

STATEMENT
OF
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COURT SERVICES AND OFFENDER SUPERVISION AGENCY
FOR THE DISTRICT OF COLUMBIA
BEFORE THE
U.S. SENATE
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON FINANCIAL SERVICES
AND GENERAL GOVERNMENT
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Chairman Durbin and Members of the Subcommittee:

I am pleased to appear before you today to present the FY 2008 budget request for the Court Services and Offender Supervision Agency (CSOSA), which includes the D.C. Pretrial Services Agency (PSA). CSOSA was established by the National Capital Revitalization and Self-Government Improvement Act of 1997 (the Revitalization Act). Following a three-year transition period under the leadership of a trustee, CSOSA was certified as an independent Executive Branch agency on August 4, 2000.

CSOSA's FY 2008 budget request of \$190.3 million is comprised of a \$140.4 million request for the Community Supervision Program, which supervises sentenced offenders in the community on probation, parole, or supervised release, and a \$49.9 million request for PSA, which supervises and monitors pretrial defendants. Our FY 2008 request increases total funding by 6 percent, or \$10.7 million, over FY 2007 enacted levels.

The majority of the requested increase, \$6.2 million, would enable us to absorb salary and General Schedule cost increases without curtailing program services. The Community Supervision Program requests an additional \$2.1 million adjustment to base to achieve full implementation of a major program enhancement, our residential Reentry and Sanctions Center (RSC). This increase will allow us to open the RSC's final unit, making the program model,

which emphasizes intensive assessment, case planning, and treatment readiness services, available to the female offender population. We look forward to having all six units in operation.

The RSC is a tremendous resource for CSOSA, enabling us to provide reentry programming for high-risk offenders at the point of release, thereby increasing the likelihood that they will succeed in the community. This program is also available to high-risk defendants on pretrial release. Most individuals who complete the program then enter CSOSA's substance abuse treatment continuum. They often require placements in residential, transitional, and outpatient services to complete treatment. CSOSA continues to look at ways to maximize treatment efficiency and ensure that we make as many successful placements as possible.

The RSC also facilitates our quick response to defendants' and offenders' non-compliant behavior before it escalates and leads to new criminal activity. Research tells us that timely intervention and consistent sanctions are critical to effective community supervision. With the RSC, CSOSA has greatly increased its capacity to provide both.

When Congress passed the Revitalization Act in 1997, one of the most distressing conditions facing the new agency was the high caseloads carried by D.C.'s probation and parole officers. In many instances, these caseloads, often exceeding a hundred cases per officer, prohibited meaningful levels of contact and monitoring. Probation and parole officers could often do little more than check for new warrants and process paperwork. Meaningful assessment, referrals to treatment and other services, and field visits were virtually impossible.

The Community Supervision Program therefore made lower caseloads its first priority. General supervision caseloads have been lowered to the 50 cases per officer recommended by the American Probation and Parole Association. Specialized caseloads, for higher-risk offenders or those with significant mental health issues, are even lower.

These lower caseloads, coupled with improved technology, have enabled our officers to implement a level of intervention that was previously unthinkable. In FY 2006, Community Supervision Officers partnered with Metropolitan Police Department (MPD) officers on over 7,000 joint field visits, or accountability tours, monitoring over 4,000 high-risk cases. This year, we also implemented an automated assessment instrument that uses over 200 separate data elements, collected during an in-depth interview with the offender, to measure and score the offender's risk level. This data informs a prescriptive supervision plan that addresses each offender's programming needs. Without this level of contact or knowledge, we cannot hope to

achieve our long-term goal of substantially reducing recidivism among the 15,000 offenders we supervise, of whom 6,300 are classified as high-risk. Lower caseloads are the baseline condition necessary for us to achieve our public safety mission.

The high-risk defendants under PSA's supervision pose a similar risk to public safety. PSA supervises or monitors approximately 5,500 men and women every day. Approximately 3,500 of them are assigned to PSA's General Supervision Units. In FY 2006, many Pretrial Supervision Officers (PSOs) in those units carried an average caseload of 115 defendants—significantly above the level at which probation and parole caseloads were once deemed too high to maintain meaningful supervision.

Defendants released to General Supervision have been charged with a range of offenses. In FY 2006, 28 percent of those cases were charged with crimes that are statutorily defined as dangerous and/or violent; 37 percent were charged with crimes against persons. Even though many of these defendants are potentially eligible for pretrial detention, the Court has determined that initial, supervised placement in the community is appropriate. In making that determination, however, the Court expects that supervision will occur, conditions of release will be enforced, and non-compliance will be reported promptly.

With the current high caseload ratios, PSA is not able to provide the supervision that the Court expects. In FY 2006, 48 percent of defendants released with drug testing conditions were non-compliant three or more times. Each of these violations warranted a response by the PSO. With such high caseloads, PSOs often cannot respond quickly, despite the statutory requirement that every violation be reported to the prosecutor and the Court.

PSA data from FY 2004 reveals that timeliness is particularly important when the defendant has a history of domestic violence. Of 400 defendants with domestic violence charges who were rearrested while on pretrial release, about a third were rearrested for another domestic violence incident. These rearrests also tended to occur earlier in the supervision period than rearrests of defendants with other charges.

PSA requests \$1.6 million and 9 FTE to lower its General Supervision caseloads to 75 defendants per PSO. While still higher than neighboring jurisdictions, this caseload will facilitate closer supervision and more timely response to infractions. Nationwide, federal pretrial supervision caseloads range from 40 to 75 cases per officer. Defendants prosecuted in the District of Columbia typically have more extensive prior criminal records than do defendants in

federal courts, and are often in need of employment, education, and treatment services. Effective supervision of these defendants cannot take place with caseloads higher than 75 cases per officer.

Technology is an essential component of effective supervision and can greatly improve the officer's ability to monitor behavior. PSA also requests \$768,000 and 3 FTE to expand technological tools available to Pretrial Service Officers. This request would fund the addition of wireless cellular and Global Positioning Systems (GPS) monitoring to PSA's existing electronic monitoring program. These two newer, more effective technologies are currently being used in many jurisdictions to monitor defendants who cannot be effectively supervised using traditional electronic monitoring. Wireless cellular technology extends this type of monitoring to defendants who do not have a hard wired home telephone. GPS monitoring would allow PSA to quickly determine the location of a defendant at any time as well as track his or her movement. In addition, GPS monitoring can be used to notify the authorities when a defendant enters restricted areas, such as schools, known drug areas, or a victim's neighborhood, in violation of the court's orders. Combining reduced caseloads with technological enhancements will enable PSA to achieve maximum efficiency in the supervision of high-risk defendants. GPS supervision has proven very effective in the Community Supervision Program, where it is primarily used as a short-term sanction for high-risk offenders.

Since becoming a federal agency in August 2000, CSOSA has transformed community supervision in the District of Columbia. Using best practices, advanced technology, and wide-ranging collaborations, we are helping the men and women we supervise to change their lives. In doing so, we make a positive impact on our city and our field. People are hearing our message: After CSOSA's presentation on partnerships at last summer's Black Police Association International Education and Training conference, a delegation from the United Kingdom's National Probation Service arranged to spend a week with us. They have taken our program model back home to Manchester, England, to inform how community supervision occurs there.

We look forward to demonstrating the results of our efforts. We will soon complete our initial three-year recidivism study. Later this spring, we will implement a performance accountability system modeled on New York State's "Parole Stat." We recently completed the first phase of a comprehensive study of our supervision practices. And we continue to work with

our partners in implementing new and promising strategies: Through the Criminal Justice Coordinating Council, we are currently working with the U.S. Marshals Service, the U.S. Parole Commission, the D.C. Superior Court, the U.S. Attorney, the MPD, and the Washington faith community to bring Fugitive Safe Surrender to our city. This program, which has resulted in the surrender of thousands of fugitives with non-violent and misdemeanor warrants, has been successfully implemented in Cleveland and Phoenix, and is also planned for Indianapolis. I am committed to bringing it to the District of Columbia. Not only will it safely remove fugitives from our streets, it will also give many of these men and women the opportunity to reclaim their identities and re-enter their communities.

As a young agency, we have made substantial progress, though much work remains to be done. Some critical elements of our infrastructure—such as Information Technology (IT) disaster recovery, fully modernized personnel and financial information systems, and other enhancements necessary to ensure our full compliance with federal regulations—are still being implemented. We also face continued facilities challenges, particularly at 300 Indiana Avenue, the building we share with the Metropolitan Police Department. Addressing these issues is essential to our continued maturation as an agency.

In 1997, the District of Columbia faced a community supervision system that was overburdened and under-resourced. We have revived that system, turning the nation's capital into a national leader. Our FY 2008 budget enables the continued implementation of these proven strategies. We look forward to the subcommittee's support of this request.