

STATEMENT
OF
PAUL A. QUANDER, JR.,
DIRECTOR
COURT SERVICES AND OFFENDER SUPERVISION AGENCY
FOR THE DISTRICT OF COLUMBIA
BEFORE THE
UNITED STATES SENATE COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA
MARCH 14, 2006

Chairman Brownback and Members of the Subcommittee:

It is my privilege to appear before you once again this year to present the FY 2007 budget request of the Court Services and Offender Supervision Agency (CSOSA), which includes the D.C. Pretrial Services Agency (PSA).

Let me begin by thanking the subcommittee for your continued support of our agency and our initiatives. It has been truly gratifying to me that our efforts to build a model supervision agency, grounded in the field's best practices, here in the nation's capital, have continually met with your interest and enthusiasm, and that you have worked to make as many resources available to us as possible.

CSOSA's total budget request for FY 2007 is \$214,363,000, an increase of 8 percent over our FY 2006 enacted budget. Of this, \$135,457,000 is for the Community Supervision Program, \$46,196,000 is for the Pretrial Services Agency, and \$32,710,000 is for the Public Defender Service, which is funded as part of CSOSA's appropriation. The majority of our requested budget increase consists of adjustments to base, with the reduction of PSA's extensive supervision caseload being our sole new initiative. We believe these requests are essential to our mission, and we look forward to your continued support as we implement strategies to achieve that mission.

When we think of community supervision, we tend to visualize a fixed period of time: six months of probation, two years of parole, etc. The offenders pass into, through, and out of our system. They either succeed or they fail. But for the offender, CSOSA supervision is often just one in a series of episodes that, taken together, constitute a lifetime of contact with the criminal justice system. I recently asked our Office of Research and Evaluation to take a look at parolees whose supervision was revoked in FY 2005. These men and women had spent very little of their lives outside the justice system. Nearly half had been arrested for the first time as juveniles. Nearly 60 percent had six or more prior arrests. Eighty-eight percent had failed at supervision at least once before, with nearly a third failing three or more times. And nearly 90 percent had a history of substance abuse, the reoccurrence of which plays a central role in their failures.

Maya Angelou once wrote of herself, “You did what you knew how to do, and when you knew better, you did better.” The challenge of community supervision is to provide offenders with the knowledge and tools to do better. Imparting knowledge is as essential to CSOSA’s public safety mission as drug testing or home visits, and it’s much harder to achieve. We can count the number of drug tests and home visits. It’s much more difficult to measure the amount of effort needed to empower one individual to say, “My future does not have to be the same as my past.”

Our community supervision model places public safety as its number one priority, but it also stresses programming and support services that help the offender move toward this realization. In particular, our partnership with the faith community connects offenders to permanent sources of inspiration and support. During this past year, our Faith Community Partnership continued to move forward with both video mentoring and post-release services.

Our FY 2007 budget supports both prongs of CSOSA’s approach to successful supervision: accountability and opportunity. We know that we need to monitor the individuals we supervise closely enough to enforce the rules. We also know that for those rules to be anything other than a temporary interruption of criminality, we must provide the information and the opportunities for meaningful change. Our budget puts in place key strategies to address both challenges.

First, our proposed budget would fund the implementation of a program that we have planned for five years, and that we believe will greatly expand our ability to supervise and assist the highest risk offenders and defendants we supervise: chronic substance abusers. As you know, we have been renovating Karrick Hall to house our Reentry and Sanctions Center. This initiative will enable us to expand our successful Assessment and Orientation Center (AOC) program. The program model combines intensive assessment with substance abuse treatment readiness programming to improve the likelihood of successful supervision. The clients sent there will leave with a prescriptive plan to guide future treatment, increasing the prospect of success, as well as the personal insight and motivation needed to stay drug and crime free.

In FY 2004 and FY 2006, Congress funded the staff positions for five of the six units that will comprise the completed Reentry and Sanctions Center. This year, the Community Supervision Program requests an adjustment to base of \$3,428,000. This will fund operation of all six units, which will provide programming to 1,200 individuals annually.

We have long anticipated opening the Reentry and Sanctions Center as a national model for best practices in the areas of assessment, treatment readiness, and intermediate sanctions. The fully operational facility will enable us to expand the AOC's services to special populations, including female offenders and individuals with dual mental health and substance abuse diagnoses, who could not be served within the existing AOC. The AOC program has already made a difference to the 1,500 individuals who have completed the program. Over the next five years, full operation of the Reentry and Sanctions Center will quadruple that number.

On any given day, the Pretrial Services Agency supervises approximately 6,000 defendants. Over 3,000 of these defendants are classified as needing extensive supervision—that is, regular drug testing, face-to-face contact, and referral to treatment or other support services. These cases constitute 55 percent of all General Supervision caseloads with release conditions. Currently, 26 Pretrial Supervision Officers are assigned to monitor these cases, with a resulting caseload of 124 defendants per officer. This is too high to provide the level of contact that the courts expect and the defendant's risk necessitates.

With the current high caseload ratios, PSA is not able to provide the supervision expected by the Court or required by PSA's internal policies and procedures. In FY 2005, only 56 percent of defendants were in compliance with their release conditions at the end of the pretrial period. Currently, PSOs often cannot respond quickly to violations of release conditions, despite the statutory requirement that every violation be reported to the prosecutor and the Court. This is particularly troubling with high-risk felonies pending indictment. In these cases, the first court date after the preliminary hearing is often many months after the defendant has been released to PSA. During that time, because PSOs are managing their caseloads on the basis of court dates rather than violations of release conditions, warrant checks and criminal records checks are not done regularly to see if defendants have been arrested again in a neighboring jurisdiction while on release.

PSA requests 12 positions and \$1.7 million to provide additional Pretrial Supervision Officers for extensive supervision cases. This request will lower caseloads to 100 per officer, and while still high in relation to neighboring jurisdictions, 100:1 is a more manageable level that will allow for closer monitoring and quicker responses to violations.

PSA also requests three positions and \$768,000 to implement Global Positioning System-based electronic monitoring for high-risk defendants. This will augment PSA's electronic monitoring capability to include defendants who do not have a "land line" phone or whose movements must be monitored more closely than traditional equipment allows.

GPS-based monitoring has proven to be a successful tool for CSOSA's Community Supervision Program, particularly for high-risk sex offenders and domestic violence cases. Currently, approximately 100 offenders are on this type of monitoring, which is used both routinely and as a sanction for noncompliant behavior. Since the program began in FY 2004, approximately 300 offenders have been placed on GPS monitoring. We would like to expand the use of this technology to the pretrial population.

In closing, Chairman Brownback, I want to thank you for your efforts last year to provide funding for more transitional housing. I am pleased to report that we recently

signed a contract with East of the River Clergy-Police-Community Partnership (ERCPCP) to refer offenders who have completed substance abuse treatment to its new transitional housing facility. This facility was developed, in part, with the funding you provided ERCPCP in the FY 2005 bill. Our community needs more resources and collaborations of this kind in order to address the critical need for safe, stable housing for offenders returning from prison or treatment.

During the year ahead, I will be working closely with other criminal justice system stakeholders to link the use of available transitional housing resources to vocational training and career development opportunities. I am confident that once our clients can see and believe that they hold in their hands the promise of a better future, they will take the path that leads to it.

Finally, I want to respond to last year's inquiry about our recidivism rate. We recently concluded a study of offenders who entered supervision in FY 2003. Among these offenders, the two-year rearrest rate was 65 percent. However, many of these rearrests were for traffic offenses or public order charges, or were the result of warrants we issued because the offender had violated his or her release conditions. If we look at the types of crime that constitute the most significant threat to public safety, the story is somewhat different. For violent crime, the rearrest rate is 19 percent. For drug-related crime, it is 35 percent. While the offender is under CSOSA supervision, the rearrest rates are significantly lower—14 percent for violent crime and 22 percent for drug-related crime.

CSOSA's strategic plan emphasizes reducing recidivism for violent and drug-related crime. While our research shows that community supervision is effective in achieving this, the benefit does not necessarily extend beyond the supervision period. In other words, once the offender is "off paper"—once there is no more close supervision—he or she is more likely to get rearrested. In our study, 35 percent of the offenders who entered supervision in 2003 were rearrested shortly after entering "off paper" status.

Perhaps the greatest challenge we face during each offender's supervision is to provide some reason for him or her to continue following society's rules after supervision ends. We must help each offender to know better how to succeed, so he or she can do better long after we're out of the picture. This involves both monitoring current behavior

and providing tools to shape future behavior. Mr. Chairman, and members of the subcommittee, in bringing this budget request before you, we ask for your continued support of both aspects of our work.