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Congressional Budget Justification and Performance Report Fiscal Year 2013

Pretrial Services Agency for the District of Columbia

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Pretrial Services Agency Fiscal Year 2013 Budget Request

The Pretrial Services Agency for the District of Columbia (PSA) assists judicial officers in both the Superior Court of the District of Columbia and the United States District Court for the District of Columbia by formulating release recommendations and providing supervision and treatment services to defendants that reasonably assure that those on conditional release return to court and do not engage in criminal activity pending their trial and/or sentencing. When PSA performs these tasks effectively, unnecessary pretrial detention is minimized, jail crowding is reduced, public safety is increased and the pretrial release process is administered fairly.

The National Capital Revitalization and Self-Government Improvement Act of 1997 established PSA as an independent entity within the Court Services and Offender Supervision Agency (CSOSA) in the Executive Branch of the Federal Government. Although the Community Supervision Program (CSP) component of CSOSA and PSA have two distinct mandates, they share common strategic goals.

PSA has served the District of Columbia (D.C. or the District) for over 45 years and is a widely recognized national leader in the pretrial field. Its pretrial drug testing and innovative supervision and treatment programs are regarded as models for the criminal justice system.¹ Innovation, effective use of technology, and the development of human capital lead to organizational excellence, transparency, high professional and ethical standards, and accountability to the public.

PSA supervised 13,992 defendants in pretrial supervision programs in FY 2011. Defendants may be placed in one or more of PSA's supervision programs over the course of the pretrial release period depending on the release conditions ordered by the Court and/or if they have multiple cases pending. In total, PSA supervised 26,752 unique placements during FY 2011 – 20,546 placements were ordered by the Court into pretrial supervision during the fiscal year, and 6,206 placements continued under PSA supervision from the previous fiscal year.

¹ See, for example, Pretrial Justice Institute. (2010). "The D.C. Pretrial Services Agency: Lessons From Five Decades of Innovation and Growth." *Case Studies, Volume 2, Number 1*. Washington, D.C.: Pretrial Justice Institute; District of Columbia Crime Policy Institute. (2012). *A Case Study on the Practice of Pretrial Services and Risk Assessment in Three Cities*. Washington, D.C.: The Urban Institute; Henry, D.A. and Clark, J. (1999). "Pretrial Drug Testing: An Overview of Issues and Practices." Washington, D.C.: United States Department of Justice, Bureau of Justice Assistance. NCJ 176341.

In addition, PSA received the Council for Court Excellence's 2000 Justice Potter Stewart Award for its Drug Court Program and the National Association of Pretrial Services Agencies' (NAPSA) 1986 Ennis J. Olgiati Award for excellence in the pretrial field. PSA also has provided leadership to the pretrial and criminal justice fields through its work with NAPSA, the American Bar Association, the Council on Court Excellence, and the United States Department of Justice's Bureau of Justice Assistance and National Institute of Corrections. Agency leadership and staff have been part of these organizations' pretrial reform efforts, trainings, and publications.

FY 2011 Supervised Placements

Program	Total Placements in FY 2011	Total Placements Continued from FY 2010	Total New Placements in FY 2011
General Supervision	18,108	3,833	14,275
High Intensity Supervision Program (HISP)	1,550	380	1,170
Work Release	587	56	531
Superior Court Drug Intervention Program (SCDIP) (referred to as Drug Court)	1,037	314	723
New Directions	916	219	697
Sanctions Based Treatment Program	127	30	97
Specialized Supervision Unit	2,374	600	1,774
D.C. Misdemeanor and Traffic Court (Drunk Driving) Initiative (DCMTI)	1,514	476	1,038
US District Court	539	298	241
TOTAL	26,752	6,206	20,546

PSA's FY 2013 Budget request is \$58,911,000, a net decrease of \$524,000, or 0.9 percent, below the FY 2012 Enacted. The FY 2013 Budget request reflects a reduction of \$800,000 in one-time costs associated with FY 2012 funding to relocate PSA's drug testing laboratory. The FY 2013 pay raise will likely be absorbed through workforce attrition. The FY 2013 Budget request includes \$276,000 in Adjustments to Base (ATB) for non-payroll inflationary increases.

FY 2013 Summary of Change

	FTE	Amount \$(000)
FY 2012 Enacted	376	59,435
Adjustments to Base:		
Adjustment for one-time FY 2012 funding*	0	(800)
Adjustment to Reach FY 2013 President's Policy	0	(197)
FY 2103 Pay Raise	0	197
FY 2013 Non-Pay Inflation	0	276
Sub-Total, Adjustments to Base	0	(524)
FY 2013 BASE	376	58,911
FY 2013 Request	376	58,911
Decrease Below FY 2012 Enacted	0	(524)
Percent Decrease Below FY 2012 Enacted	0%	-9%

Notes:

* Excludes \$800,000 in one-time funding included in the FY 2012 Enacted for the PSA drug lab relocation.

PSA projects FY 2012 and FY 2013 FTE to total 376. Projected FTE levels reflect anticipated temporary lapses in authorized on-board FTP staff due to normal attrition.

The FY 2013 Budget for PSA supports salaries and benefits, the single largest component of which is used to ensure that pretrial defendants are assessed for risk and supervised according to Court-ordered release conditions. Along with building rental expenses, these costs represent over 84 percent of PSA's budget.

PSA recognizes the financial challenges the nation faces and is committed to promoting efficient and effective spending, while sustaining a high level of performance in its public safety programs. In order to meet funding targets, PSA developed a plan for minimizing administrative costs and evaluated the cost effectiveness of its mission critical program areas. PSA reduced spending by restructuring how budgetary resources are allocated for training, travel, information technology resources, and other operating expenses.

Additionally, PSA reprioritized how substance-involved defendants are drug tested and treated. PSA will focus treatment and drug testing resources on defendants under its supervision assessed with the highest risk and need in terms of services. As part of PSA's efforts to channel its resources to the highest risk population, effective November 30, 2011, PSA no longer tests for marijuana use in the adult pretrial population, except in limited circumstances, such as defendants participating in treatment programs.

PSA reduced funding for treatment contracts by 26 percent, and will focus its efforts on defendants with the highest risk and need who are assessed to need intensive outpatient or residential treatment. Such defendants are likely to be substance dependent (*i.e.*, addicted). Effective January 1, 2012, PSA no longer utilizes its funded contract or internal treatment resources for most pretrial defendants who are assessed to need only outpatient substance abuse treatment. Such defendants are typically occasional users and abusers who are able to abstain with limited intervention. (Exclusions from this restriction include Specialized Supervision Unit defendants assessed to need outpatient treatment who can participate in the dual diagnosis component of PSA's internal Support, Treatment and Addiction Recovery Services treatment program.)

It is PSA's expectation that by focusing on the defendants with the highest risk and need, the Agency will continue to be able to impact the rearrest and failure to appear rates that are central to its mission. By restructuring budgetary resources in administrative and program areas, the FY 2013 Budget for PSA provides for performing mission critical functions in the most efficient, cost-effective manner.

PSA Program Purpose

Mission, Vision and Goals

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

Our *vision* is to thrive as a leader within the justice system by developing an empowered workforce that embodies integrity, excellence, accountability, and innovation in the delivery of the highest quality services.

Adherence to CSOSA Strategic Goals

Similar to the CSP component of CSOSA, PSA has adopted the Strategic Goals set forth in the *CSOSA Strategic Plan* of 1) establishing strict accountability and preventing the population supervised by CSOSA from engaging in criminal activity and 2) supporting the fair administration of justice by providing accurate and meaningful recommendations to criminal justice decision makers.

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

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

For FY 2011, PSA met or exceeded all of its outcome measure targets:

- ✓ 88 percent of released defendants remained arrest free, meeting our established target.
- ✓ 88 percent of released defendants also made all scheduled court appearances, 1 percent better than the established target.
- ✓ 88 percent of defendants remained on release at the conclusion of their pretrial status without a pending request for removal or revocation due to non-compliance, 13 percent above the established target.

PSA also tracks the rate of rearrests on violent crimes and drug crimes as well as differences in pretrial misconduct between defendants who use drugs and those who do not:

- ✓ PSA exceeded the established target for rearrests on violent crimes (1 percent actual versus a 3 percent target) and met the 4 percent target of rearrests on drug crimes.
- ✓ 84 percent of drug-using defendants remained arrest free, 2 percent better than the fiscal year target. 93 percent of defendants who did not use drugs remained arrest free in FY 2011, compared to the fiscal year target of 95 percent.
- ✓ 86 percent of drug users (1 percent above target) and 91 percent of the defendants who did not use drugs (matching the target) made all scheduled court appearances.

PSA's four Critical Success Factors and 11 supporting performance measures are linked to the aforementioned strategic goals and outcomes.

Critical Success Factor (CSF)	Performance Measures
CSF #1: Risk and Needs Assessment <i>Support judicial officers in making the most informed and effective non-financial release determinations through the pretrial period by formulating and recommending to the courts the least restrictive release conditions that will reasonably assure that the defendant will appear for scheduled court dates; and not pose a threat to any person or to the community while on release.</i>	1.1 Risk Assessment 1.2 Initial Release Recommendation
CSF #2: Close Supervision <i>Provide effective monitoring or supervision of pretrial defendants, consistent with release conditions, so that they return to court and are less likely to engage in criminal activity while under pretrial supervision.</i>	2.1 Compliance with Release Conditions 2.2 Sanctions for Non-compliance
CSF #3: Treatment and Related Services <i>Provide for, or refer defendants to, effective substance abuse, mental health, and social services that will assist in reasonably assuring that defendants return to court and do not pose a danger to the community.</i>	3.1 Substance Abuse Assessment 3.2 Placement in Drug Treatment 3.3 Reduction in Drug Use 3.4 Connection to Education/Employment Services 3.5 Mental Health Assessment 3.6 Connection to Mental Health Services
CSF #4: Partnerships <i>Establish and maintain effective partnerships with the judicial system, law enforcement, and the community to enhance PSA's ability to provide effective community supervision, enforce accountability, increase community awareness of PSA's public safety role, and develop opportunities for defendants under pretrial supervision and pretrial diversion.</i>	4.1 Number of partnership agreements

Performance Outcomes

PSA measures its success at meeting its critical outcomes through three outcome measures:

- 1) The percentage of defendants rearrested for violent or drug crimes pretrial.
- 2) The percentage of cases in which a defendant failed to appear for at least one court hearing.
- 3) The percentage of defendants who remain on release at the conclusion of their pretrial status without a pending request for removal or revocation due to non-compliance.

PSA Performance Outcomes

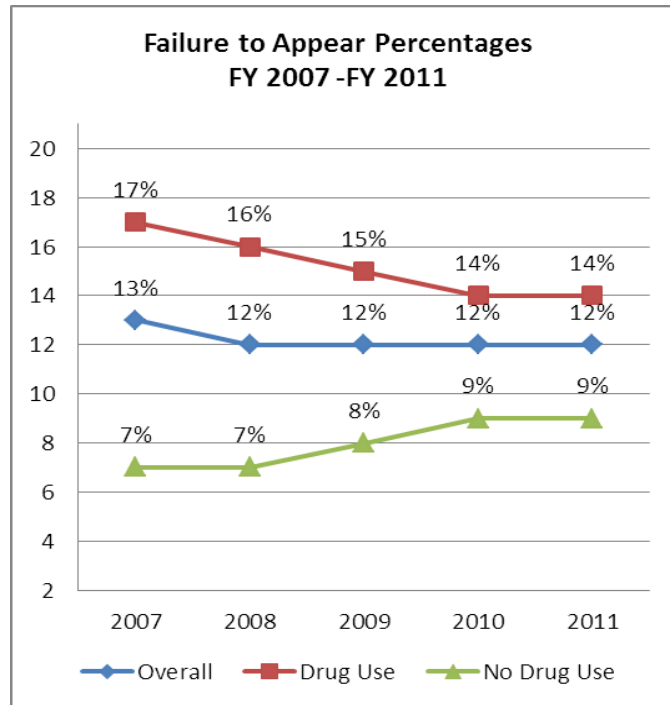
OUTCOMES	FY 2007 Actual	FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2011 Target	FY 2012 – 2015 Target
Percentage of Defendants Rearrested for Violent or Drug Crimes During the Period of Pretrial Supervision							
Rearrests for all defendants:							
Any crimes	12%	12%	12%	12%	12%	12%	12%
Violent crimes	2%	2%	2%	3%	1%	3%	2%*
Drug crimes	4%	4%	4%	4%	4%	4%	4%
Rearrests for drug-using defendants:							
Any crimes	18%	17%	17%	16%	16%	18%	18%
Violent crimes	3%	3%	4%	4%	1%	4%	4%
Drug crimes	6%	6%	6%	6%	6%	7%	7%
Rearrests for defendants not using drugs:							
Any crimes	5%	5%	6%	7%	7%	5%	5%
Violent crimes	1%	1%	1%	1%	1%	1%	1%
Drug crimes	1%	1%	1%	1%	1%	1%	1%
Percentage of Cases in Which a Defendant Failed to Appear for at Least One Court Hearing							
Any defendants	13%	12%	12%	12%	12%	13%	13%
Drug users	17%	16%	15%	14%	14%	15%	15%
Defendants not using drugs	7%	7%	8%	9%	9%	9%	9%
Percentage of Defendants Who Remain on Release at the Conclusion of Their Pretrial Status Without a Pending Request for Removal or Revocation Due to Non-compliance							
	N/A	N/A	N/A	83%	88%	75%	75%

Data Source: PSA Data Warehouse, November 21, 2011

* Target for FY 2011 was 3 percent. However, the target is adjusted to 2 percent for FY 2012 onward, as discussed on page 14.

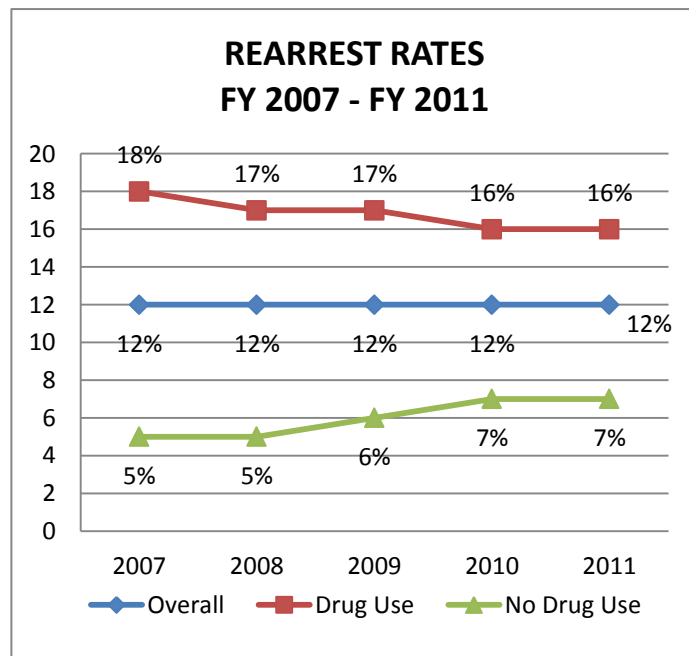
Failure to Appear

When defendants fail to appear for scheduled court hearings, court resources are expended even though the case does not advance through the system. To avoid this needless expenditure of resources, PSA assists the Court by notifying defendants in writing and in person of scheduled hearings. Over the past four years, the failure to appear rate has shown a strong, steady decline for drug-using defendants. For defendants who did not use drugs, the rate slightly increased in the last few fiscal years but steadied out in FY 2011.



Rearrest Rate

Rearrest is the outcome most closely related to public safety. PSA identifies each defendant's risk of rearrest and provides a corresponding level of supervision to minimize that risk. Through its automated system, PSA is alerted immediately if a defendant is rearrested in D.C. so the appropriate response can occur. Similar to its link to failure to appear, drug use also appears correlated to rearrest.



Organizational Structure

PSA provides risk assessment, drug testing, supervision, and treatment services for pretrial defendants and performs a variety of other management and administrative functions. PSA's court- and defendant-related operations are carried out by the Court Services, Supervision, and Treatment program areas under the direction of the **Associate Director, Office of Operations**. The Forensic Toxicology Drug Testing Laboratory (FTDTL), along with other management, program development, and administrative support functions, report to the **Office of the Director**.

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

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

The **DTCU** collects urine samples for analysis. With a majority of all criminal defendants having substance dependence problems, drug testing is vital for several reasons. The criminal justice system must identify defendants using drugs for *risk assessment* purposes. Drug-using defendants are significantly more likely to become involved in future criminal activity than defendants who do not use drugs. Drug testing also is critical for *risk reduction* purposes. Supervision of drug-dependent individuals is most effective when the criminal justice system is capable of responding quickly – through treatment and immediate sanctions – to continued drug use.

The **Supervision Program** area consists of the General Supervision Unit (GSU), the High Intensity Supervision Program (HISP), and the U.S. District Court Unit.

GSU supervises compliance with release conditions imposed by the D.C. Superior Court for most released defendants. Release conditions may include stay away orders from designated people and places, regular in-person or telephone contact with PSA, drug testing, and referrals for treatment assessment and program placement. The GSU Pretrial Services Officer (PSO) ensures that

relevant information regarding compliance is current and available to the judge. If the defendant cannot be brought into compliance with the conditions of release, the PSO sends a violation report to the Court, including specific recommendations such as drug treatment or mental health treatment designed to address the violation. PSOs also provide daily courtroom support to judicial officers to ensure placement of defendants in appropriate pretrial programs.

Defendants under extensive supervision have been charged with a range of offenses — from serious misdemeanors to dangerous and/or violent felonies. Even though many of the felony defendants potentially are eligible for pretrial detention based on their charge (e.g., robbery, burglary, aggravated assault) or criminal history (e.g., a pending case or on probation), the Court has determined that initial supervised release placement in the community under extensive conditions is appropriate and cost effective. The Court's expectation, however, is that, in order to mitigate the risk to public safety while on pretrial release, conditions such as drug testing and regular reporting will be supervised closely by PSA, and violators will be reported promptly to the Court.

GSU also supervises defendants placed in the D.C. Department of Corrections work release (halfway house) program when this population also has additional conditions such as drug testing.

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

The **High Intensity Supervision Program (HISP)** consists of two primary components – the Community Supervision Phase and the Home Confinement Phase. Community Supervision targets high risk defendants who (1) have supervision-related failures from other PSA units, (2) are charged with violent misdemeanors and felonies, (3) were initially-detained but now eligible for release, or (4) are compliant with conditions of work release and appropriate for placement back into the community. Supervision requirements include face-to-face contact and drug testing at least once per week and a daily electronically monitored curfew. If the Court orders a stay away condition, that condition and the curfew are monitored by Global Positioning Surveillance (GPS).

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

The **Treatment Program Area** includes the Superior Court Drug Intervention Program (SCDIP) (hereafter referred to as Drug Court), the New Directions Program, the Sanction-Based Treatment Track (SBTT), the Specialized Supervision Unit (SSU), the D.C. Misdemeanor and Traffic Court (Drunk Driving) Initiative (DCMTI), and the Social Services and Assessment Center (SSAC).

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

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

The **SBTT** also includes many features of Drug Court. Defendants in SBTT are subject to the same administrative and court-imposed sanctions as Drug Court defendants. Like other Treatment program areas, PSOs in SBTT recommend swift sanctions and provide recognized incentives to defendants, but the SBTT is unique in that much of the substance dependence treatment is provided by contracted treatment providers. Similar to New Directions, defendants with violent and non-violent charges are eligible, and diversion from prosecution is not offered.

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

The **DCMTI** provides supervision, referrals for substance dependence and mental health treatment, and monitoring of compliance with treatment for defendants charged with certain misdemeanor traffic or D.C. code offenses. Defendants charged with Driving Under the Influence

(DUI), Operating While Impaired (OWI), and Driving While Intoxicated (DWI) are primarily eligible for this treatment program. Other D.C. code offenses eligible for this program include reckless driving, aggressive panhandling, indecent exposure, and fleeing from a police officer. PSOs in this unit ensure the defendants are assessed for substance dependence (particularly alcohol) and/or mental health treatment.

The **SSAC** provides substance dependence assessments and social service referrals for defendants under pretrial supervision. These services are provided in response to a court-ordered release condition and/or as the result of a needs assessment. The SSAC conducts approximately 380 substance dependence assessments or re-assessments per month. The SSAC also tests and evaluates defendants suspected of having a mental illness. Staff in the SSAC identify and maintain information on treatment, employment, education, housing and other social services that may be utilized by defendants in meeting pretrial release obligations.

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

The following areas within the Agency provide management, program development, and frontline operations support:²

- Justice and Community Relations
- Forensic Research
- Financial Management
- Office of Human Capital Management and Training
- Information Technology
- Research, Analysis and Development

² Certain functions are performed by CSOSA for PSA, including those of the Office of General Counsel; Legislative, Intergovernmental, Public Affairs; Equal Employment Opportunity; Diversity and Special Programs; and Professional Responsibility.

Resource Requirements by Critical Success Factors (CSF)

The Government Performance and Results Modernization Act of 2010, (PL 111-352 or GPRA 2.0) requires Federal agencies to set outcome and performance measure targets for the current fiscal year and recommend to the Office of Management and Budget targets for the ensuing two fiscal years. Recommended targets must be ambitious, but reasonable and linked to the agency's strategic mission and objectives. Consistent with GPRA 2.0 requirements, PSA's outcome and performance measure targets for FY 2012 through FY 2015 are based on the Agency's actual performance over the past five fiscal years as well as our expectation of appropriate and quality performance in our CSF areas of risk assessment, supervision, substance dependence treatment and mental health treatment integration, and partnerships. The targets also reflect improvements in data collection under our operational information system (Pretrial Real-time Information System Manager or PRISM) and our enhanced capacity to track, report, and analyze data and trends through PSA's Data Warehouse.

Outcome Measures

The FY 2012-2015 target for "rearrests on violent crimes" is two percent, one percent lower than in FY 2011. This new target reflects a correction to the data analysis programming that incorrectly included certain felony offenses as "violent" crimes.

Performance Measures

PSA is adjusting targets to 95 percent (from 99 percent) for measures 3.1 and 3.5 starting in FY 2012 and onward. This reflects PSA's improving identification of referrals for initial substance dependence assessments in PRISM as well as increased sophistication and accuracy in measuring these data. PSA considers the 95% actual an "ambitious, but reasonable" future target, given that compliance to substance dependence and mental health assessment requests from pretrial staff is voluntary for pretrial defendants. Because assessments are not mandatory, unless court-ordered, expecting a near perfect compliance to the procedure is an unreasonable performance goal. For example, PSA recorded close to 4,000 substance dependence treatment assessment referrals in FY 2011. To reach the current 99 percent performance target, no more than 58 referred defendants would have to decline an assessment for the entire fiscal year. The 95 percent target would allow for 200 declinations for the year, yet still ensure over 3,800 completed assessments.

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

FY 2013 Budget Distribution By Program Office and Performance Measure

(Dollars in thousands)

Performance Measure	Diagnostic	Diagnostic Evening/Midnight	US District Court	GSU	HISP	Court Representation Team	SSU	SSAC	Drug Court (SCDIP)	New Directions Program	DCMTI	Contract Treatment	DTCU	FTDTL
1.1 - Risk Assessment	3,113	1,065	255										1,412	
1.2 - Initial Release Recommendation	3,176	2,982	255											
2.1 - Compliance with Release Conditions		170	679	4,574	4,040	685	1,723		1,621	1,455	1,240			2,937
2.2 - Sanctions for Non-compliance			339	3,557	1,865	2,884	345		541	485	413		1,412	
3.1 - Substance Abuse Assessment								2,170						
3.2 - Placement in Drug Treatment			68	1,931	249									
3.3 - Reduction in Drug Use			85						540	485	413	1,655	2,824	2,937
3.4 - Connection to Education/Employment Services								543						
3.5 - Mental Health Assessment							1,034							
3.6 - Connection to Mental Health Services							344					87		
4.1 - Partnerships	63	43	17	102	62	36								
TOTAL	6,352	4,260	1,698	10,164	6,216	3,605	3,446	2,713	2,702	2,425	2,066	1,742	5,648	5,874

Analysis by Critical Success Factors

Dollars in thousands

	FY 2011 Actual	FY 2012 Base	ATBs	Program Changes	FY 2013 Request	Change from FY 2012
CSF 1: Risk and Needs Assessment						
<u>Major Activities:</u> Diagnostics, Risk Assessments, Drug Testing, Court Reports						
\$000s	\$11,992	\$12,194	+\$63	\$0	\$12,257	+\$63
FTE Projected	89	89	0	0	89	0
CSF 2: Close Supervision						
<u>Major Activities:</u> Monitoring, Drug Testing, Supervision, Sanctions						
\$000s	\$30,259	\$30,936	+\$145	\$0	\$31,081	+\$145
FTE Projected	195	195	0	0	195	0
CSF 3: Treatment and Related Services						
<u>Major Activities:</u> Supervision, Treatment, Sanctions						
\$000s	\$15,598	\$15,184	+\$66	\$0	\$15,250	+\$66
FTE Projected	90	90	0	0	90	0
CSF 4: Partnerships						
<u>Major Activities:</u> Supervision through community linkages						
\$000s	\$326	\$321	+\$2	\$0	\$323	+\$2
FTE Projected	2	2	0	0	2	0

CSF 1 - Risk and Needs Assessment: *Support judicial officers in making the most informed and effective non-financial release determinations through the pretrial period by formulating and recommending to the courts the least restrictive release conditions that will reasonably assure that the defendant will appear for scheduled court dates; and not pose a threat to any person or to the community while on release.*

The foundation of effective pretrial supervision is based upon appropriate release conditions. The bail report provides much of the information the judicial officer uses to make a determination of the risk the defendant poses to the community and to determine what level of supervision, if any, the defendant requires. The bail report includes prior and current criminal history, lock-up drug test results, risk assessment, treatment needs and verified defendant information (residence, employment status, community ties, etc.). An initial drug test at lock-up is fundamental to the determination of PSA release conditions. Approximately 36 percent of initial drug tests are positive for cocaine, opiates, PCP or amphetamines.

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

Alternatively, data provided by PSA may indicate that the defendant is not a good risk for citation release, and should be held pending a first appearance before the Court.

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

CSF 1 - Performance Measures

Measures		FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2011 Target	FY 2012 Target	FY 2013 Target
1.1	Percentage of defendants who are assessed for risk of failure to appear and rearrest.	98%	98%	99%	98%	96%	96%	96%
1.2	Percentage of defendants for whom PSA identifies eligibility for appropriate appearance and safety-based detention hearings	NA	NA	96%	95%	95%	95%	95%

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

Risk Assessment: By statute, PSA is required to collect information on each defendant and use the information to assess risk. Factors associated with the risk of rearrest and failure to appear for scheduled court appearances are identified. Each defendant is assessed and recommendations are made to the Court that match the risk associated with each defendant to appropriate levels of monitoring and supervision.

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

FY 2011 Accomplishments

- ✓ PSA prepared Pretrial Services Reports (PSRs) for 15,692 (98 percent) cases papered by the United States Attorney's Office (USAO).
- ✓ Court Services Program staff interviewed defendants in 13,432 papered cases (85 percent), and provided drug test result data in 13,264 PSRs (84 percent).
- ✓ Only 170 cases (less than one percent) were called into initial court appearances without a PSR.
- ✓ PSA worked with the USAO, D.C. Superior Court, and the Metropolitan Police Department (MPD), to revise the criteria for citation release eligibility. As a result, 21,165 citation release investigations were conducted to determine if arrestees could be released directly from police custody pending arraignment. Based partly on these investigations, MPD cited and released 13,867 arrestees.
- ✓ PSA continued to collaborate with the D.C. Department of Youth Rehabilitation Services and the D.C. Superior Court Social Services Division in identifying youthful defendants who have pending juvenile cases and are charged as an adult in a new case.
- ✓ PSA staff conducted 463 failure to appear investigations on defendants who missed scheduled court appearances. Staff attempted to contact defendants, verified the reason for the failure to appear, and submitted a report to the assigned calendar judge outlining the investigation results and making a recommendation for court action. Court Services staff also facilitated the surrender to court of 172 additional defendants who missed scheduled court dates and had outstanding bench warrants issued.
- ✓ Staff prepared 1,581 updated PSRs for defendants who were held for a preliminary/detention hearing following their initial appearance. PSA also fully implemented new procedures that require PSOs to provide the Court with information on all prior papered arrests (rather than just convictions) at detention hearings for defendants charged with violent and weapons offenses.
- ✓ To support the PRISM system upgrade, Court Services staff facilitated the drafting of the *Court Services Diagnostic Manual*. The manual provides program staff with detailed instructions on conducting a diagnostic interview and investigation, procedures on using PSA's risk assessment to help formulate recommendations for release and detention, and step-by-step instructions on logging work into PRISM 3.2.

CSF 2 - Close Supervision: *Provide effective monitoring or supervision of pretrial defendants, consistent with release conditions, so that they return to court and are less likely to engage in criminal activity while under pretrial supervision.*

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

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

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

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

**PSA Supervision Caseload Ratios
As of September 30, 2011**

Category	PSOs	Defendants	Ratios	Functional Description
General Supervision				
Condition Monitoring/ Courtroom Support	14	1,546	1:110	Low risk defendants requiring minimal level supervision
Extensive Supervision	42	3,340	1:80	Medium-to-high risk defendants with drug testing, stay away, and reporting conditions
Subtotal – General Supervision	56	4,886		
High Intensity Supervision	14	340	1:24	Higher-risk defendants placed on electronic surveillance or home confinement
Work Release	2	88	1:44	Higher-risk defendants ordered to the Department of Corrections halfway house. Supervision may include other conditions.
Treatment Oriented Supervision (includes Drug Court, New Directions, SSU, and DCMTI)	42	1,576	1:38	Higher-risk defendants ordered to substance abuse or mental health treatment
US District Court	6	271	1:45	Felony and Misdemeanor defendants charged in US District Court
Total	118	7,161		

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

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

Appropriate Supervision: Appropriate supervision reduces rearrest and failures to appear. Defendants who are appropriately supervised are held accountable to the Court. Supervision provides structure for defendants and reinforces the Courts’ expectations. An important function that PSOs perform is to make defendants aware of behavioral expectations while on pretrial release. Defendants are informed of the conditions by which they must abide and the consequences of non-compliance. Because violations of conditions may indicate that defendants

are about to engage in illegal behavior, non-compliance must be addressed as quickly as possible. Holding defendants accountable is critical to keeping PSA’s supervision credible as perceived by defendants, the Court and the community. When violations of conditions are detected, PSA informs the Court, and when warranted, seeks sanctions, including revocation of release. Defendants in certain programs are also subject to administrative sanctions for non-compliance.

CSF 2 - Performance Measures

Measures		FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2011 Target	FY 2012 - 2015 Target
2.1	Percentage of defendants who are in compliance with release conditions at the end of the pretrial period	77%	78%	79%	78%	77%	77%
2.2	Percentage of defendants whose non-compliance is addressed by PSA either through the use of an administrative sanction or through recommendation for judicial action:						
	- drug testing violations	97%	97%	93%	89%	80%	80%
	- contact violations	90%	87%	85%	84%	70%	70%
	- sanction-based treatment program violations	89%	76%	72%	84%	80%	80%
	- electronic monitoring violations	100%	99%	85%	97%	92%	92%

FY 2011 Accomplishments

- ✓ GSU supervised 18,108 placements in PSA programs, including 14,275 placements ordered into the program during the fiscal year.
- ✓ HISP handled 1,550 higher risk placements, including 1,170 placements ordered into the program during the fiscal year. This included 1,426 defendants placed on electronic surveillance (702 cellular electronic monitoring placements, 579 GPS placements, and 145 landline placements). In addition, HISP managed 587 defendants ordered into the Department of Corrections halfway houses, including 531 placed during the fiscal year. On September 30, 2011, the HISP caseload stood at 340 higher-risk and electronically monitored defendants and 88 defendants under halfway house supervision.
- ✓ PSA developed a computer interface with its electronic monitoring vendor. The interface allows all defendant infractions from PSA’s electronic monitoring vendor to be downloaded directly into PSA’s automated system (PRISM). This will allow timely response to infractions and assist PSA with capturing electronic monitoring trends.

- ✓ A case management module (PRISM 4.0 Dashboard) was designed to assist PSOs to prioritize their work with large caseloads. The module allows for quality oversight by supervisors and the Deputy Director of Supervision. This will improve PSA's responses to infractions.
- ✓ PSA, in collaboration with D.C. Superior Court, improved defendant supervision by developing a "Report to PSA as directed" condition for appropriate defendants. This requirement gives PSA more discretion on how and when defendants report to PSA. PSA anticipates that this change will improve the efficiency and quality of supervision by allowing PSA to respond to defendant compliance and non-compliance to supervision more quickly.
- ✓ PSA developed a quality control plan for its supervision programs.

Drug Testing

- ✓ The **FTDTL** conducted 3,470,274 drug tests on 538,272 urine samples of persons on pretrial release, probation, parole, and supervised release, as well as for persons (juveniles and adults) whose matters are handled in the DC Family Court. These results are critical to assessing risk and needs levels. Approximately 52 percent of the pretrial defendants tested in FY 2011 (11,066 of 21,244) had at least one positive test.
- ✓ The Laboratory experienced increased requests for gas chromatograph/mass spectrometry (GC/MS) confirmations, with 9,096 requests recorded during the fiscal year. This represents a nine percent increase from FY 2010. Additionally, laboratory staff performed over 29,000 levels analysis. These interpretations are essential to the courts for determining continued drug use by a defendant. The FTDTL processed approximately 860 affidavit requests and provided technical toxicological information to assist the courts. Laboratory staff served as expert witnesses approximately 240 times to interpret drug test results in the face of challenges by defendants. Laboratory staff provided continuing education and training seminars to incoming Drug Court judges, PSOs, and CSOSA Community Supervision Officers (CSOs) as needed.
- ✓ The availability of PSA's GC/MS/MS (Tandem Gas Chromatography Mass Spectrometer) instrument continues to be a valuable tool in the identification of Levamisole in the urine samples of some D.C. defendants and offenders who test positive for cocaine use. The technology has also been successful in leveraging the identification and quantification of buprenorphine (Suboxone), and designer stimulants (bath salts). Progress is also being made in the identification of designer marijuana (K2 Spice) in urine samples. Finally, this technology enabled the laboratory to successfully resolve a problem, arising from interference in the enzyme multiplied immunoassay technique (EMIT) screening assay by a common cough additive. The laboratory noted that certain cough medications containing dextromethorphan (DM) were being abused, and the subsequent presence of DM in affected urine samples interfered with the outcome of PCP screening tests.
- ✓ Toward the end of the year, the laboratory conducted a pilot study using a different assay kit (Microgenics) to monitor the probable presence of PCP in urine samples because of the interference caused by DM when using the current standard assay kit for screening. This new kit proved effective in eliminating the interference caused by DM in PCP cases and was chosen

as a replacement for the rapid and efficient screening for PCP in urine samples. The FTDTL began two other pilot studies using screening assay kits for the detection of 6-MAM and buprenorphine, respectively. These screening assays are being investigated to facilitate the rapid identification of the use of heroin, and the emergence of the use of buprenorphine.

CSF 3 - Treatment and Support Services: *Provide for, or refer defendants to, effective substance abuse, mental health, and social services that will assist in reasonably assuring that defendants return to court and do not pose a danger to the community.*

The connection between substance dependence and crime is well established. PSA works to reduce drug-involved defendant rearrest and failure to appear rates through three core activities: 1) identifying and addressing problematic drug use, alcohol abuse, and other criminogenic needs; 2) utilizing motivational strategies and program incentives to encourage treatment initiation and engagement; and 3) establishing swift and certain consequences for continued drug use. Court supervised incentive and sanction-based treatment is one of the most effective tools for breaking the cycle of substance dependence and crime. In addition to public safety benefits, the community also benefits from the cost savings of providing treatment in lieu of incarceration. A recently completed Department of Justice-funded study of 23 drug courts in six states found that drug courts significantly reduce drug use, crime, and costs.³ PSA is committed to providing incentives and sanction-based treatment options to the defendant population as a mechanism for enhancing community safety. During FY 2011, defendants using drugs had a rearrest rate of 16 percent, while defendants who did not use drugs had a rearrest rate of 7 percent.

Drug use also can contribute to failures to appear for scheduled court dates. Drug addiction commonly results in a disorganized, poorly managed lifestyle, and disorganization is the most frequently cited reason for failures to appear.⁴ Assuring that defendants appear for scheduled court hearings is central to PSA's mission. To fulfill its mission, the Agency therefore must address drug dependence issues with the defendants the Agency supervises.

Research has indicated that drug courts that have performed monitoring and evaluation and made changes based on the feedback have significantly better outcomes, including 50 percent reductions in recidivism rates and twice the cost savings.⁵ The Drug Court (SCDIP), which is administered by PSA, participated in an independent experimental evaluation⁶ designed to compare the impact of sanction-based contingency contracts with an intensive drug treatment program. The sanction-based contingency contract program, which did not require mandatory treatment, and the intensive drug treatment program both were compared with traditional case processing. PSA used drug test results to identify defendants in need of drug treatment. Drug testing was found to be an effective and efficient way of identifying habitual drug users, and test results helped PSA focus its resources on known users.

³ Rossman, S., Roman, J., Zweig, J., Rempel, M., & Lindquist, C., (2011). *The Multi-Site Adult Drug Court Evaluation: Executive Summary*. Urban Institute, June 1, 2011.

⁴ Clarke, Stevens H., "Pretrial Release: Concepts, Issues and Strategies for Improvement," Research in Corrections, Vol. 1, Issue 3, National Institute of Corrections, U.S. Department of Justice, Washington, DC, 1988.

⁵ Carey, S, Waller, M, & Pukstas, K. (2008). *Exploring the Key Components of Drug Courts: A Comparative Study of 18 Adult Drug Courts on Practices, Outcomes, and Costs*. Submitted to the U.S. Department of Justice, National Institute of Justice, May 2008. NIJ Contract 2005M114.

⁶ Harrell, A., Cavanaugh, S., and John Roman, "Evaluation of the DC Superior Court Drug Intervention Programs," Research in Brief, National Institute of Justice, U.S. Department of Justice, 2000.

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

Research performed by the Washington/Baltimore High Intensity Drug Trafficking Area project has found that the length of time in treatment contributes proportionately to reductions in arrest, drug use and technical violations. In addition, this study found that involvement in drug treatment programs with regular drug testing and immediate sanctions for violations resulted in a 70% reduction in recidivism in the 12 months following completion of the programs.⁷

Given PSA's mission of enhancing public safety, the Agency must address drug use/dependence in the defendant population and has done this in a number of ways. PSA has expanded the use of sanction-based drug treatment and continues to expand the range of tools available to assist in the supervision of higher risk defendants. Defendant access to employment and other types of social services has improved.

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

In addition to drug use, other factors such as unemployment, low educational attainment, and homelessness can contribute to criminal activity. As PSA builds successful relationships with a broad range of service providers, other services are being identified that may impact criminal behavior or provide support to defendants. Treatment and support services are provided in the following three areas:

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

⁷ Certification Report, CSOSA, 2000

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

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

CSF 3 - Performance Measures

Measures		FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2011 Target	FY 2012 - 2015 Target
3.1	Percentage of referred defendants who are assessed for substance abuse treatment	99%	99%	99%	97%	99%	95%*
3.2	Percentage of eligible assessed defendants placed in substance abuse treatment programs	50%	52%	53%	50%	50%	50%
3.3	Percentage of defendants who have a reduction in drug usage following placement in a sanction-based treatment program	71%	74%	80%	84%	74%	74%
3.4	Percentage of defendants connected to educational or employment services following assessment by the SSAC	94%	100%	89%	97%	92%	92%
3.5	Percentage of referred defendants who are assessed or screened for mental health treatment	98%	98%	92%	95%	99%	95%*
3.6	Percentage of service-eligible assessed defendants connected to mental health services	83%	98%	93%	82%	80%	80%

* Target is adjusted for FYs 2012 – 2015 as discussed on page 14.

FY 2011 Accomplishments

- ✓ Drug Court (SCDIP) managed 1,037 placements, including 723 new placements during the fiscal year — 272 defendants graduated the program and 17 exited early but were compliant with treatment requirements. (These numbers include some defendants who were placed in the program during the previous fiscal year). On September 30, 2011, Drug Court managed 356

defendants, a 13 percent increase over the number of Drug Court participants at the end of FY 2010 (314).

- ✓ The New Directions Program supervised 916 placements — 697 were new placements into the treatment program during the fiscal year. Unlike Drug Court, these defendants' cases appear on multiple criminal calendars whose timelines often do not facilitate defendants completing treatment prior to case disposition. If sentenced to a term of probation, defendants continue their treatment with CSOSA's CSP. On September 30, 2011, 195 defendants were under New Directions treatment and supervision.
- ✓ One hundred twenty-seven placements were under sanction-based treatment contracts, including 97 ordered into treatment during this period. The sanction-based program is designed for those defendants who are not eligible for Drug Court or New Directions. On September 30, 2011, 21 defendants were under sanction-based treatment and supervision.
- ✓ The SSU supervised 2,374 placements in need of mental health services, including 1,774 placed into the unit during the fiscal year. The SSU caseload on September 30, 2011 stood at 660, a 10 percent increase in census over the same period last year.
- ✓ PSA completed 3,847 initial and 1,233 subsequent Addiction Severity Index substance dependence assessments and 620 Triage Assessment of Addictive Disorders alcohol assessments. Eighty-two percent of the initial assessments indicated that the defendant needed treatment.
- ✓ PSA and Department of Mental Health (DMH) staff completed 2,557 mental health assessments on 2,492 defendants. (PSA staff completed 1,914 assessments and DMH staff completed 643). Of the defendants assessed, 83 percent needed treatment or adjustments to current treatment.
- ✓ PSA commissioned assessments of the Drug Court (SCDIP) program and its in-house Support, Treatment and Addiction Recovery Services (PSA STARS). The Drug Court assessment team found that the program largely met the guidelines for drug courts approved by the National Association of Drug Court Professionals. The team made several recommendations for PSA Management's review, including using a greater variety of incentives and sanctions to address defendant behavior, adding regular Drug Court staffings, increasing the tenure of judges assigned to Drug Court, and assigning dedicated defense attorneys to the Drug Court. (PSA staff is leading a sub-committee of Drug Court stakeholders to develop detailed proposals on the assessment team recommendations approved by the Drug Court Steering Committee). The PSA STARS assessment team completed its preliminary report and presented its findings for PSA Management's consideration at the end of the fiscal year.
- ✓ PSA completed an exhaustive solicitation process and entered into new five-year contracts with eight community based treatment centers to provide treatment services for substance dependent defendants. To address the rising population with co-occurring substance and mental health-related disorders, all contractors were required to be able to service those with dual diagnosis of sufficient stability to benefit from treatment.

- ✓ PSA Treatment staff facilitated 2,484 treatment group sessions for a total of 3,726 group hours.
- ✓ PSA continued to operate its DCMTI. This program supervises persons processed in D.C. Misdemeanor and Traffic Court who require drug surveillance, substance dependence treatment or mental health services as conditions of release. Defendants released to DCMTI are required to submit to regular drug surveillance and, when appropriate, are connected to community-based treatment and service providers. DCMTI supervised 1,514 defendants, with 1,038 defendants ordered into supervision during that period. Eighty-two percent of DCMTI defendants presented an alcohol abuse or alcoholism issue.
- ✓ The Mental Health Community Court (MHCC) served 668 defendants during this fiscal year, 284 of whom were certified to the diversion program during the fiscal year. The diversion court also recorded 231 participants who had their cases dismissed due to successful completion of diversion requirements. Additionally, the MHCC expanded to include defendants charged with certain non-violent felony offenses. As of September 30, 2011, the MHCC certified approximately 118 felony-charged defendants for diversion participation.
- ✓ After PSA completed a successful pilot project on random drug testing for newly-placed defendants in New Directions, random testing was implemented throughout the New Directions Program. Planning is now underway to implement random testing in the Drug Court (SCDIP) as well.
- ✓ To improve the quality and efficiency of the PSA addiction assessments, the SSAC began utilizing new ASI software—Accu-Care. The Accu-Care software provides an enhanced ASI with an expanded mental health section and automated summaries that are consistent with the American Society of Addiction Medicine (ASAM).
- ✓ Treatment staff members worked with Office of Information Technology staff and contractors to develop the requirements for major enhancements to PRISM. This enhancement creates a module for implementing PSA STARS, including automated schedules, rosters, and reports. User testing has been completed and implementation is expected shortly.

CSF 4 - Partnerships: *Establish and maintain effective partnerships with the judicial system, law enforcement, and the community to enhance PSA's ability to provide effective community supervision, enforce accountability, increase community awareness of PSA's public safety role, and develop opportunities for defendants under pretrial supervision and pretrial diversion.*

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

likelihood of success while under pretrial supervision. In order for partnerships to be viable, PSA proactively identifies initiatives, seeks partnering entities, and collaborates with stakeholders to develop goals, objectives, and implementation plans.

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

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

CSF 4 - Performance Measures

Measures		FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2011 Target	FY 2012 - 2015 Target
4.1	Number of agreements established and maintained with organizations and/or agencies to provide education, employment, or treatment related services or through which defendants can fulfill community service requirements	19	19	20	22	20	20

FY 2011 Accomplishments

- ✓ PSA continued participation in GunStat, a collaborative District-wide effort initiated in FY 2008 aimed at tracking gun cases through the criminal justice system to identify trends and system strengths and weaknesses in the handling of these cases. This effort is now focused on those persons who are considered to be major violators as identified by law enforcement. PSA met monthly with other stakeholders in the D.C. criminal justice system to discuss the status of cases already in the system. During FY 2011, this collaboration was extended to include gang-related activity and has been credited by the MPD Chief of Police as resulting in the District’s continuing success in the reduction of homicides.
- ✓ PSA continued its collaboration with the D.C. Superior Court’s East of the River Community Court (ERCC). ERCC made 430 community services referrals to agencies east of the Anacostia River. These resulted in 390 defendants completing 8,670 hours of service within the East of the River community during fiscal year 2011.
- ✓ PSA signed a Memorandum of Agreement to formalize information sharing with CSOSA, the D.C. Superior Court Social Services Division and the D.C. Department of Youth

Rehabilitation Services on persons who are under joint supervision by these agencies. As a result, PSOs of the Supervision Program are working more closely with these criminal justice partners and have access to current, reliable information on arrestees or defendants under supervision of other agencies when preparing pretrial services reports and recommendations to the courts.

- ✓ PSA actively participated with CSOSA's CSP and the D.C. Department of Mental Health to update, renew and newly execute the Memorandum of Understanding (MOU) that originally was signed in 2005 to coordinate our respective responsibilities and goals for helping individuals with mental illness and dual diagnosis conditions who are involved in the criminal justice system to succeed under supervision. This MOU recognizes that each agency must develop specific approaches to supervision, service provision and case management for this population. PSA, along with CSP, specifically seeks to enhance and expand its ability to be more effective in identifying, case managing, and supervising this population through the establishment of special supervision options for mentally ill defendants.
- ✓ PSA also is supporting the CJCC's Case Initiation project that will automate the filing of adult criminal cases in the D.C. Superior Court from arrest through prosecutorial action to actual case filing. This electronic exchange will forward case information (both data and documents) among the participants through a new secure messaging infrastructure. The benefits will be improved defendant identification, fewer mistaken identity cases, faster case filing from prosecutors, and a more efficient arraignment process.
- ✓ In August 2011, PSA joined the USAO, MPD, the D.C. Superior Court, and the CJCC in coordinating the *DC Safe Surrender Program*. DC Safe Surrender allowed persons wanted for non-violent felonies or misdemeanors in the District to surrender voluntarily in a safe environment. The program assured that these individuals would be treated fairly, with dignity and in a safe and professional environment. Most importantly, DC Safe Surrender helped reduce risk in neighborhoods where fugitives resided, as well as the risk to the law enforcement officers who pursue fugitives. Under the initiative, PSA helped facilitate the safe surrender of 856 individuals in 912 cases.

Supporting Materials

Strategic Human Capital Management

- ✓ Responding to the President's Hiring Reform initiative, the Office of Human Capital Management (OHCM) has eliminated the requirement for narrative responses to KSAs (Knowledge, Skills and Abilities) in initial job applications. A resume-based method is now used for determining qualifications, easing the burden on applicants and streamlining the application process.
- ✓ PSA has further simplified the application process by moving to an on-line hiring system. The new system allows for applicants to respond to vacancy announcements on-line and to track their application's progress through the system.
- ✓ The implementation process for the Electronic Official Personnel Folder (eOPF) began this fiscal year and is scheduled for completion in FY 2012. This initiative will provide employees with access to their individual OPFs through a secure Internet connection.
- ✓ More than 57 percent of Agency employees participated in the FY 2011 *Employee Viewpoint Survey*. PSA's index scores across the four Human Capital Assessment and Accountability Framework (HCAAF) areas exceeded that of the federal workforce as a whole:
 - Leadership and Knowledge Management: 73 percent for PSA as compared to 65 percent for the federal workforce sample;
 - Results-Oriented Performance Culture: 61 percent for PSA as compared to 58 percent for the federal workforce sample;
 - Talent Management: 72 percent for PSA as compared to 69 percent for the federal workforce sample;
 - Job Satisfaction: 72 percent for PSA as compared to 70 percent for the federal workforce sample.

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

- ✓ OHCM and PSA management continue to foster effective labor-management partnerships and comply with law and regulation; examples of results include:
 - To implement Executive Order 13522, requiring that agencies monitor improvements in labor-management relations, PSA worked through the existing bi-weekly Labor Management Forum and established working groups to identify required quantitative and qualitative data needed and to develop methods for extracting and analyzing this information.

- In further response to this Order, all PSA managers and supervisors completed training on pre-decisional involvement.
 - The Collective Bargaining Agreement (CBA) was renegotiated; the new agreement is pending ratification and is expected to be in place by the end of the second quarter in FY 2012.
 - The PSA Annual Training and Professional Development Conference included a joint management/union Labor Management Relations Panel forum, an open venue for all Agency employees to pose frequently asked questions to both union and management panel members on relatively common work life issues.
 - PSA began requiring that all new supervisors complete a two-day training course, “Managing in a Bargaining Unit Environment.”
- ✓ PSA continued to support Special Emphasis Committees and Equal Employment Opportunity Initiatives with CSOSA’s CSP, making staff available on a regular basis for these important efforts. A PSA employee leads the Federal Women’s Committee; another leads the Hispanic Program Committee; and a third leads the Disability Employment Program Committee. Other PSA employees participate on these and other committees on an ongoing basis.
 - ✓ The supervisory mentoring program was again required for all new supervisors and the fifth iteration of the non-supervisory mentoring program was offered to eligible employees. PSA also offered a number of graduate school developmental opportunities such as the Executive Leadership Development Program and Aspiring Leader Program.
 - ✓ PSA continued outreach to groups that are underrepresented in the work force, with particular focus on Hispanic recruitment. PSA is researching and building relationships with organizations with a high constituency of Hispanics and organizations with the ability to connect Hispanic job seekers with the organization. Accomplishments included:
 - PSA staff volunteered at the 2nd Annual Maryland Hispanic Youth Summit, hosted by the Hispanic College Fund. More than 200 local Hispanic high school students come together to develop a network of peers and mentors, learn about resources and tools for college, and develop a long-term career vision.
 - PSA created a partnership with the Hispanic Association of Colleges & Universities (HACU) and hosted its first HACU intern from June 2010 through August 2010.
 - Recruitment efforts focused on Hispanic-serving institutions which include the John Jay College of Criminal Justice and the University of Maryland at College Park. In an effort to expand outreach, PSA continues to send vacancy announcements to the National Association of Latino Fraternal Organizations.

Employee Wellness Program

- ✓ PSA created a stand-alone Article in the CBA between the Agency and the American Federation of Government Employees (AFGE) Local 1456, committing to maintaining a quality work environment by promoting and fostering work/life balance initiatives that enhance employee morale, support good job performance, and improve recruitment and retention.

- ✓ Alternative Work Schedules (AWS) provide employees flexibility and are available for all PSA employees, replacing the traditional fixed five days a week, 8 ½ hour a day work schedule. Through the Agency/AFGE CBA, PSA has implemented flexible work schedules such as the use of credit hours and gliding work schedules, as well as compressed work schedules allowing employees to work 5-4-9 and 4-10 work schedules.
- ✓ PSA's telecommuting program has expanded greatly to include virtually every position in the agency on at least an occasional use basis. The telecommuting program is reducing employee commuting time and associated problems, thereby assisting in improved morale and productivity.
- ✓ PSA continues to participate in the Federal Occupational Health's (FOH) Employee Assistance Program (EAP). This is a professional resource providing the agency problem solving, coaching, training, information, consultation, counseling, resource identification, and support for all employees.

Business Processes and Information Technology

- ✓ The Agency continued to improve its information technology posture and to utilize technology to streamline processes and improve data sharing with its customers. Accomplishments in this area include:
 - PRISM was moved to the Microsoft.NET framework, allowing PSA to take advantage of the latest technology platform. This will improve system performance, optimize Pretrial Services Report (PSR) preparation, and eventually allow PSOs to complete on-line wireless interviews.
 - PRISM 3.2 was implemented, simplifying production of the PSR and facilitating risk assessment and release recommendations to the Court.
 - A new treatment module and a new electronic monitoring module were developed and will be released into production under PRISM 4.0. Both modules are ready for user testing and training with full deployment expected in FY 2012.
 - PSA implemented Windows 7 to increase security and ensure compliance with Federal standards.
 - Data sharing efforts included the Case Initiation Project and improved and targeted information on bench warrants.

Strategic Planning

- ✓ PSA's major strategic planning focus in FY 2011 was implementing the revised GPRA Modernization Act of 2010 (PL 111-352). Signed into law by President Obama in January 2011, GPRA 2.0 modernizes the Federal government's performance management framework. The Act reinforces key elements of the Administration's approach to improving the effectiveness and efficiency of government. Similar to the GPRA of 1993, GPRA 2.0 emphasizes the use of goals and measures to improve outcomes in a limited number of policy areas, as well as management objectives in financial management, human capital, and procurement.

✓ PSA's FY 2011 milestones under GPRA 2.0 include:

- Designating its Deputy Director as the Agency's Chief Operating Officer (COO). The COO will provide overall organization management to improve Agency performance and achieve Agency goals through the use of strategic and performance planning, measurement, analysis, regular assessment of progress, and use of performance information to improve results.
- Drafting the *FY 2012-FY 2016 Strategic Plan*, the first developed under GPRA 2.0 criteria. Staff involved with *Strategic Plan* development interviewed PSA's internal and external stakeholders for their opinions on the Agency's main strategic objectives and areas for improvement over the next four years. Staff also employed an environmental scan of strengths, weaknesses as well as opportunities and issues within the current and assumed future justice and community environment. Finally, staff used results from the *2011 Employee Viewpoint Survey* to gauge PSA staff's knowledge of agency mission and goals and their perceived willingness to work towards identified strategic goals. The *Strategic Plan* will be posted on the PSA website in February 2012.
- Dovetailing strategic planning with the human capital management strategic planning process. Staff of PSA's OHCM was involved in all of the interviews to determine the human resources needed over the next four years to meet strategic objectives. OHCM and the Training and Career Development Center have revised their annual work plans to correspond directly to the human capital management systems that are articulated in the Agency's Human Capital Plan. The plans are now fully aligned to the strategic goals and objectives established for the Agency in its Human Capital Plan.

Financial Statement Audit

- ✓ The FY 2011 independent financial audit, conducted by KPMG, resulted in an "unqualified" (clean) opinion, found no significant issues or material weaknesses, and verified that PSA's financial records accurately reflected the financial condition of the Agency.

Redundant and Duplicative Reports

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

Budget Display

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

Grade	FY 2011 Actual			FY 2012 Enacted			FY 2013 Request			Variance	
	Pos.	FTE	Amount	Pos.	Proj. FTE	Amount	Pos.	Proj. FTE	Amount	Pos.	Amount
SES	4	4	637	4	4	660	4	4	664	0	4
GS-15	11	11	1,673	11	11	1,732	11	11	1,742	0	10
GS-14	24	23	2,700	24	23	2,796	24	23	2,720	0	-76
GS-13	55	55	5,207	55	55	5,391	55	55	5,422	0	31
GS-12	180	179	15,234	180	179	15,091	180	179	15,058	0	-33
GS-11	28	28	1,715	28	28	1,776	28	28	1,804	0	28
GS-10	0	0	0	0	0	0	0	0	0	0	0
GS-09	14	14	863	14	14	893	14	14	923	0	30
GS-08	6	6	338	6	6	350	6	6	352	0	2
GS-07	43	43	2,202	43	43	2,280	43	43	2,280	0	0
GS-06	12	12	457	12	12	473	12	12	476	0	3
GS-05	1	1	29	1	1	30	1	1	31	0	1
Total Appropriated Positions	378	376	31,055	378	376	31,472	378	376	31,472	0	0
Object Class											
11.1 Full Time Permanent	378	376	31,055	378	376	31,472	378	376	31,472	0	0
11.3 Other Than Full-Time Permanent			58			58			58	0	0
11.5 Other Personal Compensation			922			922			846	0	-76
12.0 Personnel Benefits			12,632			12,632			12,708	0	76
13.0 Unemployment Compensation						0			0	0	0
Personnel Costs	378	376	44,667	378	376	45,084	378	376	45,084	0	0
Non-Personnel Costs											
21.0 Travel			216			162			206		44
22.0 Transportation of Things			1			1			1		0
23.1 Rental Payments to GSA			0			2,330			2,530		200
23.2 Rental Payments to Others			4,011			1,913			1,913		0
23.3 Communications, Utilities & Misc.			592			642			592		-50
24.0 Printing and Reproduction			78			78			43		-35
25.2 Other Services			5,815			5,939			5,856		-83
26.0 Supplies and Materials			1,682			1,615			1,615		0
31.0 Furniture and Equipment			1,113			1,121			1,071		-50
32.0 Buildout						550			0		-550
Non-Personnel Costs			13,508			14,351			13,827		-524
TOTAL	378	376	58,175	378	376	59,435	378	376	58,911	0	-524
OUTLAYS			58,969			59,235			59,016		-219

For FYs 2012 and 2013, PSA projects an FTE usage level of 376. Projected FTE levels reflect anticipated temporary lapses in authorized on-board FTP staff due to normal attrition.