant's conduct to protect the public.
- Pro-social interventions that address substance use disorders, employment, housing, medical, educational, and mental health issues afford defendants the opportunity for personal improvement and decrease the likelihood of criminal behavior.
- All of PSA's work is performed to the highest professional and ethical standards.
- Innovation and the development of human capital lead to organizational excellence.

ABOUT THE PRETRIAL SERVICES AGENCY

PSA'S STATUTORY AUTHORITY

For cases prosecuted in D.C. Superior Court, PSA performs the tasks mandated under Title 23, Section 1303 (h) of the D.C. Code:

"The agency shall –

1. Supervise all persons released on non-surety release, including release on personal recognizance, personal bond, non-financial conditions, or cash deposit with the registry of the Court;
3. Make reasonable effort to give notice of each required court appearance to each person released by the Court;
4. Serve as coordinator for other agencies and organizations, which serve or may be eligible to serve as custodians for persons released under supervision and advise the judicial officer as to the eligibility, availability, and capacity of such agencies and organizations;
5. Assist persons released pursuant to subchapter II of this chapter in securing employment or necessary medical or social services;
6. Inform the judicial officer and the United States Attorney for the District of Columbia or the Office of the Attorney General for the District of Columbia of any failure to comply with pretrial release conditions or the arrest of persons released under its supervision and recommend modifications of release conditions when appropriate;
7. Prepare, in cooperation with the United States Marshal for the District of Columbia and the United States Attorney for the District of Columbia such pretrial detention reports as are required by Rule 46(h) of the Federal Rules of Criminal Procedure; and
8. Perform such other pretrial functions as the Executive Committee may, from time to time, assign."

For cases prosecuted in U.S. District Court, PSA performs similar tasks mandated under Title 18, Section 3154 of the U.S. Code.

PSA'S ROLE IN THE CRIMINAL JUSTICE SYSTEM

PSA performs three critically important tasks that contribute significantly to the effective administration of justice.

ABOUT THE PRETRIAL SERVICES AGENCY

1. PSA gathers and presents information about newly arrested defendants and available release options for use by judicial officers in deciding what, if any, conditions are to be set for released defendants.
2. PSA recommends the least restrictive conditions of release to the community that promote public safety and return to court. Virtually no defendants currently are released on surety bonds from D.C. Superior Court, which PSA considers as one of its measures of success.
3. PSA supervises defendants released from custody during the pretrial period by monitoring their compliance with certain conditions of release and helping to assure that they appear for scheduled court hearings. PSA supervision gives defendants the opportunity to participate in a variety of pro-social interventions in an effort to decrease the likelihood of future criminal behavior.

As a result of performing these tasks, unnecessary pretrial detention is minimized, jail crowding is reduced, public safety is increased and the pretrial release process is administered fairly.

A judicial officer – a judge or magistrate judge – makes the initial pretrial release decision after taking into account the representations of the prosecutor and the defense attorney, as well as PSA's release recommendation. PSA provides objective data about each defendant to assist in judicial decision-making. PSA recommendations are designed to manage flight and public safety risks associated with releasing defendants. Throughout the pretrial release period, PSA notifies the Court, prosecution, and defense counsel of defendant non-compliance. This information allows all of the parties to respond promptly to violations and fulfill their common purpose of serving the community.

COURT SUPPORT

PSA gathers and presents vital information about defendants and available release options that assist judicial officers in decision-making

DIAGNOSTIC AND RELEASE SERVICES

Diagnostic and Release Services

PSA serves both the Superior Court of the District of Columbia (D.C. Superior Court) and the United States District Court for the District of Columbia (U.S. District Court). The primary functions of diagnostic and release services are to:

- Provide court officials with accurate background information on arrestees and render release recommendations that address both safety and appearance considerations;
- Meet with defendants to review their conditions of release and the penalties for not complying with release conditions, failure to appear (FTA) and rearrest;
- Assist defendants who inform PSA that they cannot make an upcoming court date to prevent issuance of bench warrants and assist defendants in surrendering on outstanding D.C. bench warrants; and
- Make eligibility determination for citation release.

Diagnostic Pretrial Services Officers (PSOs) in both D.C. Superior Court and U.S. District Court are responsible for interviewing and investigating the backgrounds of defendants arrested on federal and local criminal charges, as well as D.C. misdemeanor/traffic charges. The PSOs prepare Pretrial Services Reports (PSR) to assist judicial officers in setting release conditions. The PSOs collect and verify data on a defendant's community ties; criminal and juvenile delinquency history; physical health; mental health; substance use disorders; and probation, parole, or supervised release status, which are presented in the PSR. The report also includes a detailed recommendation that identifies the various detention and/or administrative hearings for which the defendant is eligible and conditions of pretrial release, if any, that PSA determines are needed to minimize the defendant's risk of failure to appear in court and/or rearrest. Copies of the PSR are given to the Court, defense attorney, and prosecutor.

In certain circumstances, PSA may inform the Court that PSA has no recommendations that would reasonably assure community safety or return to court. PSA generally does not recommend release for defendants who:

DIAGNOSTIC AND RELEASE SERVICES

- Are in non-compliance with PSA's High Intensity Supervision Program or the D.C. Department of Corrections' work release program;
- Have a history of escape, prison breach, Bail Reform Act (BRA) violations and/or non-compliance with conditions of release;
- Are in loss-of-contact status with supervision (pretrial and/or post sentencing-supervision); and/or
- Show a pattern of dangerous and/or violent behavior as evidenced by their criminal history.

PSA uses a risk assessment instrument that examines relevant defendant data to help identify the most appropriate supervision levels for released defendants. The assessment scores more than 70 risk measures specific to the District's defendant population. It then generates a score that assigns defendants to different risk categories and corresponding supervision assignments to help reduce the risk of failure to appear in court and rearrest.

In U.S. District Court, defendants indicted by a grand jury or those who plead to the charging document who have not been interviewed by PSA are notified by the Court Clerk's Office before their arraignment/plea date to contact PSA to arrange an appointment for an interview. When the Court notice for the arraignment/plea date is mailed to the defendant, included on the notice are instructions for either the defendant or defense counsel to contact the PSA U.S. District Court Supervision Unit.

PSOs also are present during arraignment in both courts to assist with questions concerning the PSR; provide current drug testing results for opiates, PCP, cocaine and amphetamines; and provide recommendations regarding release for lock-up cases. If a defendant is released in U.S. District Court, the PSO reviews the conditions of release with the defendant while in the courtroom. In D.C. Superior Court, defendants are instructed to report to PSA's Release Services Unit in room C-301 where their release conditions are reviewed to ensure they are fully understood.

Staff in the Release Services Unit meet with defendants just released from the courtroom and conduct post-release interviews. They review the conditions of release with the defendant, and the repercussions of not complying with release conditions, failure to appear in court or rearrest. All D.C. Superior Court defendants are directed to report to this unit immediately following their release after

DIAGNOSTIC AND RELEASE SERVICES

arraignment, and any time there are subsequent modifications to their release conditions, in order to review release conditions and have any questions answered. Defendants ordered by D.C. Superior Court to have an assessment completed by PSA also report to the Release Services Unit for warrant checks and directions to the Social Services and Assessment Center (SSAC).

Failure-to-appear matters are handled by the Release Services Unit. When an inquiry comes from the Court regarding the location of a defendant who is due in court, or if a defendant appears to have missed a court date, the Release Services Unit conducts an investigation to determine the reason for a defendant's non-appearance in court. The pertinent information is documented and the Court is informed of the findings. Defendants and their relatives sometimes contact PSA and provide information about a future court date for which a defendant will be unable to appear. This information is investigated and reported to the Court, which can prevent issuance of a bench warrant. Upon request, PSRs also are provided to judges who have defendants arrested on outstanding bench warrants, but not charged with a Bail Reform Act violation.

COURT REPRESENTATION

Court Representation

PSA court representatives are PSOs responsible for representing PSA in D.C. Superior Court during judicial proceedings. Specifically, court representatives are responsible for:

- Obtaining information for the Court about defendants (*e.g.*, compliance with release conditions, warrant checks, verifications) and ensuring that evaluations are completed by the appropriate unit for possible program placement recommendations;
- Collecting reports from the supervising PSOs and ensuring that the Court receives the reports by the business day prior to the court hearing;
- Ensuring that a PSO is present in court in the event that PSA recommends program placement or any modification of existing release conditions;
- Ensuring that the appropriate forms, release orders and any other applicable documents are completed and that the copies are distributed to the defendant and his/her attorney along with any necessary written instructions, contact information and directions; and
- Explaining PSA policy and/or program requirements to the Court, defendant or others, as needed.

PSA's limited resources prevent assignment of court representatives to each courtroom; therefore, court representatives frequently are assigned to cover multiple courtrooms on any given morning. A limited number of court representatives are available on a rotating basis to assist the Court as necessary, while the remaining staff handles caseloads and other supervision duties. Court representatives ensure that the respective chambers and court clerks have their contact information so they readily can be contacted by cell phone and email when needed.

DRUG TESTING AND COMPLIANCE

Drug Testing and Compliance

The Drug Testing and Compliance Unit (DTCU) is responsible for the collection of urine/oral samples in D.C. Superior Court and U.S. District Court for defendants arrested and charged with a criminal offense, as well as respondents ordered into testing by the Family Court Division of the D.C. Superior Court. The DTCU is responsible for:

- Collecting urine/oral samples from defendants and respondents in lock-up;
- Processing defendants and respondents with drug testing conditions;
- Providing testimony about relevant drug testing and chain-of-custody information to judicial officers, attorneys, social workers, community supervision officers (CSO) and PSOs;
- Referring defendants to the supervising PSO when there are drug testing violations;
- Investigating and providing juvenile delinquency histories to PSA's Diagnostic Unit and U.S. District Court Supervision Unit to be used for bail purposes;
- Monitoring defendants' (PSA does not monitor Family Court respondents) initial compliance with drug testing conditions, verifying addresses and court dates; and
- Investigating and updating information regarding defendants who fail to report for placements and evaluations.

When the DTCU determines that a defendant reporting for drug testing has an outstanding warrant, the DTCU first collects the sample, discreetly notifies the Release Services Unit, and then escorts the defendant to the Release Services Unit for resolution of the warrant.

FORENSIC ANALYSIS AND TESTIMONY

Forensic Analysis and Testimony

Forensic analysis and testimony are performed by PSA's Office of Forensic Toxicology Services (OFTS) by providing:

- Forensic toxicology drug testing and analysis; and
- Expert testimony in forensic toxicology at judicial and administrative proceedings.

The OFTS is certified by the U.S. Department of Health and Human Services and is staffed by professionals with credentials in forensic toxicology, forensic science, medical technology, chemistry and biology.

FORENSIC ANALYSIS

The OFTS uses Immunoassay and Gas Chromatography Mass Spectrometry¹ (GCMS) as the primary drug testing methodologies. Individual test profiles consist of three to five tests for any combination of the following drugs: cocaine, marijuana, PCP, amphetamines, and opiates. Positive tests are retested to validate their accuracy. When requested for challenge hearings, GCMS is used to confirm positive results.

The OFTS performs tests on tens of thousands of specimens each month from pretrial defendants, probationers, parolees and D.C. Superior Court Family Court respondents. This translates to about three million separate analyses per year. Two facilities are used for testing this large volume of samples. The laboratories are located at 300 Indiana Avenue, NW, and 500 Indiana Avenue, NW.

EXPERT TESTIMONY AND CONSULTATION

All testimony in support of analytical results and interpretation presented in court or at administrative hearings is provided by OFTS's expert toxicologists/chemists. OFTS scientists interpret results for new or residual use for over 2,000 defendants/offenders each month.

¹ Gas Chromatography Mass Spectrometry (GCMS) – GCMS is recognized widely in the scientific community as the most specific, sensitive technique for determining the chemical structure of a compound. A GCMS analysis of a drug metabolite is fingerprinting the chemical structure of that drug.

FORENSIC ANALYSIS AND TESTIMONY

Designated staff is available for consultation on matters related to drug testing and interpretation. PSOs and CSOs can request information or consultation via email through the Laboratory Help Desk. Defense counsel requesting levels checks must make this request in person at the Lab so that appropriate identification can be established. Requests from prosecutors and defense counsel for drug specimen history reports and/or for OFTS personnel to provide expert testimony regarding an interpretation of any report must be made no less than 24 hours in advance of its intended use at a violation or challenge hearing.

COURT SUPPORT PROGRAM CONTACTS

Court Support Program Contacts

Complete telephone and location directories are available online at PretrialServices.gov. Contacts for bi-lingual assistance are available online or by calling 202-585-7030.

COURT SUPPORT PROGRAM CONTACTS
DIAGNOSTIC UNIT
To request a defendant interview and/or Pretrial Services Report for D.C. Superior Court, call 202-585-7030. For requests from law enforcement officers for citation or other matters, call 202-585-7100.
U.S. DISTRICT COURT
To request a defendant interview and/or Pretrial Services Report for U.S. District Court, call 202-442-1000.
RELEASE SERVICES UNIT
For assistance in matters regarding failure to appear, to request a defendant interview, or to request a referral for a social services assessment, call 202-585-7077.
COURT REPRESENTATION
To contact a PSA D.C. Superior Court court representative, call 202-585-7955. For matters regarding the U.S. District Court, call 202-442-1000.
DRUG TESTING AND COMPLIANCE UNIT
For information regarding adult drug testing or Family Court respondent testing, call 202-585-7060 or 202-585-7050.
FORENSIC ANALYSIS AND TESTIMONY
To request information regarding expert testimony for drug test interpretation, call 202-585-7257. Consultations requested by PSOs and CSOs are available by contacting the OFTS HelpDesk via Email at lab-helpdesk@psa.gov .

DEFENDANT SUPERVISION

PSA supervises defendants released from custody by reviewing their compliance with release conditions and helping to reasonably assure that they appear for scheduled hearings and are not a threat to public safety

LIMITS OF PSA SUPERVISION

Limits of PSA Supervision

PSA does not supervise defendants who are not released to PSA's supervision. This includes defendants who are:

- Released on personal recognizance;
- Released via surety bond secured through a commercial bonding company;
- Charged with a D.C. Misdemeanor/Traffic Initiative (DCMTI)-eligible offense who are assessed not to need or have completed substance- or mental health-related treatment;
- Charged in D.C. Code/traffic cases who do not meet the eligibility requirements for PSA supervision;
- Respondents in the D.C. Superior Court Family Court;
- Charged in domestic violence cases who enter into deferred sentencing agreements that are supervised by the Court Services and Offender Supervision Agency;
- Participating in a diversion program administered by the prosecutor's office for which no conditions of release have been ordered by the Court;
- Awaiting resentencing after their probation has been revoked;
- Adjudicated as incompetent and found to be unlikely to attain competence in the foreseeable future (See [page 78](#): When a Question of Defendant Competence Has Been Raised);
- Held without bond; or
- Juveniles unless ages 16 or 17 charged as an adult by the United States Attorney's Office.

For these defendants (except D.C. Superior Court defendants released on surety bonds), PSA:

- Mails notification of pending court dates to the defendant's last known mailing address;
- Responds to special requests made by the Court (*e.g.*, verify a defendant's incarceration in another jurisdiction); and
- Notifies the Court of rearrest within the District of Columbia.

LIMITS OF PSA SUPERVISION

For defendants ordered by the Court into a Department of Corrections (DOC) halfway house, PSA performs limited supervision (*e.g.*, drug testing). When a defendant with an appropriate risk score is in compliance with PSA and DOC requirements for 30 consecutive days, PSA makes a recommendation to the Court for less restrictive release conditions.

GENERAL SUPERVISION

General Supervision

The General Supervision Unit (GSU) is operated by PSA's Supervision Program and is available for D.C. Superior Court only. A detailed narrative of the GSU follows the summary chart.

GENERAL SUPERVISION SUMMARY

TARGETED DEFENDANTS

Any defendant not released into a specific PSA unit or program

PROGRAM ELIGIBILITY CRITERIA

Defendant charged with a felony or misdemeanor and released on non-surety release conditions by the D.C. Superior Court

SUPERVISION AND SERVICES PROVIDED

1. Court notification of release condition violations;
2. Court notification of rearrest;
3. Screening for placement in HISP, Drug Court, SSU or SBTT;
4. Referral for mental health assessment or mental health treatment as determined by an assessment;
5. Drug testing if required;
6. Placement in drug treatment as determined by an assessment;
7. Referral for social services as deemed appropriate or requested; and
8. Appropriate alternative supervision or treatment recommendations to the Court when defendant is consistently compliant with or violates release conditions.

GENERAL SUPERVISION

PROGRAM SANCTIONS AND INCENTIVES

Sanctions: Responses to release condition violations may include the following:

1. Verbal and written warning;
2. Warning with discussion of treatment needs;
3. Referral for substance use disorder assessment and possible placement into an appropriate treatment and/or supervision program;
4. Increased contact reporting requirements;
5. Recommendation for increased supervision; and/or
6. Program removal/revocation of release.

Incentives: Responses to compliance include the following incentives:

1. Reduction in or termination of drug testing if defendant continues to abstain from drug use; and
2. Reduction in requirements for reporting to PSA; and
3. Program removal.

PROGRAM PLACEMENT AND DISCHARGE/REMOVAL

Placement: Defendants supervised by PSA are placed into GSU unless specific placement is made into another program.

Discharge/Removal: Compliance may lead to recommendation for personal recognizance. Non-compliance may lead to recommendation for more restrictive conditions or revocation of release.

I. PROGRAM OVERVIEW

The GSU oversees the vast majority of defendants released to PSA's supervision. The program actively reviews compliance with release conditions that require supervision imposed by D.C. Superior Court; notifies the Court, prosecution, and defense counsel of condition violations and program infractions; and provides daily courtroom support on pretrial matters to judicial officers. PSA also provides compliance information to involved agencies for individuals who are dually-supervised. Social services also are offered when deemed appropriate or requested through referrals to PSA's Social Services and Assessment Center (SSAC).

For defendants with release conditions that require monitoring, PSA notifies defendants of their appearance dates, monitors for warrants and rearrests and compliance with any one-time verification conditions, and refers for any social services if requested by the defendant.

GENERAL SUPERVISION

II. TARGET POPULATION AND ELIGIBILITY CRITERIA

The GSU is for defendants charged with felony and misdemeanor offenses and released on non-surety release. Defendants in this program have a variety of risk profiles – from those presenting little risk and needing minimal monitoring to those posing greater risk and requiring extensive supervision of release conditions.

III. SUPERVISION AND SERVICES PROVIDED

GSU provides appropriate supervision to all defendants, but it concentrates its case management resources on higher risk defendants released with supervision conditions. PSA attempts to bring defendants into compliance while also notifying the Court of non-compliance.

PSOs cannot compel reporting unless it is a release condition. **PSA encourages judges in all appropriate cases to impose the following contact release condition: “Report as directed by PSA” because this gives PSA the greatest flexibility in addressing the defendant’s supervision needs before requesting any court intervention or modification of release conditions.**

When a defendant receives a “drug evaluation condition with possible program placement by PSA”, he/she is placed on a weekly drug testing schedule if his/her initial test is positive. If subsequent drug test results indicate that a substance use disorder assessment may be needed, the defendant is required to report to a PSO for an assessment referral. Treatment can be arranged as supported by the assessment.

When there is a need to increase a defendant's level of supervision, GSU staff may recommend placement into PSA's other supervision program, the High Intensity Supervision Program (HISP).

In the event that a defendant misses three consecutive contacts, and the PSO has not been successful in establishing contact, the defendant is considered to be in loss-of-contact status.

Defendants under general supervision often present issues that may contribute to failure to appear in court or rearrest (*e.g.*, unstable home environments, homelessness, unemployment, substance use disorders, mental illness, and physical problems, among others). To help address these issues, PSOs may screen supervised

GENERAL SUPERVISION

defendants (or those monitored defendants requesting these services) for possible referral to local social service providers. PSOs direct defendants needing these services to PSA's SSAC.

GSU PSOs also handle emergencies as they arise for supervised or monitored defendants. These include notifying the Court when defendants cannot appear as required for scheduled hearings, referring defendants who request assistance with outstanding bench warrants to PSA's Release Services Unit (all outstanding federal warrants are handled by the U.S. District Court PSOs), and arranging short-term social services through the SSAC.

NOTE: *Any defendant who reports to a PSA unit with an outstanding D.C. bench warrant and does not affirmatively ask for assistance for resolving the warrant is subject to arrest.*

IV. PROGRAM SANCTIONS/INCENTIVES

The GSU uses graduated consistent responses to compliance and non-compliance with release conditions to help enhance defendants' observance of court requirements. Sanctions and responses to non-compliance may include:

- Verbal and written warning;
- Warning with discussion of treatment needs;
- Referral for substance use disorder assessment and possible placement into an appropriate treatment and/or supervision program;
- Increased contact reporting requirements;
- Recommendation for increased supervision; and
- Program removal/revocation of release.

When a defendant is not in compliance with the conditions of release, the PSO sends a report to the Court, including specific recommendations designed to address the violation.

Incentives for compliance include recommended reductions of supervision requirements. Defendants who have a drug program placement by PSA, but who abstain from drug use, are excused from drug testing after eight consecutive negative tests (the Court or PSA still can request spot tests for excused defendants).

GENERAL SUPERVISION

V. PROGRAM PLACEMENT AND DISCHARGE/REMOVAL

Upon release, the defendant reports to PSA's Release Services Unit in the D.C. Superior Court and undergoes a post-release interview. Supervision begins when the GSU receives a release order from the Court with either monitored or supervised release conditions.

Defendants may be discharged from GSU when compliance leads to a recommendation for release under personal recognizance. Non-compliant defendants who do not respond to sanctions will be recommended for removal from PSA supervision/revocation of release.

HIGH INTENSITY SUPERVISION PROGRAM

High Intensity Supervision Program

The High Intensity Supervision Program (HISP) is operated by PSA's Supervision Program. It is available for D.C. Superior Court and U.S. District Court. A detailed narrative of HISP follows the summary chart.

HIGH INTENSITY SUPERVISION PROGRAM (HISP) SUMMARY

TARGETED DEFENDANTS
<ol style="list-style-type: none">1. Defendants who are high risk (generally those charged with felonies or violent misdemeanors with prior criminal histories) based on risk assessment; or2. Non-compliant with supervision conditions either on pretrial, probation, or supervised release; or3. Compliant with halfway house placement conditions for at least 30 days, with appropriate risk score
PROGRAM ELIGIBILITY CRITERIA
<ol style="list-style-type: none">1. Formal screening for eligibility with finding of eligibility by PSO;2. No outstanding extraditable warrants or detainers;3. Verified curfew address and agreement of homeowner to have location monitoring equipment installed; and4. If employed, defendants generally are not allowed to work past midnight without PSO approval.

HIGH INTENSITY SUPERVISION PROGRAM

SUPERVISION AND SERVICES PROVIDED

1. Court notification of release condition violations and/or rearrest;
2. Supervision by location monitoring (e.g., curfew and/or GPS monitoring);
3. Case management and in-person reporting with PSO as directed by PSA;
4. Drug testing as directed by PSA;
5. Community Phase – Daily curfew from 10:00 pm to 6:00 am;
6. Home Confinement Phase – 24-hour curfew for a 21-day period;
7. Court notification of release condition violations and program infractions on a weekly basis. Once the defendant reaches a 21-day Home Confinement sanction, the court is notified for each subsequent violation;
8. Court notification of stay away order condition violations within one business day;
9. Placement in drug treatment or mental health treatment as determined by an assessment;
10. Referral for social services as deemed appropriate or requested; and
11. Appropriate alternative supervision and/or treatment recommendations to the Court when defendant violates or is consistently compliant with release conditions.

PROGRAM SANCTIONS AND INCENTIVES

Sanctions: In addition to those imposed by the Court for release condition violations, sanctions include progressively modifying defendant's curfew up to an extended period of Home Confinement. If infractions are drug-related, drug testing is increased and the defendant is assessed for drug treatment placement.

Incentives: Responses to compliance include placement into the Community Phase, decrease in drug testing requirement if appropriate, use of alternative reporting options or recommendation for discharge from HISP to GSU or personal recognizance.

PROGRAM PLACEMENT AND DISCHARGE/REMOVAL

Placement: **A defendant must be screened for HISP eligibility by a PSO.** An Attorney Referral Form may be obtained through PSA and must be received at least five business days prior to the Court hearing. Once found eligible, PSA provides the necessary release orders to the Court.

Discharge/Removal: Compliance may lead to recommendation for less restrictive conditions. Non-compliance may lead to recommendation for removal/revocation of release.

HIGH INTENSITY SUPERVISION PROGRAM

I. PROGRAM OVERVIEW

HISP monitors a defendant's compliance with release conditions imposed by the D.C. Superior Court and U.S. District Court and PSA program requirements. HISP notifies the Court, prosecution, and defense counsel of program infractions and condition violations and also imposes immediate sanctions in response to any program infractions. PSA also provides compliance information to involved agencies for individuals who are dually-supervised.

HISP uses location monitoring (LM) technologies to assist with monitoring compliance with certain release conditions. The type of LM to be used is determined by PSA based on the supervision objectives for each defendant. A GPS device can be calibrated to monitor a geographic area, which is conducive to monitoring stay away conditions. LM by landline or cellular devices is a more precise tool for monitoring a defendant's compliance with curfew inside an established residence.

II. TARGET POPULATION AND ELIGIBILITY CRITERIA

HISP is an option for defendants who:

- Are charged with a felony and/or violent misdemeanor with appropriate risk assessment; or
- Have had supervision-related program failure on pretrial, probation or supervised release; or
- Have been in compliance with conditions of halfway house placement and DOC halfway house rules for at least 30 days, with appropriate risk score; and
- Do not have any outstanding extraditable warrants or detainers;
- Have a verifiable curfew address and agreement from the homeowner to have LM equipment installed; and
- Are formally screened for eligibility with finding of eligibility by PSO.

Defendants generally are not allowed to work past midnight unless PSO approval is granted.

III. SUPERVISION AND SERVICES PROVIDED

HISP consists of two phases, the Community Phase and the Home Confinement Phase. PSA ordinarily recommends that a defendant be placed in the Community

HIGH INTENSITY SUPERVISION PROGRAM

Phase, wherein he/she starts a nightly curfew at 10:00 pm. In particularly high risk situations, the Court also can order a defendant to be placed directly onto Home Confinement. This allows a defendant to leave his/her home only for purposes related to pretrial release conditions; verified legal, medical, employment and/or school appointments; and to meet with defense counsel, as needed.

All defendants, regardless of which phase they are in, are required to report regularly to a PSO and drug test as directed by PSA. All defendants will have a nightly curfew, unless modified by PSA or ordered otherwise by the Court, that is monitored electronically. If the defendant is placed into external substance use disorder treatment, the assigned HISP PSO continues to supervise the defendant. HISP defendants do not participate simultaneously in Drug Court; however, they may participate in PSA's in-house substance use disorder treatment program (PSA STARS).

HISP defendants do not participate simultaneously in the Specialized Supervision Unit (SSU); however, SSU staff may assist HISP staff in linking HISP defendants to appropriate mental health treatment, if needed. Defendants participating in the Mental Health Community Court (MHCC) must be supervised by SSU and, therefore, are not eligible for HISP.

The HISP PSO notifies the Court of any program infractions. When a defendant incurs an infraction in the Community Phase, the Court is notified with a weekly report. When the defendant is placed onto 21 days of Home Confinement, the Court is notified of each individual infraction thereafter.

HISP PSOs can refer a defendant to PSA's Social Services and Assessment Center at any time, where he/she may receive assistance with employment, education, medical, and housing, and other services.

IV. PROGRAM SANCTIONS AND INCENTIVES

In addition to sanctions imposed by the Court for release condition violations, HISP offers immediate administrative sanctions for program infractions, which means that the program imposes the sanction rather than all parties returning to court in order to have the judicial officer impose it. PSA's authority to impose administrative sanctions is set forth in the HISP release order.

HIGH INTENSITY SUPERVISION PROGRAM

Sanctions available to PSOs include increase in a defendant's drug testing requirement, placement into a treatment program, modification of nightly curfew, and placement on Home Confinement.

If a defendant incurs continual program infractions, the sanctions include increasing periods of 24-hour curfew.

If a defendant is placed in treatment and becomes non-compliant, the appropriate HISP sanctions are imposed rather than the sanctions of the treatment program.

In addition to standard criteria for loss-of-contact status, a HISP defendant is considered to be in loss-of-contact status if there is no recorded compliance with curfew for a 24-hour period.

Incentives for compliance may be placement into the Community Phase of the program, a decrease in a defendant's drug testing requirement if negative, adjustment of the nightly curfew, and/or reduction in reporting requirements. A defendant who consistently is in compliance with stay-away requirements and has an appropriate risk score may be recommended for removal from GPS monitoring.

V. PROGRAM PLACEMENT AND DISCHARGE/REMOVAL

A defendant cannot be placed into HISP without having been screened formally and found eligible by a PSO. Defense counsel may obtain an Attorney Referral Form from HISP. In order to complete such a referral, the program must receive the request form five business days before the defendant's court date. If a defendant is found eligible, the necessary paperwork is provided to the Court on the day of the defendant's hearing. Once the Court has ordered a defendant's placement into the program, the defendant is required to report to HISP for orientation.

Compliance may lead to a request for LM equipment removal and discharge from HISP to GSU for less intensive supervision.

Repeated non-compliance or major program infractions will lead to a request for removal/revocation of release.

U.S. DISTRICT COURT SUPERVISION

U.S. District Court Supervision

The U.S. District Court Supervision Unit (DCSU) is operated by PSA's Supervision Program and is available for U.S. District Court. A detailed narrative of DCSU follows the summary chart.

U.S. DISTRICT COURT SUPERVISION SUMMARY

TARGETED DEFENDANTS
All defendants on conditional release from U.S. District Court for the District of Columbia and other federal districts for which PSA provides courtesy supervision.
PROGRAM ELIGIBILITY CRITERIA
Charged with federal misdemeanor or felony.
SUPERVISION AND SERVICES PROVIDED
<ol style="list-style-type: none">1. Supervision and case management;2. Notification to the Court of release condition violations;3. Notification to the Court of rearrest;4. Screening for placement in HISP, SSU or SBTT;5. Referrals for mental health assessment;6. Drug testing if required;7. Placement in drug treatment or mental health treatment as determined by an assessment;8. Referral for social services as deemed appropriate or requested; and9. Appropriate alternative supervision or treatment recommendation to the Court when defendant violates or consistently is in compliance with release conditions.

U.S. DISTRICT COURT SUPERVISION

PROGRAM SANCTIONS AND INCENTIVES
<p>Sanctions: Responses to condition violations include the following sanctions:</p> <ol style="list-style-type: none">1. Verbal and written warnings;2. Recommendation for increased supervision; and3. For those in sanction-based treatment, sanctions include reorientation, redirection groups or modified treatment and/or serving a jail sanction. <p>Incentives: Responses to compliance include the following incentives:</p> <ol style="list-style-type: none">1. Reduction in or termination of drug testing if defendant continues to abstain from drug use; and2. Reduction in requirements for reporting to PSA; and3. Program removal.
PROGRAM PLACEMENT AND DISCHARGE/REMOVAL
<p>Placement: Pursuant to a release order indicating release conditions and prior to placement into sanction-based treatment, defendant is assessed to determine eligibility and appropriate placement.</p> <p>Discharge: Compliance may lead to recommendation for less restrictive conditions. Non-compliance may lead to recommendation for more restrictive conditions or revocation of release.</p>

I. PROGRAM OVERVIEW

Federal defendants under general supervision are supervised by PSOs in the DCSU, which is located in the U.S. District Court Courthouse. The DCSU supervises defendants on conditional release from U.S. District Court and provides courtesy supervision for defendants on release from other jurisdictions. The DCSU also arranges for defendants who live in other federal districts to be supervised by the Federal Pretrial Services Agency in their home district.

II. TARGET POPULATION AND ELIGIBILITY CRITERIA

DCSU is open to defendants charged with federal misdemeanor and felony offenses.

III. SUPERVISION AND SERVICES PROVIDED

Defendants released to the community present a variety of risk profiles, from those who require little, if any, monitoring to those requiring extensive supervision. DCSU supervises all defendants with monitoring or supervision conditions and reports

U.S. DISTRICT COURT SUPERVISION

defendants' compliance and non-compliance to the Court. PSA attempts to bring defendants into compliance, and if the PSO has been unsuccessful in making contact with him/her, the Court is notified of non-compliance.

In the event that a defendant misses three consecutive contacts, and the PSO has been unsuccessful in establishing contact, the defendant is considered to be in loss-of-contact status.

When a defendant receives a drug program placement by PSA condition, he/she is placed on a weekly drug testing schedule if the initial test is positive. If subsequent drug test results indicate that a substance use disorder assessment may be needed, the defendant is required to report to a PSO for referral to the Social Services and Assessment Center (SSAC). Treatment is arranged as supported by the assessment.

When there is a need to increase a defendant's level of supervision, the PSO recommends placement into one of PSA's high risk supervision programs.

Defendants under pretrial release supervision often present issues that may contribute to failure to appear in court or rearrest (*e.g.*, unstable home environments, homelessness, unemployment, substance use disorders, mental health, and physical problems, among others). To help address these issues, when defendants are identified to need services, or when services are requested, DCSU PSOs direct defendants to PSA's SSAC.

IV. PROGRAM SANCTIONS AND INCENTIVES

The DCSU PSO ensures that relevant information regarding compliance is current and available to the judge in the form of regular compliance reports.

The DCSU uses graduated consistent responses to compliance and non-compliance with conditions of release to help enhance defendants' observance of court requirements. Sanctions available to PSOs include verbal and written warnings, placement into drug treatment after a substance use disorder assessment of defendants referred by the Court or the PSO, and recommendation for a higher level of supervision for continued non-compliant behavior. For those on the Sanction-Based Treatment Track, sanctions include reorientation, redirection groups or

U.S. DISTRICT COURT SUPERVISION

modified treatment and/or serving a jail sanction. All treatment modifications are assessment-driven.

Additionally, if the defendant is not in compliance with the conditions of release, the PSO sends a report to the Court, including specific recommendations designed to address the violation.

Incentives for compliance include recommended reductions of supervision requirements. Defendants who have a drug program placement by PSA, but who abstain from drug use, are excused from drug testing after eight consecutive negative tests (the Court or PSA still can request spot tests for excused defendants).

V. PROGRAM PLACEMENT AND DISCHARGE

Supervision begins when the DCSU receives a release order with specific release conditions. Prior to placement into sanction-based treatment, the defendant is assessed to determine eligibility and appropriate placement.

A defendant's compliance with release conditions may lead to a recommendation for less restrictive conditions. Non-compliance may lead to a recommendation for more restrictive conditions or revocation of release.

SPECIALIZED SUPERVISION UNIT

Specialized Supervision Unit

The Specialized Supervision Unit (SSU) is operated by PSA's Treatment Program. The SSU also provides critical support for the D.C. Superior Court's Mental Health Community Court (MHCC). The SSU is available for the D.C. Superior Court and U.S. District Court. A detailed narrative of the SSU follows the summary chart.

SPECIALIZED SUPERVISION UNIT (SSU) SUMMARY

TARGETED DEFENDANTS
<ol style="list-style-type: none"> 1. Defendants charged with misdemeanors and felonies; 2. With severe, persistent and chronic mental illness; and/or 3. With co-occurring substance and mental health disorders; 4. With mild mental retardation; and 5. In need of mental health services.
PROGRAM ELIGIBILITY CRITERIA
<p>Specialized Supervision Unit criteria:</p> <ol style="list-style-type: none"> 1. Assessed as mentally ill or with mild mental retardation requiring close supervision; 2. Formally assessed to have a mental health need by the SSAC or DBH court liaison; and 3. No final determination of incompetence to stand trial. <p>Options Program criteria:</p> <ol style="list-style-type: none"> 1. Severe, persistent and chronic mental illness; 2. Found eligible by PSA for SSU; 3. Not already connected to a DBH service provider; and 4. With D.C. residency (required). <p>NOTE: Defendants not eligible for Options still may be appropriate for SSU placement.</p> <p>Mental Health Community Court criteria:</p> <ol style="list-style-type: none"> 1. Must be SSU supervised; and 2. Must be connected to mental health services and willing to participate.

SPECIALIZED SUPERVISION UNIT

SUPERVISION AND SERVICES PROVIDED

Specialized Supervision Unit

1. Court notification of release condition violations, including rearrest;
2. Supervision and case management for defendants with mental illness;
3. Referrals to mental health service providers;
4. Referral for psychological testing;
5. Drug testing as directed by PSA;
6. Placement in drug treatment as determined by an assessment; and
7. Referrals for social services as deemed appropriate or requested.

Options Program

1. All SSU services;
2. Transportation from the Court for initial intake with the mental health service provider;
3. Limited number of housing placements; and
4. Reduced DBH service provider caseload ratio.

Mental Health Community Court

1. Screening for MHCC eligibility;
2. All SSU services;
3. Monthly judicial status hearings; and
4. Monitoring of DPAs and ASAs for mentally ill defendants.

PROGRAM SANCTIONS AND INCENTIVES

Individualized therapeutic responses, including increase or reduction in drug testing or reporting requirements.

SPECIALIZED SUPERVISION UNIT

PROGRAM PLACEMENT AND DISCHARGE/REMOVAL

Placement: After the defendant is evaluated by DBH or SSAC staff and found eligible, the judicial officer sets a condition for mental health services as directed by PSA. For placement into the MHCC, the defendant must be supervised by the SSU.

Discharge/Removal: For MHCC only

- For misdemeanor cases, successful completion results in USAO dismissal of the case.
- For felony cases, successful completion results in misdemeanor conviction as per the amended sentencing agreement.
- If a defendant does not complete the MHCC DPA or ASA successfully, or requests removal, the case will be returned to the criminal calendar for disposition. SSU may continue to supervise the defendant on the criminal calendar pending disposition of the case.

I. PROGRAM OVERVIEW

The SSU provides specialized services and supervision to defendants with mental illness, mild mental retardation and/or co-occurring substance and mental health disorders. In administering these services, the SSU works collaboratively with the District's Department of Behavioral Health (DBH) and various mental health service providers.

The Options Program is a program operated from within the SSU with services funded by DBH that has a limited capacity and features a single DBH mental health service provider with a reduced caseload ratio to provide intensified supervision services. A limited number of temporary housing placements are available.

The SSU screens for and notifies the United States Attorney's Office (USAO) of a defendant's preliminary eligibility for the MHCC based on criminal charge and criminal history. The MHCC was established by the D.C. Superior Court to address certain issues related to the increasing number of mentally ill persons within the justice system.

The MHCC offers deferred prosecution and amended sentencing agreements to eligible defendants.

SPECIALIZED SUPERVISION UNIT

II. TARGET POPULATION AND ELIGIBILITY CRITERIA

Specialized Supervision Unit

The target population for the SSU is defendants charged with misdemeanors and felonies who have serious mental illness that may impair their ability to avoid re-arrest, return to court, and comply with other release conditions; including severe, persistent and chronic mental illness, and co-occurring substance and mental health disorders.

NOTE: *Defendants determined to be incompetent are not supervised by PSA, but may be monitored to encourage compliance with DBH requirements for outpatient competence restoration treatment.*

Options Program

Defendants eligible for the Options Program must be supervised currently by the SSU, be a District resident who is eligible for DBH services, and be determined to benefit from the Options Program's enhanced case management and other service options (e.g., temporary housing).

Mental Health Community Court

Defendants eligible for the MHCC must be supervised by the SSU and connected to mental health services, and willing to participate in the diversion agreement.

NOTE: *Consult the USAO for additional program eligibility criteria. There are certain serious arrests and convictions (e.g., homicide, rape and other serious or violent offenses) that disqualify a defendant for diversion consideration.*

III. SUPERVISION AND SERVICES PROVIDED

The SSU provides supervision and case management of defendants with any of the following conditions:

1. Severe, persistent, and chronic mental illness; and
2. Co-occurring substance and mental health disorders.

The SSU monitors drug testing as directed by PSA, and facilitates placement in drug treatment as determined by an assessment. Additionally, the SSU makes referrals to

SPECIALIZED SUPERVISION UNIT

mental health service providers, psychological testing, and social services as deemed appropriate or requested.

The SSU conducts preliminary screening for the MHCC and the Options Program. The SSU provides court representation for the MHCC and supervision of MHCC defendants. Also, the SSU identifies Options Program defendants in need of temporary DBH housing.

The SSU also makes the following services available to defendants through referrals to DBH service providers, as needed:

1. Psychiatric services;
2. Medication management;
3. Hospitalization (psychiatric and medical);
4. Psychosocial rehabilitation/employment services;
5. Vocational rehabilitation/employment services;
6. Connection or reconnection to permanent mental health case management services; and
7. Connection with the D.C. Superior Court Urgent Care Clinic for defendants not in imminent danger, but requiring rapid connection with DBH.

The SSU PSOs verify that the DBH service provider has these services in place and monitor the defendant's participation in and response to these services. PSA provides court representation regarding defendants' compliance with their release conditions.

IV. SANCTIONS AND INCENTIVES

The DBH service provider case manager reports timely compliance and participation information to the assigned SSU PSO, who in turn provides the Court with written reports. Responses to the defendant's failure to comply with mental health-related release conditions or any other infractions are implemented by PSA after consultation with the mental health service provider.

SPECIALIZED SUPERVISION UNIT

V. PROGRAM PLACEMENT

Specialized Supervision Unit Placement

A mental health assessment is required prior to placement in the SSU.

Individuals are identified as potential candidates for the SSU as a result of:

1. DBH court liaison evaluating an arrestee identified by PSA diagnostic staff and determining whether or not he/she suffers from severe and persistent mental illness;
2. Defendant's behavior/interaction at the initial appearance or other courtrooms after initial release;
3. Mental health assessment conducted by PSO after initial release;
4. Compliance problems, new information, or unusual behavior suspected by the PSO as possibly being related to a mental health problem; and/or
5. Information gathered during a PSA substance use disorder or mental health assessment.

Generally, a defendant may be supervised by the SSU only after a mental health assessment has been conducted by PSA's Social Services Assessment Center (SSAC) or DBH staff indicating that the defendant is in need of particular mental health services.

All assessments generally are conducted on the same day as requested.

In order to be supervised by the SSU, the defendant must have one of three mental health-related release conditions:

1. *"Report to PSA for assessment and possible placement in mental health services as directed by PSA"; or*
2. *"Maintain mental health services as directed by PSA"; or*
3. *"Report for placement and maintain mental health services as directed by PSA".*

These conditions may be imposed at initial release or after release at subsequent court hearings. In order to allow PSA flexibility in determining how best to supervise a defendant with mental health-related release conditions, the Court is encouraged to use one of the release conditions listed above, as opposed to imposing a "placement in the SSU" condition. All three of the above conditions will result in an

SPECIALIZED SUPERVISION UNIT

initial placement on the SSU. After the defendant is stabilized, he/she might be moved to another unit.

If a defendant has had a mental health assessment in the past six months, but is not receiving services, the defendant may be ordered to report for placement and maintain mental health services as directed by PSA. If the defendant has been assessed and previously was receiving mental health services, he/she may be ordered to maintain mental health services as directed by PSA. Most often, when the Court would like a defendant considered for the SSU, the judge either may release the defendant with the requirement to report to PSA for a mental health assessment and possible placement in mental health services as directed by PSA; or contact the SSAC through the PSA court representative or the Release Services Unit to request a mental health assessment while the defendant is detained behind the courtroom.

When obtaining information from the defendant, PSOs advise the defendant that the PSO is acting in a criminal justice capacity and not as a mental health professional. As such, any information the defendant provides may be disclosed to the Court without the defendant's consent. Nonetheless, the SSAC PSO always attempts to get release of information authorization from a defendant in order to receive and disclose mental health diagnostic or compliance information from the DBH treatment facilities.

PSA recommends that the judicial officer, in addition to imposing a mental-health-related release condition, require the defendant to report to PSA for contact at a frequency to be determined by PSA. PSA initially requires at least weekly in-person reporting, but may decrease this requirement as the defendant becomes fully connected and compliant with his/her mental health service provider. PSA also recommends drug testing or other conditions, as appropriate.

Upon program placement, a referral to mental health services is made through the designated mental health service provider for Options-eligible as well as all other SSU defendants. The DBH service provider case manager receives Options defendants immediately from court and links them with services. Throughout the program, the DBH service provider case manager and PSO collaborate on the defendant's mental health release condition compliance and access to services.

SPECIALIZED SUPERVISION UNIT

Mental Health Community Court Placement

A defendant potentially is eligible for deferred prosecution or amended sentencing upon PSA's review of his/her criminal history and confirmation of linkage to mental health services. When the review is complete, the SSU notifies the USAO of his/her preliminary eligibility for diversion. With the agreement of the USAO, the criminal calendar judge then can certify the case to the MHCC for a final determination of eligibility.

Placement from Other Units

Defendants supervised by other PSA units who are suspected of needing mental health services and/or close supervision are assessed by the SSAC and recommended for transfer to the SSU for supervision and connection to mental health services, if warranted. After the mental health assessment, the supervising PSO requests that the Court issue a subsequent release order that includes one of the mental health-related release conditions. Once the appropriate release condition is secured, supervision is assumed by an SSU or other designated PSO. In some cases, defendants may be assessed to have only limited mental health needs or otherwise may be able to be supervised in their current unit. The SSAC connects such defendants to mental health services to address those needs, with supervision remaining with the current unit.

VI. PROGRAM DISCHARGE/REMOVAL

A defendant who successfully completes a deferred prosecution agreement has the case against him/her dismissed. Those who successfully complete an amended sentencing agreement have their felony pleas vacated and are convicted and sentenced to misdemeanors instead of felonies. Defendants who request removal from the diversion program or are unsuccessful in following the terms of the agreement are returned to the calendar judge for disposition.

D.C. MISDEMEANOR/TRAFFIC INITIATIVE (DCMTI)

D.C. Misdemeanor/Traffic Initiative (DCMTI)

The D.C. Misdemeanor/Traffic (Drunk Driving) Initiative (DCMTI) is operated by PSA's Treatment Program and is available for D.C. Superior Court only. A detailed narrative of DCMTI follows the summary chart.

D.C. MISDEMEANOR AND TRAFFICE INITIATIVE (DCMTI) SUMMARY

TARGETED DEFENDANTS
<ol style="list-style-type: none"> 1. Defendants identified to need substance use disorder or mental health-related treatment charged with select misdemeanor traffic and/or D.C. Code offenses prosecuted by the OAG. 2. Defendants not eligible for OAG diversion programs.
PROGRAM ELIGIBILITY CRITERIA
<p>Charged with any one of the following offenses:</p> <ol style="list-style-type: none"> 1. Driving under the influence (DUI); 2. Operating while impaired (OWI); and/or 3. Driving while Intoxicated (DWI). <p>Charged with any one of the following offenses and with one or more prior arrests for any offense within the past three years:</p> <ol style="list-style-type: none"> 1. Aggressive panhandling; 2. Attempted OWI; 3. Drinking in public; 4. Failure to appear for citation release; 5. Fleeing from a police officer; 6. Indecent exposure; 7. Indecent exposure in front of a child; 8. Indecent sexual proposal to a child; 9. Intoxication; 10. Operating after revocation (OAR); 11. Operating after suspension (OAS); 12. Reckless driving; 13. Urinating in public; 14. Unregistered ammunition; and/or 15. Unregistered firearm. <p>NOTE: After initial placement, defendants in both of these categories must be assessed to need substance use disorder- and/or mental health-related treatment.</p>

D.C. MISDEMEANOR/TRAFFIC INITIATIVE (DCMTI)

SUPERVISION AND SERVICES PROVIDED
<ol style="list-style-type: none"> 1. Court notification of release condition violations; 2. Drug testing as Court-ordered; 3. Substance use disorder assessment; 4. Mental health assessment; 5. Referrals for substance use disorder and mental health treatment; and 6. Monitoring of initial placement and subsequent participation with treatment service provider.
PROGRAM SANCTIONS AND INCENTIVES
<p><i>Sanctions:</i> Responses to release condition violations include the following:</p> <ol style="list-style-type: none"> 1. Verbal and written warning; 2. Warning with discussion of treatment needs; 3. Referral for substance use disorder assessment and possible placement into an appropriate treatment program; 4. Other in-person intervention; and 5. In-person or phone reporting until compliant with release conditions. <p><i>Incentives:</i> Responses to compliance include reduction in drug testing for defendants who continue to abstain from drug use.</p>
PROGRAM PLACEMENT AND DISCHARGE/REMOVAL
<p><i>Placement:</i> Once the defendant is charged with an eligible offense, and the diagnostic process determines the need for mental health or substance use disorder assessment or treatment, PSA recommends that the judicial officer order a mental health- or substance use disorder-related release condition.</p> <p><i>Discharge:</i> PSA assesses, connects with treatment services, and supervises any treatment conditions until case disposition. If a substance use disorder or mental health assessment concludes that the defendant does not need treatment services, PSA notifies the Court that no services are required and any PSA supervision activities are terminated.</p>

D.C. MISDEMEANOR/TRAFFIC INITIATIVE (DCMTI)

I. Program Overview

The DCMTI provides supervision to certain defendants in need of substance use disorder or mental health-related treatment. Targeted defendants are those who need treatment and are charged with certain misdemeanors prosecuted by the D.C. Office of the Attorney General (OAG). Most of these defendants are charged with an impaired driving-related offense. PSA identifies, screens, drug tests, assesses, links with services, and provides basic pretrial supervision and court reporting for these defendants.

II. ELIGIBILITY CRITERIA

DCMTI's target population includes defendants identified to need substance use disorder or mental health-related treatment charged with select misdemeanor traffic and/or D.C. Code offenses, and not eligible for OAG's diversion programs.

Defendants are eligible if they are charged with any one of the following offenses:

- Driving under the influence (DUI);
- Operating while impaired (OWI); or
- Driving while intoxicated (DWI).

Also, defendants are eligible if they are charged with one of the following offenses and have one or more prior arrests for any offense within the past three years:

- Aggressive panhandling;
- Attempted OWI;
- Drinking in public;
- Failure to appear for citation release;
- Fleeing from a police officer;
- Indecent exposure;
- Indecent exposure in front of a child;
- Indecent sexual proposal to a child;
- Intoxication;
- Operating after revocation (OAR);
- Operating after suspension (OAS);

D.C. MISDEMEANOR/TRAFFIC INITIATIVE (DCMTI)

- Reckless driving;
- Urinating in public;
- Unregistered ammunition; and/or
- Unregistered firearm.

After initial placement, defendants in both of these categories must be assessed as being in need of substance use disorder or mental health-related treatment to continue in the DCMTI.

III. SUPERVISION AND SERVICES PROVIDED

The DCMTI facilitates the following services and referrals:

- Court notification of release condition violations;
- Drug testing as Court-ordered;
- Substance use disorder assessment;
- Mental health assessment;
- Referrals for substance use disorder and mental health services; and
- Monitoring of initial placement and subsequent participation with treatment service provider.

Treatment services for DCMTI defendants are provided in the community. DCMTI defendants are not eligible for PSA-funded treatment programs.

IV. PROGRAMS SANCTIONS AND INCENTIVES

The DCMTI uses graduated consistent responses to compliance and non-compliance with release conditions to help enhance defendants' observance of Court requirements.

For drug testing violations, sanctions include verbal and written warnings along with discussion of treatment needs; and referral for substance use disorder assessment and possible placement into an appropriate treatment program.

For other violations, sanctions include warnings, increased contact reporting requirements, and program removal.

D.C. MISDEMEANOR/TRAFFIC INITIATIVE (DCMTI)

When the defendant is not in compliance with the conditions of release, the PSO sends a report to the Court, including specific recommendations designed to address the violation.

Incentives include reduction in or termination of drug testing for defendants that continue to abstain from drug use. Incentives also can include reduction in requirements for reporting to PSA.

V. PROGRAM PLACEMENT

After the defendant is arrested with a charge that meets the criteria for the DCMTI and a diagnostic interview is conducted that indicates a possible need for treatment, the judicial officer facilitates placement in the DCMTI by setting a mental health- or substance use disorder-related condition of release.

The defendant then is placed within the supervision of the DCMTI and provided with an assessment and any subsequent treatment referrals as needed.

VI. PROGRAM DISCHARGE/REMOVAL

PSA provides supervision of any treatment conditions for DCMTI cases until case disposition and/or completion of a defendant's treatment requirement.

If a substance use disorder or mental health assessment concludes that the defendant does not need treatment services, PSA notifies the Court that no services are required and any PSA supervision activities are terminated.

DEFENDANT SUPERVISION PROGRAM CONTACTS

Defendant Supervision Program Contacts

Complete telephone and location directories are available online at PretrialServices.gov. Contacts for bi-lingual assistance are available online or by calling 202-585-7030.

DEFENDANT SUPERVISION PROGRAM CONTACTS

GENERAL SUPERVISION UNIT
Main number: 202-585-7955
HIGH INTENSITY SUPERVISION PROGRAM (HISP)
To arrange program placement, call 202-220-5530.
U.S. District Court Supervision
Main number: 202-442-1000
SPECIALIZED SUPERVISION (MENTAL HEALTH) UNIT OR MENTAL HEALTH COMMUNITY COURT (MHCC)
Main number: 202-442-1920
To request an assessment for mental health services, call the Social Services and Assessment Center at 202-442-1660.
D.C. MISDEMEANOR/TRAFFIC INITIATIVE (SERIOUS D.C. MISDEMEANORS AND DRUNK DRIVING)
For general questions or to arrange program placement, call 202-220-5770. Contact information for court representation and drug testing is provided on page 18 .

INTERVENTIONS AND DEFENDANT SUPPORT

PSA supervision gives defendants the opportunity to participate in a variety of pro-social interventions in an effort to decrease the likelihood of future criminal behavior

SUPERIOR COURT DRUG INTERVENTION PROGRAM (DRUG COURT)

Superior Court Drug Intervention Program (Drug Court)

The Superior Court Drug Intervention Program, better known as Drug Court, is operated by PSA's Treatment Program. Drug Court is available for D.C. Superior Court only. A detailed narrative of Drug Court follows the summary chart.

SUPERIOR COURT DRUG INTERVENTION PROGRAM (DRUG COURT) SUMMARY

TARGETED DEFENDANTS
Drug-involved defendants with non-violent misdemeanor and felony charges or others deemed eligible by the USAO and Drug Court judge.
PROGRAM ELIGIBILITY CRITERIA
<ol style="list-style-type: none"> 1. A current substance use disorder assessment indicating need for treatment; and 2. Positive drug test result on day of arrest, at initial appearance, or after a random spot test; or 3. At least three positive drug tests within 12 months; or 4. Verified history of drug treatment within 12 months; and 5. No serious medical or psychiatric condition preventing full participation in treatment; and 6. No outstanding extraditable warrants or detainers. <p>NOTE: Consult the USAO for additional program eligibility criteria.</p>
SUPERVISION AND SERVICES PROVIDED
<ol style="list-style-type: none"> 1. Supervision and case management; 2. Court notification of release condition violations, including rearrest; 3. Drug testing randomly and as directed by PSA; 4. Drug treatment including intensive outpatient or residential as determined by an assessment; 5. Frequent PSO contact; 6. Referrals to social services as deemed appropriate or as requested; 7. Requirement to attend self-help groups, detoxification, inpatient drug treatment or other enhanced drug treatment as deemed appropriate or required; and 8. Recommendations for modification of release conditions, as appropriate.

SUPERIOR COURT DRUG INTERVENTION PROGRAM (DRUG COURT)

PROGRAM SANCTIONS AND INCENTIVES

Sanctions: In addition to those imposed by the Court for release condition violations, defendants receive progressive sanctions for program infractions up to possible discharge or revocation, some of which PSA imposes administratively. These include, but are not limited to:

1. Clinical staffings;
2. Behavior contract;
3. Reorientation and phase freeze;
4. Redirection groups;
5. 2 days in jury box or 3 nights in jail (Court-imposed);
6. Increased in-person contact;
7. Reassessment and/or modified treatment; and
8. Increased drug testing.

Incentives: Responses to compliance include the following incentives:

1. Various forms of written and verbal praise and recognition;
2. Tokens of monetary value (e.g., Metrorail cards, gas cards);
3. Reduction in drug testing frequency;
4. Monthly progression ceremony and program completion ceremony;
5. For misdemeanor cases, case dismissal for successful program completion;
6. For felony cases, likely result of probation rather than incarceration for successful program completion.

PROGRAM PLACEMENT AND DISCHARGE/REMOVAL

Placement:

1. Defendant is placed when certified from any criminal calendar after pretrial screening, and pursuant to Drug Court certification procedures;
2. Substance use disorder assessment must indicate need for treatment;
3. Drug Court issues release order and defendant signs sanction-based treatment contract; and
4. Prior to the status hearing, the USAO makes a final eligibility determination for misdemeanor cases.

Discharge/Removal:

1. Defendant may be discharged due to successful completion, case disposition or the inability to participate in treatment for any reason.
2. Defendant also must be discharged at his/her request, pursuant to the terms of the contract and the case is returned to the calendar judge.
3. Non-compliant defendants may be removed from the program with a recommendation for increased supervision or revocation of release.

SUPERIOR COURT DRUG INTERVENTION PROGRAM (DRUG COURT)

I. PROGRAM OVERVIEW

Drug Court is a voluntary substance use disorder treatment and supervision program for eligible defendants with non-violent misdemeanor and felony offenses. Drug Court is open to certain misdemeanants as a diversion program, to other misdemeanor-charged defendants after a finding of guilt or entry of a guilty plea, and to certain felony charged defendants through an amended sentence agreement (ASA). Felony-charged defendants who are not offered ASAs may enter Drug Court as a pretrial or post-conviction pre-sentencing release option.

Drug Court is a collaborative effort among the D.C. Superior Court, United States Attorney's Office (USAO), the Public Defender Service (PDS), the defendant, CSOSA and PSA. Misdemeanor diversion defendants who participate in Drug Court must be approved for participation by the USAO. Although the USAO and the Court determine eligibility, participation in Drug Court is voluntary and the defendant must determine whether or not he/she wants to take advantage of this release option.

If a defendant who was offered diversion successfully completes Drug Court, the USAO dismisses the case. If an defendant who was offered an ASA successfully completes Drug Court, his/her criminal history will reflect that he/she was charged with and sentenced for a misdemeanor. Upon successful completion of the program, defendants with a felony offense who were not offered an ASA are likely to receive probation if they are sentenced by the Drug Court judge. However, as defendants are told when they enroll, the actual sentence is at the sole discretion of the Court.

Drug Court is divided into four progressive phases that are distinguished by intensity of treatment services, frequency of court appearances, and severity of sanctions for problem behavior.

Generally, completion of the entire program can be accomplished in 24 weeks months. The actual length of time required to complete Drug Court, however, depends upon the defendant's speed in accomplishing benchmarks. Progress in treatment is measured, in part, by satisfactory participation in group counseling sessions, negative drug test results, supervision compliance and the defendant's overall engagement in the treatment process.

SUPERIOR COURT DRUG INTERVENTION PROGRAM (DRUG COURT)

II. TARGET POPULATION AND ELIGIBILITY CRITERIA

Any defendant admitted into Drug Court must have a substance use disorder assessment within the last six months indicating a need for treatment. Additionally, the defendant must have:

- Positive drug test result on the day of arrest, at initial appearance, or after a random spot test; or
- At least three positive drug tests within 12 months; or
- Verified history of drug treatment within 12 months; and
- No serious medical or psychiatric condition preventing full participation in treatment; and
- No outstanding extraditable warrants or detainers.

NOTE: Consult the USAO for additional diversion and ASA eligibility criteria. There are certain serious arrests and convictions (e.g., homicide, rape and other serious sexual or violent offenses) that disqualify a defendant for diversion or ASA consideration.

Defendants being treated with opiate-replacement therapy (i.e., methadone maintenance) may be placed in Drug Court if otherwise eligible. Such defendants will receive their treatment via the outside clinic and will participate in all other Drug Court activities (e.g., incentives and sanctions, court hearings, drug testing). While not providing or procuring methadone treatment services, PSA supervises the defendant; including ensuring that he/she is compliant with methadone treatment, not using illicit drugs and otherwise complying with all conditions of release.

III. SUPERVISION AND SERVICES PROVIDED

Each defendant participating in Drug Court receives treatment and is assigned a PSO with whom he/she meets regularly. In addition to providing one-on-one counseling, the supervising PSO monitors and guides the defendant through both the supervision and treatment aspects of the program. The PSO has regular contact with the defendant to ensure compliance with all conditions of release and to ensure that he/she is aware of pending court dates. If the defendant is placed in residential treatment, PSA interacts with the residential drug treatment provider as needed to obtain compliance information.

SUPERIOR COURT DRUG INTERVENTION PROGRAM (DRUG COURT)

Defendants are required to report for all treatment appointments and activities as directed by the program. They are required to make up any late arrivals, early departures, and/or absences from groups or other treatment appointments before progressing to the next phase of the program. All defendants in Drug Court drug test randomly, with most being required to test multiple times each week. Additionally, periodic drug testing is required for all contract treatment providers as part of the service contract.

IV. PROGRAM SANCTIONS AND INCENTIVES

In addition to sanctions imposed by the Court for release condition violations, Drug Court defendants receive progressive sanctions for program infractions up to possible discharge or revocation, some of which are imposed administratively by PSA. These responses to program infractions may be made individually or in combination and include, but are not limited to:

- Clinical staffings;
- Behavior contract;
- Reorientation and phase freeze;
- Redirection groups;
- 2 days in jury box or 3 nights in jail (Court-imposed);
- Increased in-person contact;
- Reassessment and/or modified treatment; and
- Increased drug testing.

All treatment modifications are assessment-driven.

For a complete list of possible sanctions, contact the Drug Court Program.

Defendants are required to return to court for sanction hearings at the next scheduled sanction hearing for committing a drug testing infraction.

When defendants comply with program requirements, Drug Court has several opportunities for defendants to be recognized for their success in treatment. Defendants regularly earn incentives as they demonstrate positive behavior. Additionally, once a month, a progression/commencement ceremony is held to recognize all defendants who have advanced to the next treatment level; and those

SUPERIOR COURT DRUG INTERVENTION PROGRAM (DRUG COURT)

who have completed the entire program. The ceremony is attended by family, friends and peers, as well as all Drug Court program participants, and presided over by the Drug Court judge.

V. PROGRAM PLACEMENT (CERTIFICATION)

A Drug Court-eligible defendant can be certified to the Drug Court calendar from a criminal calendar by defense counsel motion. If a case involves co-defendants, unless the cases are severed by the USAO, all defendants must be eligible and willing to have their cases certified to Drug Court.

For Both Felony and Misdemeanor Cases

At the time of either the misdemeanor or felony certification, the judge must issue a release order indicating:

1. Drug program placement by PSA;
2. Report for and complete a substance use disorder assessment with PSA's SSAC immediately; and
3. Comply with treatment as directed by PSA.

If a defendant is found to be ineligible or declines Drug Court participation after reporting for the SSAC assessment and the case is a misdemeanor, it is reassigned at the status hearing to the misdemeanor calendar identified at arraignment. If the case is a felony, it is reassigned on the preliminary hearing date to a felony II calendar judge identified in presentment court.

Preliminary Certification by a Judicial Officer or at Request of Defense Counsel from Another Criminal Calendar

If a defendant's current charge meets the Drug Court eligibility criteria after arraignment or presentment, the criminal division calendar judge may – or the defense counsel may request of the Court to – preliminarily certify the case to the Drug Court calendar by setting the case for a status hearing on the Drug Court calendar within two weeks and contact the Drug Court program and request a complete screening of the defendant's criminal and drug history to ensure program eligibility.

SUPERIOR COURT DRUG INTERVENTION PROGRAM (DRUG COURT)

If the defense counsel is seeking to preliminarily certify a case to Drug Court, upon receiving notification of eligibility by the Drug Court staff, defense counsel should request certification through an oral motion with the calendar judge, not the Drug Court judge. If the calendar judge grants the motion, he/she certifies the case to the Drug Court calendar by setting a status date according to the guidelines. In this case, the courtroom clerk notifies PSA of the defendant's pending status date before the Drug Court judge.

If a misdemeanor case is pre-adjudication, participation must be pre-approved in writing by the USAO. If the USAO approval is granted, Drug Court staff notifies the defense counsel. If the defense counsel initiates the certification process within 15 days of arraignment, the USAO does not oppose the certification motion as a matter of course. However, the USAO opposes certification for Drug Court as a matter of course after a trial date has been set.

If a misdemeanor case is post-adjudication, the certification process must be initiated after the calendar judge accepts the plea or after the defendant is found guilty at trial. The USAO's approval is not required for post-adjudication certification to Drug Court. The Court, however, must inquire on the record whether the defendant understands that he/she will be sentenced by the Drug Court judge and not by the judge that presided over the trial or who accepted the guilty plea.

If a felony case is pre-adjudication, the certification process must be initiated within 30 days of arraignment or by the date of the first status hearing (whichever is later) or the USAO generally opposes the motion.

If a felony case is post-adjudication, the certification process must be initiated after the calendar judge accepts the plea or after the defendant is found guilty at trial. The Court, however, must inquire on the record whether the defendant understands that he/she will be sentenced by the Drug Court judge, not the judge who presided over the trial or accepted the guilty plea.

At the time of the preliminary certification, the judge must issue a release order indicating:

1. Drug program placement by PSA;
2. Report and complete the SSAC assessment immediately; and

SUPERIOR COURT DRUG INTERVENTION PROGRAM (DRUG COURT)

3. Comply with treatment as directed by PSA.

If the defendant is found to be ineligible or declines Drug Court participation after reporting for the SSAC assessment, the case is returned to the original criminal division calendar judge at the status hearing and previously imposed release conditions remain effective unless altered by the Court.

Placement Into Drug Court

If, after SSAC assessment and/or the criminal and drug history review, the defendant is deemed eligible and wants to participate in Drug Court, the program requirements are explained by PSA staff and if the defendant elects to proceed, he/she signs the Drug Court contract, after which the Drug Court judge signs a new release order placing the defendant in Drug Court.

NOTE: Any release conditions on prior release orders should be reviewed by the PSO, USAO and the Court for inclusion on the new release order.

VI. PROGRAM DISCHARGE/REMOVAL

Defendants may be discharged from Drug Court due to successful completion of the program, case disposition, or failure to participate fully in treatment for any reason. Defendants also must be discharged at their request after serving all sanctions.

Defendants who have pled guilty remain on the calendar of the Drug Court judge and proceed to sentencing. Any defendants removed for non-compliance shall not be eligible to return to Drug Court for at least 90 days. Defendants who are pending trial and are removed due to non-compliance are returned immediately to the calendar judge. Defendants removed due to non-compliance may be recommended for a higher level of supervision with a drug testing requirement, and they also are subject to contempt of court, detention or revocation of release for violation of release conditions.

Defendants who successfully complete all four phases of the program are acknowledged at the Drug Court Graduation. If a felony defendant is sentenced to at least one year of probation, he/she likely is placed on probation with the Court Services and Offender Supervision Agency's (CSOSA) Sanctions Team for Addiction and Recovery/High Intensity Drug Trafficking Area (STAR/HIDTA) Program.

SUPERIOR COURT DRUG INTERVENTION PROGRAM (DRUG COURT)

Defendants who complete the program either before their trial date or before sentencing continue supervision and random drug testing in Drug Court.

If a Drug Court felony defendant does not take a plea and requests a trial, the case goes to the calendar judge for trial. If the defendant is sentenced by the calendar judge, he/she may not receive the same benefits of sentencing as any defendant sentenced by the Drug Court judge. If the defendant is sentenced to probation by the Court before completion of contract treatment, CSOSA assumes responsibility for continuing the defendant in the current contract and level of drug treatment. PSA treatment is terminated upon sentencing.

In order to ensure continuity of treatment between PSA and CSOSA in D.C. Superior Court cases, if the defendant is sentenced to probation while in treatment with PSA, PSA requests the following language in the judgment and commitment order:

- For drug treatment cases, should the case reach disposition that includes a minimum of 12 months of probation, include:
"As a condition of probation, the defendant hereby is ordered to participate in drug treatment through CSOSA's STAR/HIDTA team or as otherwise directed by CSOSA."
- If the case reaches a disposition that includes less than 12 months probation, include:
"As a condition of probation, the defendant hereby is ordered to participate in drug treatment as directed by CSOSA."

SANCTION-BASED TREATMENT TRACK (SBTT)

Sanction-Based Treatment Track (SBTT)

The Sanction-Based Treatment Track (SBTT) is available through both PSA's Treatment Program and PSA's Supervision Program and is available for D.C. Superior Court and U.S. District Court. A detailed narrative of the SBTT follows the summary chart.

SANCTION-BASED TREATMENT TRACK SUMMARY

TARGETED DEFENDANTS
<ol style="list-style-type: none">1. Drug-involved defendants with felony and misdemeanor charges who are ineligible for Drug Court or cannot receive treatment for various reasons; including those charged in U.S. District Court and those needing to remain in HISP or halfway house placement;2. Defendants currently receiving methadone maintenance who wish to remain in methadone treatment; or3. Defendants unsuccessfully discharged from Drug Court, if the continuing treatment effort is warranted.
PROGRAM ELIGIBILITY CRITERIA
<ol style="list-style-type: none">1. A current substance use disorder assessment indicating need for treatment; and2. Positive drug test result on day of arrest, at initial appearance, or after a random spot test; or3. At least three positive drug tests within 12 months; or4. Verified history of drug treatment within 12 months; and5. No serious medical or psychiatric condition preventing full participation in treatment; and6. No outstanding extraditable warrants or detainers.
SUPERVISION AND SERVICES PROVIDED
<ol style="list-style-type: none">1. Supervision and case management;2. Court notification of release condition violations, including rearrest;3. Drug testing randomly and as directed by PSA;4. Random drug testing is required for all residential placements;5. Drug treatment pursuant to treatment modality and treatment plan;6. Referrals for social services as deemed appropriate or as requested; and7. Recommendations for modification of release conditions, as appropriate.

SANCTION-BASED TREATMENT TRACK (SBTT)

PROGRAM SANCTIONS AND INCENTIVES

Sanctions: In addition to sanctions imposed by the Court for release condition violations, SBTT defendants receive sanctions for program infractions, most of which are imposed administratively by PSA and include, but are not limited to (listed in progressive order):

1. Reorientation and phase freeze;
2. Redirection groups and phase freeze;
3. Redirection groups and phase freeze (administrative), and 2 days in jury box (Court-imposed); and
4. Modified treatment and phase freeze (administrative) or 3 nights in jail or discharge (Court-imposed).

NOTE: *Some sanctions may not apply to defendants supervised in HISP or in halfway house placement; and sanctions may differ for defendants charged in U.S. District Court.*

Incentives: Responses to compliance include reduction in drug testing frequency.

PROGRAM PLACEMENT AND DISCHARGE/REMOVAL

Placement:

1. A substance use disorder assessment must indicate need for treatment;
2. The referring PSO confirms placement availability and has the defendant sign the sanction-based treatment contract; and
3. Defendant is placed in treatment by PSO pursuant to the contract with notice to the Court and defense counsel, or recommendation to the Court for a new release order.

Discharge/Removal:

1. Defendant may be discharged due to successful completion, case disposition or the inability to participate in treatment for any reason.
2. Defendant also must be discharged at his/her request pursuant to the terms of the contract and the case is returned to the calendar judge.
3. Non-compliant defendants may be removed from the program with a recommendation for increased supervision or revocation of release.

SANCTION-BASED TREATMENT TRACK (SBTT)

I. Program Overview

Placement on SBTT is available for defendants who do not meet the eligibility criteria for or who decline Drug Court.

II. TARGET POPULATION AND ELIGIBILITY CRITERIA

SBTT placement is available for defendants with felony and misdemeanor charges who are ineligible for or decline participation. This includes those charged in U.S. District Court and those needing to remain in HISP or halfway house placement, or defendants unsuccessfully discharged from Drug Court. Any defendant placed on the SBTT must have a current substance use disorder assessment indicating a need for treatment. Additionally, the defendant must have:

- Positive drug test result on the day of arrest, at initial appearance, or after a random spot test; or
- At least three positive drug tests within 12 months; or
- Verified history of drug treatment within 12 months; and
- No serious medical or psychiatric condition preventing full participation in treatment; and
- No outstanding extraditable warrants or detainers.

III. SUPERVISION AND SERVICES PROVIDED

SBTT PSOs monitor the defendant's compliance with conditions of release, arrange for treatment placement, oversee progress in treatment, review drug testing schedules, keep the Court, prosecution and defense apprised of compliance, and provide incentives and sanctions as warranted. The PSO also may make representations at sanction hearings regarding a defendant's non-compliance.

Each defendant on the SBTT receives treatment through a service provider contracted by PSA or an in-house program, and is assigned a supervising PSO to whom he/she will report as required. The Community Treatment Specialist (CTS) from the Social Services Assessment Center (SSAC) recommends the treatment modality based on the outcome of the substance use disorder assessment. In addition to monitoring the defendant's progress in treatment, the PSO monitors and guides the defendant through the supervision aspect of the program. Defendants on

SANCTION-BASED TREATMENT TRACK (SBTT)

the SBTT in D.C. Superior Court are sanctioned for non-compliance by the Drug Court judge and the PSO keeps the calendar judge apprised of infractions and sanctions. Defendants report to their calendar judge for all show cause, status, trial, and sentencing hearings. U.S. District Court defendants report to the presiding judicial officer for sanctions.

All defendants on SBTT drug test randomly, with most being required to test multiple times each week. Additionally, periodic drug testing is required for all contract treatment providers as part of the service contract

Defendants are required to report for all treatment appointments and activities as directed by the program. They are required to make up any late arrivals, early departures, and/or absences from groups or other treatment appointments by attending additional group meetings before progressing in the program. Defendants participating on the SBTT are required to report to the supervising PSO, as necessary.

IV. PROGRAM SANCTIONS AND INCENTIVES

In addition to sanctions imposed by the Court for release condition violations, SBTT defendants receive various sanctions for program infractions, most of which are imposed administratively by PSA:

Responses to program infractions, listed below in progressive order, include, but are not limited to:

- Reorientation and phase freeze;
- Redirection groups and phase freeze;
- Redirection groups and phase freeze, and 2 days in jury box (Court-imposed); and
- Modified treatment and phase freeze; 3 nights in jail or discharge (Court-imposed).

NOTE: *Some sanctions may not apply to defendants supervised in HISP or in halfway house placement; and sanctions may differ for defendants charged in U.S. District Court.*

All treatment modifications are assessment-driven.

SANCTION-BASED TREATMENT TRACK (SBTT)

Some sanctions for D.C. Superior Court SBTT participants are imposed by the Court. For U.S. District Court SBTT participants, PSOs can administer the full range of sanctions without returning to court, with the exception of the jail sanction and program termination.

Defendants are required to return to report to their PSO or return to court for sanction hearings as directed by the PSO after committing a drug testing infraction.

Unless the judicial officer requests to be informed more often, PSA reports infractions committed and administrative sanctions imposed in the court report prepared for the next scheduled hearing. If the infractions are numerous or egregious, then PSA may inform the calendar judge of the infractions by requesting an expedited show cause hearing. For defendants on sanction contracts for whom a judicial sanction is warranted, the judge is usually informed of the infraction during the week that it occurs at the scheduled or requested sanction hearing.

V. PROGRAM PLACEMENT

Administrative placements can occur as long as the defendant's original release order requires reporting for program placement by PSA or a condition to enroll in drug treatment and the treatment placement is supported by an assessment indicating need for treatment. A subsequent release order is not completed when there is an administrative placement, although the Court and counsel are notified of the treatment placement. If the defendant appears in court to be ordered onto the SBTT, a new release order is executed.

VI. PROGRAM DISCHARGE/REMOVAL

Defendants may be discharged due to successful completion, case disposition or the failure to participate in treatment for any reason. Defendants also are discharged at their request after serving all sanctions. However, refusing to continue in treatment may be considered a violation of release conditions. Defendants removed by the Drug Court judge (who is responsible for sanctioning all SBTT defendants) due to non-compliance are returned immediately to the calendar judge and may be recommended for a higher level of supervision with a drug testing requirement, and they also are subject to contempt of court, detention or revocation of release for violation of release conditions.

SANCTION-BASED TREATMENT TRACK (SBTT)

Defendants who complete the program before their trial date or before sentencing continue random drug testing and are required to follow any treatment aftercare recommendations.

If the defendant is sentenced to probation by D.C. Superior Court before completion of contract treatment, the Court Services and Offender Supervision Agency (CSOSA) assumes responsibility for continuing the defendant on the current contract and level of drug treatment. Except for sentenced U.S. District Court defendants waiting to report to a facility to begin service of their sentence, PSA treatment is terminated upon sentencing.

In order to ensure continuity of treatment between PSA and CSOSA in D.C. Superior Court cases, if the defendant is sentenced to probation while in treatment with PSA, PSA requests the following language in the judgment and commitment order:

- For D.C. Superior Court drug treatment cases, should the case reach disposition that includes a minimum of 12 months of probation, include:
“As a condition of probation, the defendant hereby is ordered to participate in drug treatment through CSOSA’s STAR/HIDTA team or as otherwise directed by CSOSA.”
- If the case reaches a disposition that includes less than 12 months’ probation, include:
“As a condition of probation, the defendant hereby is ordered to participate in drug treatment as directed by CSOSA.”

For sentenced federal defendants, PSA contract treatment is terminated unless the defendant is waiting for placement in a facility to serve his/her sentence.

SOCIAL SERVICES AND ASSESSMENT CENTER

Social Services and Assessment Center

The Social Services and Assessment Center (SSAC) is operated by PSA's Treatment Program and is available for D.C. Superior Court and U.S. District Court. A detailed narrative of the SSAC follows the summary chart.

SOCIAL SERVICES AND ASSESSMENT CENTER SUMMARY

TARGETED DEFENDANTS
Any defendant under pretrial supervision.
PROGRAM ELIGIBILITY CRITERIA
Any defendant under pretrial supervision.
SERVICES PROVIDED
The SSAC provides an array of social services and referral resources listed on page 69 .
PROGRAM SANCTIONS AND INCENTIVES
Not applicable
REFERRAL PROCEDURES
<ol style="list-style-type: none">1. Defendants must be referred by the Court, PSA's Release Services Unit, or the supervising PSO.2. For assessment ordered by D.C. Superior Court, the defendant must report to the Release Services Unit at D.C. Superior Court to complete a warrant check, review the updated release order, and for directions to the SSAC.3. For assessment ordered by U.S. District Court, the defendant must report to the PSA office on the second floor U.S. District Court to complete a warrant check, review the updated release order, and for directions to the SSAC.4. For assessment ordered for detained defendants, the Court may contact the SSAC or the PSA court representative to request a substance use disorder assessment or mental health screening in the courthouse cellblock.5. Defense counsel may not direct defendants to the SSAC; instead, he/she must request services through the Court or PSO.6. All SSAC services are available on a first come, first served basis; appointments are neither necessary nor accepted.

SOCIAL SERVICES AND ASSESSMENT CENTER

I. PROGRAM OVERVIEW

The SSAC serves as a comprehensive substance use disorder assessment, mental health assessment and referral center. The SSAC is also PSA's repository for information on community resources, and the primary broker in connecting defendants with needed social services.

II. TARGET POPULATION AND ELIGIBILITY CRITERIA

SSAC services are available to any defendant under pretrial release.

III. SERVICES PROVIDED

The SSAC provides the following services and referral resources:

- Comprehensive substance use disorder assessment;
- Mental health screenings and referrals;
- Referral for substance use disorder and mental health services;
- Social services needs interviews and referral;
- Identification procurement assistance;
- Medical referral;
- Employment services referral;
- Vocational training referral;
- GED preparation referral;
- Community-based skill-building group referral; and
- Temporary housing/shelter referral.

IV. PROGRAM SANCTIONS AND INCENTIVES

The SSAC is not a supervision program, but functions in support of PSA's supervision and treatment programs. Defendants who refuse a SSAC referral associated with a release condition are reminded of their obligation to abide by all court orders. The supervising PSO advises the Court if a defendant reaches violation status due to failure to comply with any SSAC-related release condition. If a defendant declines a SSAC referral for any service not mandated by the Court, the declination is documented in the defendant's file, but not reported as a violation.

SOCIAL SERVICES AND ASSESSMENT CENTER

A defendant automatically is referred to the SSAC for a substance use disorder assessment at the third drug testing condition infraction or earlier if the PSO or the Court deems an assessment is necessary.

A defendant is referred to the SSAC for a mental health assessment when the Court or PSO wants the defendant considered for supervision by the Specialized Supervision Unit (SSU). A defendant also may be referred to the SSAC whenever the PSO suspects that the defendant's failure to comply with release conditions may be due to substance use disorders, mental health issues, or some other presenting need. The referring PSO reviews the assessment recommendation and take steps to ensure the defendant is placed in treatment and/or SSU supervision if indicated.

V. REFERRAL PROCEDURES

To receive a substance use disorder and/or mental health assessment, defendants must be referred by the Court, PSA's Release Services Unit, PSA court representative, or the supervising PSO.

For defendants for whom an assessment is an condition of release, the defendant must be instructed to report to the Release Services Unit in C-301 immediately upon exiting the courtroom (or in U.S. District Court matters, report to the PSA offices on the second floor of U.S. District Court) for a warrant check and review of the release conditions prior to arriving at the SSAC to complete the assessment.

For defendants being detained behind the courtroom, the Court may contact the PSA court representative or PSA's SSAC and request a substance use disorder or mental health assessment.

NOTE: Defense counsel may not direct defendants to the SSAC. Instead, he/she must request services through the Court or PSO.

PSOs may refer defendants to the SSAC as deemed necessary. All SSAC walk-in services are available during business hours on a first come, first served basis. Appointments are neither necessary nor accepted.

PSA ensures compliance with federal and local confidentiality protection statutes for individuals with substance use disorder and or/mental health issues. In order to comply with confidentiality requirements, PSA employees conduct an assessment of

SOCIAL SERVICES AND ASSESSMENT CENTER

a defendant only if he/she is alone in a cell. Arrangements have been made with the U.S. Marshals Service for access to two cells in the D.C. Superior Court. An alternative is for PSA to interview the defendant privately in a cell behind the courtroom. If private space is unavailable, then PSA notifies the Court immediately about any delay and the status of available interview space.

When obtaining information from the defendant, PSOs in the SSAC advise the defendant that the PSO is acting in a criminal justice capacity and not as a mental health professional. As such, any information the defendant provides may be disclosed to the Court without the defendant's consent. Nonetheless, the SSAC PSO always attempts to get release of information authorization from a defendant in order to receive and disclose mental health diagnostic or compliance information from the D.C. Department of Behavioral Health treatment facilities.

Social service referrals usually are offered to defendants on a voluntary basis and occasionally are court-ordered.

Defendants under extensive supervision, as well as all of those under monitored conditions or pretrial release without conditions actively supervised by PSA, may be screened and referred at the discretion of the PSO whenever he/she suspects that a social service need may exist and/or when a defendant requests services. Consistent with PSA policy, an assessment cannot be conducted unless outstanding warrants are resolved; therefore the Release Services Unit, PSA court representative, or supervising PSO conducts a warrant check no more than 24 hours before referring the defendant to the SSAC.

RE-ENTRY AND SANCTIONS CENTER

Re-Entry and Sanctions Center

The Re-Entry and Sanctions Center (RSC) is a treatment readiness residential program operated by the Court Services and Offender Supervision Agency for PSA's Treatment Program and is available for D.C. Superior Court and U.S. District Court. A detailed narrative of the RSC follows the summary chart.

RE-ENTRY AND SANCTIONS CENTER SUMMARY

TARGETED DEFENDANTS
Male and female defendants in pretrial status with substance and/or stable co-occurring mental health disorders.
PROGRAM ELIGIBILITY CRITERIA
<ol style="list-style-type: none"> 1. Defendant's court dates must be scheduled 45+ days from date of entry; 2. Must have a current substance use disorder assessment indicating a need for treatment; 3. Must be assessed and determined eligible by the SSAC; 4. Must be on a sanction-based treatment contract; 5. Men must be able to complete a 28-day program and women a 42-day program without interruption; and 6. Must be able physically and cognitively to complete program. A defendant with a co-occurring mental health/substance use disorder must be stable prior to entering the RSC. <p>NOTE: RSC Staff are unable to transport defendants to and from the facility.</p>
PROGRAM OBJECTIVES AND SERVICES PROVIDED
<p><i>Program Objectives:</i></p> <ol style="list-style-type: none"> 1. Promote readiness to change; 2. Improve physical, cognitive, and emotional well-being; 3. Demonstrate the ability and willingness to participate in and internalize the curative components of residential treatment; and 4. Abstain from alcohol and other substances. <p><i>Primary Treatment Services:</i></p> <ol style="list-style-type: none"> 1. Residential treatment readiness programming; 2. Comprehensive psychological testing and assessments; 3. Substance use disorder counseling; and 4. Subsequent additional residential or intensive outpatient treatment.

RE-ENTRY AND SANCTIONS CENTER

PROGRAM PLACEMENT AND DISCHARGE

Placement:

1. Defendant must be screened and determined eligible by the SSAC.
2. PSO recommends that the next Court date be scheduled at least 45 days into the future to ensure that the defendant is able to complete the RSC program without interruption.
3. Defendants are not accepted if a scheduled court date would occur prior to RSC completion, unless the defendant's appearance at that hearing is waived.

Discharge: PSOs collaboratively develop discharge plans on or about day 21 of the program, pursuant to the defendant's progress in the RSC.

I. PROGRAM OVERVIEW

The RSC is a treatment readiness program where defendants reside in order to prepare for subsequent entry to a residential or intensive outpatient treatment program. The program provides defendants with treatment readiness, comprehensive assessments, and life skills. PSA has been allocated 18 beds on one floor of the RSC facility to serve male defendants who are substance-involved and a limited number of spaces are available on the mental health floor for males with co-occurring mental health disorders. A few beds also are available on another floor for female defendants. The program lasts 28 days for men and 42 days for women.

The philosophy of the program centers on the individualization of treatment, with an emphasis on empowering defendants to make choices that impact their readiness to change, amenability to treatment, and commitment to an alcohol- and drug-free lifestyle.

II. TARGET POPULATION AND ELIGIBILITY CRITERIA

Defendants admitted to the RSC must be on pretrial status² and the next court date must be scheduled at least 45 days into the future to ensure the defendant is able to complete the RSC without interruption. Defendants are not accepted into the program if a scheduled court date would occur prior to completion of the program. Defendants are not permitted to leave the RSC until completion. Defendants must:

² RSC participation is available to offenders post-adjudication via CSOSA.

RE-ENTRY AND SANCTIONS CENTER

- Have a current substance use disorder assessment indicating a need for treatment;
- Have a signed sanction-based treatment contract;
- Be able to complete a 28-day (42-day for female participants) program without interruption; and
- Be physically, cognitively, and psychologically stable enough to reside at the RSC.

III. TREATMENT SERVICES PROVIDED

Defendants participating in the RSC receive comprehensive assessment and testing in a residential setting. Evidence-based approaches such as motivational interviewing, cognitive behavior therapy, and solution-focused therapy are used with defendants to prepare them for drug-free lifestyles. Life-skills intervention groups are designed to teach coping skills and identify problematic thinking patterns and behavior.

IV. PROGRAM PLACEMENT AND DISCHARGE

PSA's Social Services and Assessment Center determines RSC eligibility and the level of treatment required upon discharge. A supervising PSO is required to participate in the discharge staffing process on or about day 21 of the program. Upon completion of the program, the defendant transitions to a residential or intensive outpatient treatment program.

INTERVENTIONS AND DEFENDANT SUPPORT PROGRAM CONTACTS

Interventions and Defendant Support Program Contacts

Complete telephone and location directories are available online at PretrialServices.gov. Contacts for bi-lingual assistance are available online or by calling 202-585-7030.

INTERVENTION AND DEFENDANT SUPPORT PROGRAM CONTACTS

SUPERIOR COURT DRUG INTERVENTION PROGRAM (DRUG COURT) AND SANCTION-BASED TREATMENT TRACK

For general questions or to request a Drug Court eligibility screening, call 202-220-5505.

SOCIAL SERVICES AND ASSESSMENT CENTER

Main number: 202-442-1660

To request a screening for SSU eligibility, substance use disorder treatment, mental health or social services for defendants; contact the SSAC at 202-442-1660 or contact the assigned PSA court representative directly or at 202-585-7955.

RE-ENTRY AND SANCTIONS CENTER

For information regarding RSC utilization, contact a PSA Clinical Services Specialist at 202-220-5505.

ORDERING MODALITIES NOT INDICATED BY AN ASSESSMENT

Ordering Modalities Not Indicated By an Assessment

PSA's Treatment Program staff administers a substance use disorder assessment and makes treatment recommendations based on criteria outlined by the American Society of Addiction Medicine (ASAM). PSA can fund only treatment that is consistent with a valid ASAM-based treatment recommendation. If the Court has questions regarding the PSA treatment recommendation and would like it to be reconsidered, PSA requests that the following procedures be followed:

1. Continue the case for at least 48 hours and schedule another hearing;
2. Contact PSA's Social Services and Assessment Center or the PSA court representative and request that the recommendation be reviewed; and
3. Provide any additional information or rationale the Court deems appropriate supporting that request for review.
4. The assessment, assessment recommendation, most recent drug testing results, criminal history and other relevant information are reviewed by a PSA Clinical Services Specialist.

At the continuance hearing, a PSA representative informs the Court of the results of the review and provides a recommendation based upon that review. If PSA's review of the assessment does not result in any change in the recommendation, and the Court continues to desire a higher level of care, PSA attempts to contact the DBH's Addiction Prevention and Recovery Administration or the corresponding agencies in neighboring jurisdictions to determine if community-based treatment is an option for the defendant. PSA is not authorized to expend federal treatment resources on a treatment modality that is not supported by the ASAM criteria.

TREATMENT PROGRAM RESOURCE TIMEFRAMES

Treatment Program Resource Timeframes

Substance use disorder treatment routinely has been integrated into pretrial supervision. When treatment demand exceeds PSA's available treatment resources, the timeframes are modified accordingly to enable continued provision of services.

The following timeframes and conditions for treatment are in place:

- All PSA-funded residential placements to contracted vendors do not exceed 60 calendar days, unless approved by a PSA Clinical Services Specialist. However, a defendant may be able to receive up to 90 days of residential treatment if initially placed at the Re-entry and Sanctions Center.
- If ordered by the Court, PSA funds contracted treatment if funds are available for a maximum of 30 days following conviction. PSA extends these placements an additional 30 days if the Court is awaiting completion of a pre-sentence investigation (PSI) and there is no alternative acceptable to the Court. PSA continues to forward funding responsibility to CSOSA for any non-federal defendant under contracted treatment who is sentenced to probation so that treatment can continue uninterrupted.
- All treatment placements and extensions are assessment-driven.
- PSA continues to manage defendants in its non-treatment supervision programs following conviction until sentencing. The Drug Court also may be available as a post-adjudication option for defendants who meet the program's eligibility criteria and whose scheduled sentencing date allows for program completion. If the Court wishes to start treatment for a defendant post-conviction and prior to sentencing, the best option is to utilize contract funding for 30 days, which can be transferred to CSOSA if the defendant is sentenced to probation. However, as indicated above, PSA does not have the resources to keep a defendant in treatment for many months after conviction and prior to sentencing, so the Court is requested not to postpone sentencing to secure pretrial treatment resources.
- Similarly, PSA does not have resources to place defendants in treatment after the Court revokes probation due to non-compliance with probation treatment conditions.

WHEN A QUESTION OF DEFENDANT COMPETENCE HAS BEEN RAISED

When a Question of Defendant Competence Has Been Raised

After a question of competence to stand trial has been raised, defendants fall into one of three categories: 1) those determined to be incompetent after a forensic screening or examination; 2) those determined to be competent after a forensic screening or examination; and 3) those for whom no determination has been made because the screening has not yet been conducted or because further examination is needed.

PSA terminates supervision in any pending matter where the Court makes a finding that the defendant is incompetent to stand trial and is unlikely to attain competence in the foreseeable future. PSA terminates supervision regardless of whether the charges are dismissed or held in abeyance while awaiting or during civil commitment.

Category One—For defendants determined *incompetent* after screening:

- If requested by the Court, PSA provides up to 180 days of monitoring and certain supervision-related services for incompetent defendants eligible for release subject to §23-1321 and determined by the Court to be appropriate for outpatient competence restoration treatment. These defendants are monitored by the Specialized Supervision Unit (SSU).
- PSA does not supervise defendants ordered to undergo inpatient competence restoration treatment while they reside at St. Elizabeths Hospital.
- PSA does not address issues regarding the defendant's competence status or the final outcome of competence restoration training/treatment in written reports nor through in-person court representation. The Department of Behavioral Health (DBH) is responsible for notifying the Court and PSA in writing of any changes in the defendant's competence status; however, PSA sends drug status reports to the Court for defendants with a court-ordered drug surveillance condition.
- PSA does not assess or attempt to address substance use disorder treatment, housing, or other social service needs for this population as it would do for defendants receiving full supervision. Instead, PSA expects that such needs

WHEN A QUESTION OF DEFENDANT COMPETENCE HAS BEEN RAISED

are assessed and addressed in a DBH-developed outpatient competence restoration treatment plan.³

Category One defendants should be given the following mental health-related release conditions:

- *“Report to DBH for competence restoration training and treatment and comply with all DBH requirements.”*
- *“Report for monitoring and drug testing as required by PSA.”*

Category Two—For defendants determined **competent** after screening:

- PSA utilizes the DBH evaluation and/or its own assessment to determine the most appropriate program placement. Often, if there is a need for ongoing mental health services, these defendants are supervised by the SSU. Otherwise these defendants are placed in the PSA supervision unit most appropriate for monitoring or supervising any imposed release conditions. These defendants receive full supervision services.

Category Two defendants should be given the following mental health-related release conditions:

- *“Report to PSA immediately upon release for substance use disorder or mental health assessment and/or possible program placement in mental health services.”*

The defendant must comply with all rules and requirements as directed by PSA for mental health assessment and treatment, as necessary, and maintain contact with his/her PSO. Program placement includes drug testing, assessment, and treatment as necessary.

Category Three—For defendants on release for whom no determination has been made and further examination is needed:

³ Because PSA-arranged substance use disorder treatment may interfere with the DBH outpatient competence restoration program, and because PSA has limited treatment resources, PSA does not attempt to address substance use disorder treatment needs, but reports continuing drug use to DBH and allows it to elect an appropriate response.

WHEN A QUESTION OF DEFENDANT COMPETENCE HAS BEEN RAISED

Category Three defendants should be given the following mental health-related release conditions:

- *“Report for forensic screening” or “Report for forensic evaluation as directed.”*

If the Court requests PSA supervision of other mental health release conditions while the defendant completes the forensic screening/ evaluation, then mental health release conditions as described in Category Two should be imposed.

GLOSSARY OF CRITICAL TERMS

Glossary of Critical Terms

DRUG TESTING RELEASE CONDITIONS

Court-Ordered Surveillance—A release condition for which PSA monitors and reports only a defendant’s drug test results. PSA reports the results of the drug tests to the Court, but no treatment options are made available unless specifically ordered by the Court. PSA continues to monitor and report results until the Court vacates the condition.

Drug Evaluation Condition—A release condition that requires a defendant to report to PSA for a drug test and, if the result is positive, places the defendant on a weekly drug testing schedule. If the defendant is successful in providing eight consecutive negative drug tests, the weekly drug testing requirement may be suspended. If the initial drug evaluation test is negative, no further testing is required.

Drug Program Placement by PSA—A release condition that requires a defendant to report for a weekly drug test. If the defendant repeatedly tests positive, a referral is made for an assessment and possible placement into a drug treatment program. If a defendant is successful in providing eight consecutive negative drug tests before being placed into a treatment program, the weekly drug testing requirement may be suspended.

PSA policy allows for a defendant to be placed administratively into a treatment program without a specific court order, although a treatment contract is signed by the defendant and the Court is notified of the defendant’s participation in treatment.

When PSA makes release recommendations to the Court, defendants who admit to drug use in the past 30 days or have documented positive drug test results in the past 30 days are recommended for the condition of “drug program placement by PSA” in order to provide regular drug testing and offer treatment without delay.

Drug Testing as Directed by PSA for Diversion Consideration—A release condition that requires a defendant to report to PSA for drug testing, which may be required by the prosecutor before allowing him/her to enter into a diversion program.

GLOSSARY OF CRITICAL TERMS

SUPERVISION TERMS

Case Management—Case management comprises all activities performed by PSOs that support a defendant’s compliance with court-ordered conditions of release, appearance at all scheduled court hearings, and crime-free behavior while on PSA supervision. Case management activities are centered on the requirements outlined by court-ordered release conditions.

Case management is an individualized approach for securing, coordinating, and monitoring the appropriate supervision and treatment interventions and ancillary services necessary to manage each defendant successfully for optimal justice system outcomes. Commonly, interventions and ancillary services are intended to address substance and/or mental health-related problems, as well as employment, vocational, housing, or medical needs.

Contact—A release condition that requires a defendant to make direct communication with PSA in person or by telephone. “Report as directed by PSA” is the contact release condition that gives PSA the greatest flexibility in addressing the defendant’s supervision needs before notifying the Court.

Courtesy Supervision—An agreement between PSA and another jurisdiction to provide supervision for a defendant.

Monitoring —A case management method that includes at least one of the following: address or employment verification, passport or other document surrender, personal third-party custodian (not organizational), “live-at” conditions, and/or a stay away from place condition not supervised by electronic location monitoring. Most monitored conditions are one-time verification conditions. PSA notifies the defendant of upcoming court dates, verifies compliance with the requirement, and gives notice to the Court when it knows of any non-compliance and/or any rearrests or warrants.

Stay Away Condition—A condition that requires the defendant to stay away from a person, place, or identified geographical area.

Supervision—The core work performed by PSOs that includes interacting with and accessing the records of defendants on conditional pretrial release to investigate, enable, enforce, and report compliance with court-ordered release conditions. This

GLOSSARY OF CRITICAL TERMS

case management method entails regular review of the defendant's compliance with release conditions and timely, progressive efforts to address and report non-compliance. The types and combinations of supervision used are based on the level of risk posed by the defendant for public safety and/or pretrial misconduct.

Supervision includes management of defendants with one or more of the following release conditions: drug testing and/or substance use disorder treatment, regular reporting to PSA, mental health treatment, electronically monitored curfew, and/or stay away monitored by GPS. Supervision also includes regular contact with the defendant, regular review of compliance, and in some cases, an immediate response to non-compliance.

In addition to supervising each release condition, PSA notifies the defendant of upcoming court dates at every contact, regularly reviews the defendant's criminal history, and notifies the Court of any rearrests or warrants. Supervision of defendants posing greater risk entails increased frequency of release condition compliance review and also may include location monitoring and case management to investigate and enable defendant compliance.

TYPES OF ASSESSMENTS/REFERRALS

Mental Health Assessment—A process where formal instruments are used to determine whether a defendant has or may have a mental health condition that requires further assessment and services. The assessment also considers the potential impact of the problem on the defendant's compliance with supervision. The assessment, typically conducted by PSA Community Treatment Specialists, examines recent and historical information in all of the major life areas, and may be performed in conjunction with a substance use disorder assessment. These assessments also may be conducted by a D.C. Department of Behavioral Health liaison prior to a defendant's initial release. The assessment primarily is based on defendant self-report and does not result in a mental health diagnosis and is used solely to determine whether a defendant should be supervised by the SSU or otherwise placed in mental health services. All full mental health evaluations are performed by referral to private or publicly-funded community providers.

GLOSSARY OF CRITICAL TERMS

Psychological Testing—Written, visual, and/or verbal evaluations administered by or under the supervision of a psychologist or other qualified clinician to assess cognitive, personality, intelligence, and emotional functioning.

Substance Use disorder Assessment—A process where formal instruments are used to determine the extent of a defendant's substance use disorder and any resulting complications, and includes an examination of recent and historical information in all of the major life areas. The assessment, typically conducted by PSA Community Treatment Specialists, is used to determine whether a defendant has a substance-related problem requiring professional treatment. The assessment primarily is based on defendant self-report and does not result in a diagnosis, but does result in a problem severity-related treatment placement recommendation. Substance use disorder assessments may be ordered by the Court or performed in the absence of a court order if the defendant consents.

Substance Use Disorder Referral—Instructions to a defendant to report to a specific provider to receive substance use disorder assessment and/or treatment services. A defendant is referred for a substance use disorder assessment upon self-disclosure of drug use, by court order or by recommendation of the PSO.

OTHER TERMS

Administrative Sanction—A response to a program infraction that is imposed by PSA rather than the Court, thereby promptly addressing the infraction and avoiding having all parties return to court for a judicial response.

Amended Sentencing Agreement—A voluntary agreement whereby the defendant enters a guilty plea to a felony charge and sentencing is set for a later date. The defendant has a set period of time to complete certain requirements set forth by the Court. If the defendant is successful in completing all requirements to the Court's satisfaction, the felony plea is vacated and the defendant is sentenced to a misdemeanor offense instead.

Condition Violation—A violation of release conditions imposed by the Court, which PSA reports to the Court and for which sanctions may be imposed by the Court or PSA. Violations may include, but are not limited to, positive drug tests, attempting to submit or submitting a bogus sample, failing to report for drug testing, failing to

GLOSSARY OF CRITICAL TERMS

appear for PSO contacts or to treatment providers, and/or failing to abide by a curfew, stay away or halfway house order.

Deferred Prosecution Agreement—A voluntary agreement between the prosecutor and the defendant whereby the government offers to dismiss charges upon the defendant's satisfactory fulfillment of certain requirements (e.g., performing a certain number of community service hours).

Deferred Sentencing Agreement—A voluntary agreement between the prosecutor and the defendant whereby the defendant enters a guilty plea and sentencing is set for a later date. The defendant must complete certain requirements set out in the agreement (e.g., performing a certain number of community service hours). If the defendant is successful in completing all requirements, the guilty plea is withdrawn and the prosecution dismisses the case; otherwise, the matter proceeds to sentencing.

Halfway House Placement—A court order requiring a defendant's placement into a D.C. Department of Corrections (DOC) halfway house (Title 23 D.C. Code 1321(c)(1)(B)(xi)) to participate in a work release program. The DOC is responsible for the supervision of defendants placed into halfway houses and PSA provides location monitoring and/or drug testing and treatment if ordered by the Court.

Location Monitoring (LM)—The use of electronic technology to assist with monitoring compliance with certain release conditions. The technology monitors curfew restrictions and/or a defendant's physical location.

Loss-of-Contact—For most PSA programs, a defendant is considered to be in loss-of-contact status when he/she misses three consecutive contacts, including failure to report to the PSO, failure to report for drug testing, or any failure to report as directed. For the High Intensity Supervision Program, loss-of-contact is established when there is no recorded compliance with curfew for a 24-hour period.

Non-Surety Release—All types of release other than surety release. Surety release typically is a bail bond secured through a commercial bonding company following payment of a percentage of the total amount ordered by the Court to assure a defendant's appearance at future court hearings. PSA supervises defendants released in D.C. Superior Court on non-surety release.

GLOSSARY OF CRITICAL TERMS

Program Discharge—Discharge from a treatment program due to successful completion or inability to continue in the program for reasons other than program non-compliance. A defendant is discharged from a supervision program when he/she consistently has complied with all conditions and a release on personal recognizance is recommended.

Program Infraction—A violation of specific PSA program requirements, which may be reported to the Court and for which PSA may impose administrative sanctions without returning to court. Infractions may include, but are not limited to, failing to appear for orientation and/or group sessions, and/or failing to appear for PSO contacts.

Program Removal/Revocation of Release—Program removal or revocation of release when a defendant is considerably non-compliant with release conditions, fails to comply with sanctions and PSA has no alternatives for administrative sanctions.

Substance Use Disorder—A maladaptive pattern of substance use leading to clinically significant impairment for at least 12 months. A substance use disorder is classified as mild, moderate or severe and could result from the use of any mood-altering substance including illicit drugs, prescription/over-the-counter medications and alcohol.

GLOSSARY OF ACRONYMS

Glossary of Acronyms

APRA—Addiction Prevention and Recovery Administration (Department of Behavioral Health, D.C. Government)

ASA—Amended sentencing agreement

ASAM—American Society of Addiction Medicine

ASI—Addiction Severity Index

BRA—Bail Reform Act

CSO—CSOSA's Community Supervision Officer

CSOSA—Court Services and Offender Supervision Agency for the District of Columbia

CTS—PSA's Community Treatment Specialist

DCMTI—PSA's Misdemeanor/Traffic (Drunk Driving) Initiative

DCSU—PSA's U.S. District Court Supervision Unit

DBH—Department of Behavioral Health (D.C. Government)

DPA—Deferred prosecution agreement

DOC—Department of Corrections (D.C. Government)

DTCU—PSA's Drug Testing and Compliance Unit

FTA—Failure to Appear

GCMS—Gas Chromatography Mass Spectrometry

GPS—Global Positioning System

GSU—PSA's General Supervision Unit

HISP—PSA's High Intensity Supervision Program

LM—Location monitoring

GLOSSARY OF ACRONYMS

MHCC—Mental Health Community Court

NA/AA—Narcotics Anonymous/Alcoholics Anonymous

OAG—District of Columbia Office of the Attorney General

OFTS—PSA's Office of Forensic Toxicology Services

PSA—Pretrial Services Agency for the District of Columbia

PSO—Pretrial Services Officer

PSR—Pretrial Services Report

RSC—CSOSA's Re-Entry and Sanctions Center

SBTT—PSA's Sanction-Based Treatment Track (contracted and community-based)

SCDIP—Superior Court Drug Intervention Program (also known as Drug Court)

SSAC—PSA's Social Services and Assessment Center

SSU—PSA's Specialized Supervision (Mental Health) Unit

STAR/HIDTA—CSOSA's Sanction Team for Addiction and Recovery/High Intensity Drug Trafficking Area Program

STARS—PSA's Support, Treatment and Addiction Recovery Services Program

USAO—U.S. Attorney's Office for the District of Columbia

LOCATION AND TELEPHONE DIRECTORY

Location and Telephone Directory

Complete telephone and location directories are available online at PretrialServices.gov. Contacts for bi-lingual assistance are available online or by calling 202-585-7030.

Office of the Director

633 Indiana Avenue, NW, Suite 1120
Main Number: 202-220-5500

Office of Operations

633 Indiana Avenue, NW, Suite 1120
Main Number: 202-220-5500

Diagnostic Unit

For defendant interview and/or pretrial services report for D.C. Superior Court:
202-585-7030
Citation or other matters: 202-585-7100

Court Representation

D.C. Superior Court: 202-585-7955
U.S. District Court: 202-442-1000

Forensic Analysis and Testimony

Main Number: 202-585-7257

U.S. District Court

333 Constitution Avenue, NW, Room 2507
Main Number: 202-442-1000

Release Services Unit

500 Indiana Avenue, NW, Room C-301
Main Number: 202-585-7077

Drug Testing and Compliance Unit

500 Indiana Avenue, NW, Room C-220
For adult drug testing or Family Court: 202-585-7060 or 202-585-7050

LOCATION AND TELEPHONE DIRECTORY

General Supervision Unit

601 Indiana Avenue, NW, 2nd, 3rd and 10th Floors

Main Number: 202-585-7955

Social Services and Assessment Center

601 Indiana Avenue, NW, 7th Floor

Main Number: 202-442-1660

High Intensity Supervision Program

633 Indiana Avenue, NW, 10th Floor

Main Number: 202-220-5530

**Superior Court Drug Intervention Program (Drug Court) and
Sanction-Based Treatment Track**

633 Indiana Avenue, NW, 9th Floor

Main Number: 202-220-5505

D.C. Misdemeanor/Traffic initiative

633 Indiana Avenue, NW, 10th Floor

Main Number: 202-220-5770

Satellite Drug Testing Unit

633 Indiana Avenue, NW, 9th Floor

Main Number: 202-220-5546

Re-Entry and Sanctions Center

1900 Massachusetts Avenue, SE

For PSA Matters: 202-220-5593

Pretrial Services Agency for the District of Columbia
PretrialServices.gov

