

**COURT SERVICES AND OFFENDER SUPERVISION AGENCY  
FOR THE DISTRICT OF COLUMBIA**



**FY 2012 BUDGET REQUEST**

**SUBMITTED TO THE**

**US HOUSE OF REPRESENTATIVES  
SUBCOMMITTEE ON FINANCIAL SERVICES  
AND GENERAL GOVERNMENT**

**May 5, 2011**

Good morning Deputy Chairman Diaz-Balart , Ranking Member Serrano and members of the Subcommittee:

I am pleased to appear before you today to present the FY 2012 budget request for the Court Services and Offender Supervision Agency (CSOSA), which includes the Pretrial Services Agency for the District of Columbia (PSA). CSOSA is a relatively young organization. We were established by the National Capital Revitalization and Self-Government Improvement Act of 1997 (the Revitalization Act) and received certification as an independent Executive Branch Agency on August 4, 2000.

In 1997, the District of Columbia relied on a community supervision system that was over-burdened and under-resourced. With implementation of the Revitalization Act, and the creation of CSOSA, the Federal government took on a unique, front-line role in the day-to-day public safety of everyone who lives, visits or works in the District. CSOSA's mission is to serve the District of Columbia by increasing public safety, preventing crime, reducing recidivism and supporting the fair administration of justice in close collaboration with the community. CSOSA's Community Supervision Program (CSP) supervises sentenced adult offenders in the community on probation, parole, or supervised release. PSA supervises and monitors pretrial defendants in the US District Court for the District of Columbia and the Superior Court of the District of Columbia.

CSOSA's FY 2012 budget request of \$216.8 million is comprised of a \$156.1 million request for the Community Supervision Program and \$60.7 million for PSA. Our FY 2012 budget request is an increase of \$4.4 million or 2.1 percent over the FY 2010 Enacted Budget. The \$4.4 million FY 2012 increase consists of \$1.0 million in program changes and \$3.4 million in inflationary adjustments necessary to continue current program service levels.

I will begin by addressing the FY 2012 Budget request for the Community Supervision Program, which is \$156.1 million, an increase of \$2.2 million or 1.4 percent over the FY 2010 enacted budget. Later in my testimony I will discuss the

FY 2012 Budget request for the Pretrial Services Agency, which is \$60.7 million, an increase of \$2.2 million or 3.8 percent over the FY 2010 enacted budget.

The Community Supervision Program's FY 2012 budget request provides resources to continue our public safety mission through a variety of innovative and proven offender supervision strategies designed to decrease crime and recidivism in the Nation's Capital. We supervise adult parolees and supervised releasees released to the District of Columbia by the Federal Bureau of Prisons and adult probationers sentenced by the DC Superior Court.

As of September 30, 2010, CSP supervised a total of 16,166 offenders, including 9,866 probationers and 6,300 supervised releasees and parolees. Our offender population has the following characteristics: 70 percent have a history of substance abuse; 32 percent of employable offenders are unemployed; 37 percent have less than a high school diploma or GED; 8 percent have unstable housing (most living in homeless shelters); 84 percent are male and 16 percent female. Of the offenders who entered our supervision in FY 2010, over 27 percent had been arrested for a violent offense, 30 percent had diagnosed or self-reported mental health issues, 7 percent had sex offenses in their criminal history and 26 percent had previously been under our supervision at some point in the three years prior to their FY 2010 supervision start date. In a comprehensive study of prison admissions conducted by the Bureau Justice Statistics (BJS), they noted that 35 percent of State prison inmates in 2009 were parole violators. Like offenders nationwide, many of our offenders are a high risk to public safety, have significant needs and are prone to recidivate.

The Community Supervision Program employs four operational strategies to implement our mission: effective offender risk and needs assessment; close supervision; treatment and support services; and partnerships.

Key to effective community supervision is the offender assessment process. The Community Supervision Program has developed a comprehensive risk assessment instrument, the Auto Screener, which identifies each offender's risk to the community and his or her needs. The Auto Screener is a risk and needs assessment tool that captures information about the strength of an offender's community and social support, criminal history, substance abuse history, mental health, attitude and motivation, and other areas bearing on the likelihood of future criminal activity as well as identified behavioral health needs that can mitigate potential law violation. The instrument is administered by officers trained in motivational interviewing and the principles of "what works" for community supervision. Auto Screener responses are processed through an imbedded statistical formula that has been validated and re-validated by a nationally-recognized 'think tank' with secondary validation by an expert panel of statisticians, researchers and practitioners. The results of the Auto Screener provide a quantifiable basis for supervision assignment and determining required programs and services that will contribute to an offender's success. Offenders are periodically reassessed and drug tested to determine changes in their risk levels.

The Community Supervision Program's close supervision strategies include direct offender supervision performed by Community Supervision Officers located in Agency field units throughout the District. By placing field units in the offenders' communities, Officers maintain a more active, visible community presence, collaborating with neighborhood police in the various Police Service Areas, as well as spending more of their time conducting visits of offender's homes and work sites. Our community presence also enables effective partnerships with non-profit faith institutions, local social services providers and employers.

Lower caseloads are a key element of our close supervision strategy. Prior to the Revitalization Act, supervision caseloads were in excess of 100 offenders per Officer, far in excess of recognized national standards. Our overall caseload ratios are currently 57 offenders per Officer, closer to the 50 case-per-officer level

recommended by the American Probation and Parole Association. Specialized caseloads for higher-risk offenders, such as mentally ill (53:1), domestic violence (50:1), high-risk drug offenders (43:1) and sex offenders (31:1), are even lower.

A critical component of close supervision is the swift enactment of appropriate, graduated sanctions for non-compliant behavior. Research tells us that timely intervention and consistent sanctions are critical to effective community supervision. From its inception, the Agency has worked closely with both DC Superior Court and the US Parole Commission to develop a range of options that Officers can implement immediately, prior to requesting that offenders be sanctioned by the releasing authority. The Community Supervision Program uses a variety of offender interventions and sanctions including increased drug testing, placement on Global Positioning System (GPS) monitoring, assignment to our Re-entry and Sanctions Center, placement into our new Secure Residential Treatment Program pilot or assignment to our Day Reporting Center (DRC). The DRC is an on-site cognitive restructuring program designed to change offenders' adverse thinking patterns, provide education and job training to enable long-term employment, and hold unemployed offenders accountable during the day.

Treatment and support services are provided to offenders based on the results of needs assessments and drug testing. The Agency provides a range of treatment and support services that include contract substance abuse and sex offender treatment, contract transitional housing, and education and employment-related services. We also refer offenders to community-based organizations for services that are not provided directly by the Agency, including certain substance abuse and mental health treatment, healthcare and job training. The CSOSA Re-Entry and Sanctions Center (RSC) provides high-risk offenders and defendants with intensive assessment and reintegration programming in a residential setting. The RSC program is specifically tailored for offenders/defendants with long histories of crime and substance abuse coupled with repeated periods with incarceration and little outside support.

Finally, effective partnerships and information sharing with other criminal justice agencies and community organizations is critical to the Agency's success. The Community Supervision Program works closely with the DC Metropolitan Police Department (MPD) to perform joint offender home visits and share offender arrest and GPS data. We work with our faith community partners to maintain a city-wide network of faith-based services, including offender mentoring, job training and transitional housing. In September 2009, we joined with the DC Department of Corrections (DC DOC), the United States Parole Commission (USPC), and the Federal Bureau of Prisons to implement the Secure Residential Treatment Program (SRTP) Pilot. The SRTP Pilot provides an alternative placement for DC Code offenders on parole or supervised release who face a revocation hearing due to illegal drug use, other technical and, in some cases, new criminal charges. Upon successful completion of the program, the USPC reinstates the offenders to parole or supervised release supervision without revocation to a Bureau of Prisons (BOP) facility. The SRTP Pilot is funded through FY 2011; beginning in FY 2012, BOP and DC DOC will assume full responsibility for the program.

In continuing to refine our supervision strategies for managing this high-risk and high-needs population, the Community Supervision Program draws on evidence-based practices and advanced technology and utilizes wide-ranging collaborations to move the men and women under our supervision towards successful re-integration within the community. In response to changes in our offender population and the need to manage our resources ever more efficiently, we are currently implementing or expanding several program initiatives.

First, we are significantly expanding the scope of our women's programming in response to the steady growth in number of female offenders with supervision obligations and the increasing rate of women offenders with co-occurring substance abuse and mental health issues. Between 2007 and 2010, the number of women on our daily caseload has increased by 8 percent, or approximately 200 women, each

year. Approximately 50 percent of the female offenders we supervise consistently report having been evaluated, diagnosed or treated for a mental health issue. We recently converted one 15-bed unit of the Re-entry and Sanctions Center to serve female offenders with co-occurring substance abuse and mental health issues. We also designated three offender supervision teams to supervise women only and expanded the Women in Control Again (WICA) Program to provide a more comprehensive package of gender-specific supervision services to our female offenders. The WICA Program is an integrated psycho-educational therapeutic program for women suffering from substance abuse and mental illness.

A second initiative is the implementation of a Kiosk-based reporting model for our lowest-risk offenders. Supervision kiosks are automated machines, similar to ATM machines, to which fully and consistently compliant low-risk offenders will report instead of reporting in person to a supervision officer. Offenders will report once per month (during the week of their birth date) and update information pertaining to their housing, employment and collateral contacts. Kiosks are also programmed to instruct the offender to report for random drug testing. Kiosk reporting will allow Officers to allocate more time to higher-risk offenders who need more intensive interventions and monitoring. It also serves as a powerful enticement for low-risk offenders to maintain long-term compliance with their supervision conditions. Kiosks are currently located in our field offices at 25 K Street, NE; 1230 Taylor Street, NW; 3850 South Capitol Street, SE and at MPD Headquarters at 300 Indiana Avenue, N.W.

The Community Supervision Program is also currently expanding the number of Day Reporting Centers in our community field units, including one specifically for women. Both the Kiosk program and the expanded Day Reporting Center program are being accomplished by streamlining and merging existing programs and resources.

The Community Supervision Program supervises approximately 875 offenders under the age of 21, of which 50 are jointly supervised by the DC Department of Youth Rehabilitation Services. We are presently working with the DC Superior Court, Pretrial Services Agency, the DC Department of Youth Rehabilitation Services, and DC Court Social Services to improve the processes for managing and supervising cases that have both adult and juvenile charges. We expect this effort to improve the effectiveness of the continuum of support, structure and supervision of juvenile offenders. Case management teams from each agency have been put in place to strengthen case management protocols.

In late 2010, the Community Supervision Program convened a multi-disciplinary group of key supervision, treatment and program staff to strengthen the internal processes and procedures in response to the public safety challenge posed by high risk offenders who are often PCP users, younger, far more recalcitrant, and more prone to violence. The recommendations included strategies for improving coordination across agency units, prioritizing treatment needs, balancing responses to substance abuse and criminality issues, expanding sanction options, and increasing the emphasis on cognitive behavior restructuring for certain offenders. The committees also recommended policy changes, changes to the case management training curriculum and the reorganization of some functions. These recommendations are presently under review. I expect to take action on them later this year.

I will now turn to the FY 2012 Pretrial Services Agency budget request for \$60.7 million. To help judicial officers make the most informed and effective release or detention determination, PSA conducts a risk assessment at intake for each defendant and recommends the least restrictive conditions necessary to promote future court appearance and minimize the defendant's potential risk to the community. Higher levels of supervision are requested if the defendant is consistently noncompliant with release conditions. In addition, PSA partners with



the Metropolitan Police Department (MPD) to identify misdemeanor arrestees who can be released safely from the police station pending initial appearance in court.

In FY 2010, almost 23,000 defendants completed initial evaluation drug tests, including over 21,000 at lock-up. Forty percent of defendants at lock-up tested positive for cocaine, amphetamines, PCP or opiates. In FY 2010, PSA prepared accurate and timely information in the form of Pretrial Services Reports (PSRs) for over 16,000 of the cases papered by the United States Attorney's Office. PSA also continued to provide courtroom coverage to all assigned arraignment court judicial officers. In partnership with MPD, PSA conducted citation release investigations in US misdemeanor arrest cases, helping to facilitate the release of over 12,000 arrestees from police custody. Finally, PSA completed over 3,000 criminal history reports for DC Superior Court judicial officers for consideration of release in DC Code and drunk driving cases.

PSA provides effective monitoring and supervision of pretrial defendants, consistent with release conditions, to promote future court appearance and decrease the likelihood of criminal activity under pretrial supervision. In FY 2010, PSA supervised over 25,000 defendants from the DC Superior Court and the US District Court for the District of Columbia.<sup>1</sup> On September 30, 2010, staff was managing almost 7,000 defendants. During the course of the year, PSA made 1,596 location monitoring placements into high intensity supervision with GPS, landline or cellular electronic monitoring. The high risk supervision unit averaged a daily caseload of over 400 defendants.

Defendants who violate court-ordered conditions of supervision—particularly conditions for drug testing and contact with a case manager—are significantly more likely than those in compliance to miss a scheduled court appearance or commit new offenses while on release. To reduce this increased risk, in recognition of

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<sup>1</sup> This includes defendants who may have been placed in multiple units.

evidence-based practices PSA supervision includes graduated sanctions for quick and effective responses to each condition violation. For example, defendants who fail to abide by high-risk supervision requirements are subject to an extended curfew and increasingly lengthy periods of electronically monitored home confinement. If graduated sanctions do not restore compliance, a request for revocation is made to the Court. In FY 2010, 17% of the defendants on pretrial release had release revoked or had a request for revocation pending at the end of the fiscal year.

Sanction-based treatment is one of the most effective tools for breaking the cycle of substance abuse and crime. The connection between substance abuse and crime has been well established. Success in reducing rearrest and failure to appear for court depends on two key factors: 1) identifying and treating drug abuse and other social problems, and 2) establishing swift and certain consequences for continued drug use. In addition to public safety benefits, the community also benefits from the cost savings of providing treatment in lieu of incarceration. PSA is committed to providing sanctions-based treatment programs and support services to the defendant population as a mechanism for enhancing community safety. These services are provided based on appropriate assessments and drug test results. In FY 2010, District of Columbia defendants using drugs had a rearrest rate of 16%, while non-drug using defendants had a rearrest rate of only 7%. In FY 2010, PSA conducted over 3,000 initial Addiction Severity Index assessments, the vast bulk of which identified a substance abuse treatment need. PSA subsequently placed just over 1,700 of these defendants in appropriate residential, intensive outpatient, and outpatient services.

Many defendants in the District's criminal justice population have mental health problems severe enough to affect their ability to appear in court and to remain arrest-free. Based on surveys in jail systems across the country, it is expected that over 15% of defendants will have a serious mental illness. In FY 2010, PSA performed over 3,000 mental health assessments, and over 1,600 defendants were

placed in PSA's Specialized Supervision Unit with referrals to community-based mental health services. Since many of these defendants also are in need of substance abuse treatment, PSA arranges for substance abuse services as part of overall supervision. PSA's case management support of the DC Superior Court Mental Health Diversion Court also expanded to encompass felonies as well as misdemeanors.

Research supports the premise that employment and education services can contribute to a reduction in recidivism. Recognizing this, PSA utilizes its Social Services and Assessment Center to coordinate education, 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.

PSA's Forensic Toxicology Drug Testing Laboratory processes urine specimens for CSOSA and PSA. Drug testing services are integral to the judicial process in the District of Columbia and to public safety. In FY 2010, the Lab conducted almost 3.5 million drug tests on over one-half million urine samples collected from both defendants and offenders, as well for juveniles and adults whose matters are handled in the DC Family Court. Over 50% of tested pretrial defendants had at least one positive drug test.

This budget includes \$1,000,000 to fund a new program initiative, the relocation and redesign of PSA's Lab. PSA has been notified by its landlord, DC Office of Property Management, that the building at 300 Indiana Avenue N. W. will likely be refurbished when City funding becomes available, and that all current tenants should plan to vacate the building within the next few years. PSA has undertaken preliminary relocation activities, including development and submission to the General Services Administration of the required prospectus. This additional budget authority is requested in order to gradually relocate the Lab based on the estimated

costs of new space build out, lab design expertise, increased lease cost, recalibration of delicate drug testing equipment, contract assistance and miscellaneous expenses.

As you can see, CSOSA and PSA have accomplished a great deal in the provision of comprehensive supervision services for offenders and defendants in the Washington, DC community. The Fiscal Year 2012 budget request will enable us to continue supporting the fair administration of justice and promoting public safety in the Nation's Capital. Thank you for the opportunity to present our request and achievements. I will be pleased to answer any questions you may have.

## **Bio for Adrienne R. Poteat**

Since October 2002, Adrienne R. Poteat has served as Deputy Director of the Court Services and Offender Supervision Agency for the District of Columbia (CSOSA). In this capacity she is responsible for managing day to day operations for the federal agency responsible for supervising over 16,000 adults on probation, parole, and supervised release in the District of Columbia.

Ms. Poteat has over 38 years of law enforcement experience. After graduating from college she began her law enforcement career with the Hampton Police Department as an Intake Officer, followed by a short term with the Newport News Juvenile Domestic Relations Court. In 1975, Adrienne Poteat returned to Washington and became the first woman correctional officer hired by the DC Department of Corrections. This was the first of a series of progressively challenging positions with the DC DOC that included case manager, unit manager, Deputy Warden, Warden and Deputy Director.

One of Ms. Poteat's proudest accomplishments was to achieve national accreditation of the Maximum Security Facility by the American Correctional Association (ACA) during her tenure as the first and only female warden to lead that institution.

After lending her substantial leadership to the Maximum Security Facility, Ms. Poteat was named Warden of the newly constructed Correctional Treatment Facility (CTF) and later served as the principle lead expert on the privatization of the CTF through a 20-year sale/lease back agreement between the Corrections Corporation of America and the Government of the District of Columbia.

In her capacity as Deputy Director of the DC Department of Corrections, Ms. Poteat was responsible for the care and custody of over 16,000 inmates and managed nearly 3,200 employees. In 2001, Ms. Poteat ended her distinguished career with the DC Department of Corrections and joined the United States Parole Commission as a Hearing Examiner where she remained until assuming the Deputy Director post at CSOSA.

Ms. Poteat holds a B.A. in Sociology from Hampton Institute and is the recipient of numerous awards. She is a native Washington and continues to reside in the District of Columbia.