

# Court Services and Offender Supervision Agency FY 2006 & 2005 Performance and Accountability Report

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## Part 1: Management's Discussion and Analysis

### Background

The Court Services and Offender Supervision Agency (CSOSA) for the District of Columbia was established within the Executive Branch of the Federal Government by the National Capital Revitalization and Self-Government Improvement Act of 1997 (the Revitalization Act). On August 4, 2000, CSOSA was certified as an independent Federal agency.

The Revitalization Act relieved the District of Columbia of "state-level" financial responsibilities and restructured a number of criminal justice functions, including pretrial services, parole, and adult probation. Following passage of the Revitalization Act, under the direction of a Trustee appointed by the U.S. Attorney General, three separate and disparately functioning entities of the District of Columbia government were reorganized into one federal agency. CSOSA assumed its probation function from the D.C. Superior Court and its parole function from the D.C. Board of Parole. The Revitalization Act transferred the parole supervision functions to CSOSA and the parole decision-making functions to the U.S. Parole Commission (USPC). On August 5, 1998, the parole determination function was transferred to the USPC, and on August 4, 2000, the USPC assumed responsibility for parole revocation and modification with respect to felons.

The CSOSA appropriation is comprised of three components: The Community Supervision Program (CSP), the District of Columbia Pretrial Services Agency (PSA), and the Public Defender Service (PDS) for the District of Columbia. ***PDS is a federally funded independent D.C. agency responsible for the defense of indigent individuals. PDS receives its funding by transfer from the CSOSA appropriations. While PDS receives its funding by a budgetary transfer from the CSOSA appropriation, PDS is organizationally independent from CSOSA.*** CSP is responsible for supervision of offenders (either on probation, parole or supervised release), and PSA is responsible for supervising pretrial defendants.

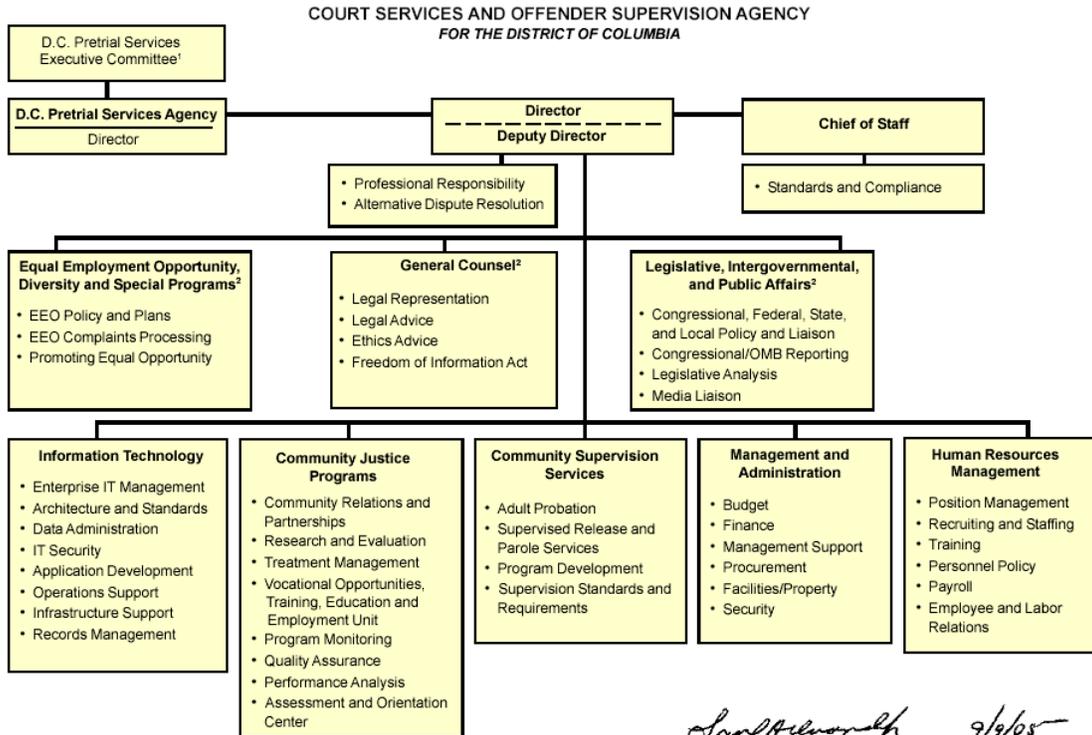
The CSP, through its Community Supervision Services Division (CSS), provides a range of supervision case management and related support services. These diverse services support CSOSA's commitment to public safety and crime reduction through the provision of timely and accurate information to judicial and paroling authorities and through the close supervision of probationers and parolees released to the community.

PSA honors the constitutional presumption of innocence and enhances public safety by formulating recommendations that support the least restrictive and most effective non-

financial release determinations, and by providing community supervision for defendants that promotes court appearance and public safety and addresses social issues that contribute to crime. PSA plays a critical supporting role within CSOSA to achieve its two strategic goals: supporting the fair administration of justice by providing accurate information to decision makers, and establishing strict accountability of defendants/offenders to prevent criminal activity.

## Organizational Structure

CSOSA’s organization structure is shown below:



<sup>1</sup>The Executive Committee consists of the four chief judges of the trial and appellate courts of the District of Columbia, the US Attorney, the Public Defender, and the CSOSA Director.

<sup>2</sup>These functions are also performed for the Pretrial Services Agency, as appropriate.

*Paul A. Quander, Jr.*  
**Paul A. Quander, Jr., Director**

*9/9/08*  
**Date**

## Strategic Direction, Performance Goals and Results

The mission of CSOSA is to increase public safety, prevent crime, reduce recidivism, and support the fair administration of justice in close collaboration with the community we serve. The agency will enhance decision-making and provide effective community supervision, thereby ensuring public confidence in the criminal justice system. Although the Community Supervision Program (CSP) and the Pretrial Services Agency (PSA) have two distinct mandates, they share common strategic goals that guide the Agency's management and operations:

*I. Establish strict accountability and prevent the population supervised by CSOSA from engaging in criminal activity.*

If CSOSA's strategies are successful, offenders and defendants under our supervision will commit fewer crimes. CSOSA's program would have a significant impact on public safety by reducing crime.

*II. Support the fair administration of justice by providing accurate information and meaningful recommendations to criminal justice decision-makers.*

In addition to offender supervision, CSOSA has an important responsibility to provide information and recommendations to the court, the U.S. Parole Commission, and other criminal justice agencies. This information should be timely, complete, and of the highest quality. In that way, CSOSA can increase public confidence in the justice system.

CSOSA measures progress toward these goals by monitoring key outcomes. The outcomes that best express progress toward these goals are explained below. Information is reported separately for CSP and PSA.

CSOSA will continue to seek a significant reduction in recidivism for violent and drug-related crime among the supervised offender population. Historically, local recidivism trends have been difficult to track over time. However, national figures indicate that repeat offenders commit 60 percent of violent crimes. By integrating its programs with the criminal justice community, including social services organizations, the judiciary, and the community at large, CSOSA is committed to promoting lasting change among the offenders we supervise.

Achieving this outcome requires the development of operational approaches and case management strategies and models that encompass all components of community-based supervision. Our approach to supervising individuals on pretrial release and offenders under probation, parole and supervised release is based on evidence based practices and includes an effective system of immediate graduated sanctions. These sanctions provide prompt, uniform responses to non-compliant offender/defendant behavior. Sanctions-based supervision has proven effective in reducing recidivism and significantly decreasing drug use. To implement this intensive model, CSOSA's CSP has developed an offender risk and needs assessment process and has reduced supervision caseloads to

achieve optimal case management, which includes adhering to CSP's stringent contact standards for individuals under supervision.

CSOSA has developed operational strategies, or Critical Success Factors, encompassing all components of community-based supervision. The four Critical Success Factors are:

- Establish and implement (a) an effective **Risk and Needs Assessment** and case management process to help officials determine whom it is appropriate to release and at what level of supervision, and (b) an ongoing evaluation process that assesses a defendant's compliance with release conditions and an offender's progress in reforming his/her behavior.
- Provide **Close Supervision** of high-risk defendants and offenders, with intermediate graduated sanctions for violations of release conditions.
- Provide appropriate **Treatment and Support Services**, as determined by the needs assessment, to assist defendants in complying with release conditions and offenders in reintegrating into the community.
- Establish **Partnerships** with other criminal justice agencies and community.

The Critical Success Factors are the foundation for CSOSA's structure and operations, including the Agency's allocation of resources and performance measurement. In terms of both day-to-day operations and long-term goals, these four principles guide what CSOSA does. They unite CSP's and PSA's strategic plans, operations, and budgets.

### ***Community Supervision Program***

CSOSA's Community Supervision Program (CSP) has defined *rearrest* and *offender drug use* as the performance indicators most closely linked to our public safety mission. The Agency implemented a new case management system in FY 2002; prior to that, the Agency operated with unreliable and outdated computer systems. The transition from old systems to new required extensive data clean-up and the careful elimination of many duplicate records or closed cases from the system. Since FY 2002, data reliability gradually increased to the point where current data may be considered a reliable baseline.

### **Strategies and Resources**

CSP employs a number of strategies, consistent with its program model, to achieve its performance outcomes. The strategies can be organized under the four **Critical Success Factors** that support the Agency's mission and drive the allocation of resources.

**Risk and Needs Assessment.** Effective supervision begins with comprehensive knowledge of the offender. An individual offender's risk to public safety is measurable based on particular attributes that are predictive of future behavior either while the offender is under supervision or after the period of supervision has ended. These risks are either static or dynamic in nature. Static factors are fixed conditions (i.e., age,

number of prior convictions, etc.). While static factors can, to some extent, predict recidivism, they cannot be changed. However, dynamic factors can be influenced by interventions and are, therefore, connected to the offender's level of need. These factors include substance abuse, educational status, employability, patterns of thinking about criminality and authority, and the offender's attitudes and associations. If positive changes occur in these areas, the likelihood of recidivism is reduced.

CSP's classification system consists of risk assessment, needs assessment, and clinical referrals to link the offender with programs and services that will address identified needs. CSP has completed a major initiative to update and improve the automated screening process. The revised screening instrument, the Auto Screener, combines risk and needs assessment into a single process. The result is the offender's assignment to an appropriate level of supervision, given the offender's criminal history, social stability, and other factors, and a prescriptive supervision plan which identifies interventions based on the offender's risk and needs profile. The Auto Screener was implemented in March 2006.

Initial drug screening is also an important element of Risk and Needs Assessment. All offenders submit to drug testing throughout supervision. Drug testing is an essential component of supervision because it provides information about both risk (that is, whether the offender is using drugs and may be engaging in criminal activity related to drug use) and need (that is, whether the offender needs treatment). Positive drug tests are subject to immediate sanctions.

**Close Supervision.** Close supervision in the community is the basis of effective offender management. Offenders must know that the system is serious about enforcing compliance with the conditions of their release, and that violating those conditions will bring swift and certain consequences.

The most important component of effective Close Supervision is caseload size. Prior to the Revitalization Act, caseload ratios were over 100 offenders for each officer, far in excess of those recommended by nationally recognized standards and best practices. Caseload ratios of this magnitude made it impossible for Community Supervision Officers (CSOs) to acquire thorough knowledge of the offender's behavior and associations in the community and apply supervision interventions. With resources received in prior fiscal years, the Community Supervision Program has made great progress in reducing offender caseloads to appropriate levels. As of September 30, 2006 overall supervision caseloads were reduced to 53 offenders for each officer.

Another important component of Close Supervision is CSOSA's strategy to implement a community-based approach to supervision, taking proven best practices and making them a reality in the District of Columbia. The Agency has adopted a new deployment structure for its officers, collapsing the old designations of Probation and Parole Officers into the single position of CSO and housing the CSOs in six field sites located throughout high-risk areas of the community. This structure also facilitates assigning cases to CSOs by police service area (PSA), rather than by releasing authority (U.S. Parole Commission

or D.C. Superior Court). CSOs supervise a mixed probation and parole caseload and perform home and employment verification and visits.

The third focus of Close Supervision is the implementation of graduated sanctions to respond to violations of conditions of release. The capability to detect a violation, such as drug use, is of little use without the authority and capacity to respond to it. A swift response by the CSO can make the difference between correcting an offender's behavior and allowing time for that offender to commit another crime. Typical sanctions can include more frequent drug testing, community service labor, tightening curfews and other restrictions of movement, placement in a residential sanctions or treatment facility, and placement in the Day Reporting Center. These sanctions can be assigned routinely and administratively, according to a set of published protocols, thus eliminating the necessity to take every violation before a judge. Sanctions are defined in the Accountability Contract into which the offender enters at the start of supervision. From the beginning of the supervision period, both the offender and the officer know what will happen if the conditions of release are violated.

Routine drug testing is an essential element of supervision and sanctions. Given that two-thirds of the supervised population has a history of substance abuse, an aggressive drug testing program is necessary to detect drug use and interrupt the cycle of criminal activity related to use. CSP has a zero tolerance drug use policy. All CSP offenders are drug tested at intake and placed on a drug testing schedule, with frequency of testing dependent upon prior substance abuse history, supervision risk level, and length of time under CSP supervision. Since Agency inception, CSP has been able to achieve significant increases in the number and frequency of offender drug tests.

One of CSOSA's most important accomplishments has been the development and implementation of the Re-entry and Sanctions Center (RSC), which opened in February 2006. The 100-bed RSC is a 28-day residential assessment and reintegration program for high-risk offenders/defendants as well as a sanctioning device for offenders/defendants who violate the conditions of their release. The RSC program is intended to introduce the offender/defendant to a range of tools that they can use to prevent relapse and improve behavioral control, and to identify the most effective subsequent treatment interventions for each participant.

**Treatment and Support Services.** The connection between substance abuse and crime has been well established. Long-term success in reducing recidivism among drug-abusing offenders, who constitute the majority of individuals under supervision, depends upon two key factors:

1. Identifying and treating drug use and other social problems among the defendant and offender population; and
2. Establishing swift and certain consequences for violations of release conditions.

CSP is committed to providing a range of treatment options to offenders under supervision. Addressing each individual's substance abuse problem through drug testing

and appropriate sanction-based treatment will provide him or her with the support necessary to establish a productive, crime-free life. CSP also provides in-house adult literacy, anger management, and life skills training to help offenders develop the skills necessary to sustain themselves in the community.

CSP contracts with service providers for a range of residential, outpatient, transitional, and sex offender treatment services. Contractual treatment also encompasses drug testing and ancillary services, such as mental health screening and assessments, to address the multiple needs of the population. CSP is also committed to helping offenders build skills and support systems to improve their chances for success in the community. Nowhere is this more evident than in our Learning Labs, which provide literacy training and job development services for both offenders and defendants.

Early indications reveal that drug testing and treatment are having a positive effect among supervised offenders. CSP has completed the first in a series of drug treatment effectiveness studies, with promising results. This study provides preliminary indications of the short-term (90 days post-treatment) effect of treatment on drug usage patterns. The study indicated that drug use persistence decreased more among offenders who completed the treatment program when compared with those who failed to complete the prescribed treatment. Specifically, the number of persistent drug users decreased 78 percent for offenders who completed treatment and 43 percent for treatment drop-outs. As we continue to track drug use patterns for these two groups of treatment participants, we will analyze the mid-term and long-term impact of our treatment investments.

The National Research Council of the National Academies recommended offender re-entry programs that focus on intensive and detailed pre-release and post-release counseling; immediate enrollment in drug treatment programs; intense parole supervision; assistance in finding work; short-term halfway houses; mentors who are available at the moment of release; and assistance in obtaining identification, clothes, and other immediate needs. The National academy further recommended long-term assistance that included cognitive-behavioral treatment approaches<sup>1</sup>.

**Partnerships.** Establishing effective partnerships with other criminal justice agencies and community organizations facilitates close supervision of offenders in the community and enhances the delivery of treatment and support services. CSP's Community Relations Specialists are mobilizing the community, identifying needs and resources, building support for our programs, and establishing relationships with local law enforcement and human service agencies, as well as the faith-based community, businesses, and non-profit organizations. These efforts, formalized in Community Justice Partnerships, Community Justice Advisory Networks, and the CSP/Faith Community Partnership, enhance offender supervision, increase community awareness and acceptance of CSP's work, and increase the number of jobs and services available to offenders.

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<sup>1</sup> Parole, Desistance from Crime, and Community Integration. Executive Summary from the Committee on Community Supervision and Desistance from Crime, National Research Council of the National academies (2007).

Starting in FY 2004, CSP assumed fiscal agent responsibilities for two Department of Justice grant programs with the purposes of increasing public safety and accountability within the District: 1) Weed & Seed, and 2) Project Safe Neighborhood.

### **Planned and Actual Performance**

CSP has changed the way community supervision occurs in the District of Columbia. CSOSA implemented the significant operational and managerial changes needed to implement its model in stages throughout 1999 and 2000. It was not until early 2001, when the Community Supervision Officer (CSO) workforce was in place, three field offices had been established, and an administrative infrastructure had been built to support the new supervision model, that the central data entry unit was dismantled (except for some system intake functions). At this time, the probation and parole information systems were merged. The resulting database, the Offender Automated Supervision Information System (OASIS), came online in January 2001. OASIS established an initial framework for inputting data about both probation and parole cases, but it retained many of the obsolete features of the legacy systems and was intended as an interim solution.

The design and deployment of the Supervision and Management Automated Record Tracking (SMART) System, was the Agency's top priority since 2001. CSOs were the primary designers of SMART, working collaboratively with the Agency's Information Technology staff and consultants. Version 1.0 of SMART, the general supervision module, was deployed on January 22, 2002. The system was brought from requirements analysis to deployment in approximately nine months—far less time than neighboring jurisdictions have spent on requirements analysis alone (without ever deploying a system). A major redesign and upgrade of SMART was implemented in March 2006.

A similar transition has been occurring in the collection of performance data. For many performance measures, baselines cannot be established until the relevant SMART enhancements are completed. Results generated through SMART are subject to greater verification and statistical rigor than manually collected data. Therefore, the Agency has refrained from establishing some baselines until the database is populated and data have been validated.

Through mid-FY 2002, CSP collected data on many performance measures manually. The reported FY 2002 results are in some cases based on the supervisory case audits and/or sampling that constituted manual data collection. While these practices enabled CSP to report some preliminary results, significant differences are expected between the manual data and initial results available through SMART. At the end of FY 2002, the decision was made to discontinue manual data collection and focus on ensuring data quality in SMART. From October to December of 2002, an initial data audit was conducted to determine how well the system was being utilized and how successful data clean-up efforts had been. While the results of this audit were promising, they revealed a need for some additional enhancements in the SMART database design and the need for additional CSO training in system utilization.

With the deployment of SMART, the Agency has made a major commitment to changing supervision and record keeping practices. Any database is only as useful as the data entered into it. With that in mind, CSP continues to train officers to integrate supervision activities with data entry. The goal of this process is to transition officers from narrative, or “running” records (from which little data can be extracted), to data entry in specific fields for each supervision activity. The system features extensive drop-down menus to improve data quality and uniformity. Although SMART is still evolving, CSP is committed to relying on the data it contains.

**Rearrest:** Rearrest is a commonly used indicator of criminal activity among offenders on probation, parole, and supervised release. As offenders establish non-criminal ties to the community through employment and pro-social relationships, they are less likely to engage in the behaviors that lead to arrest.

In FY 2002 the rate of parole rearrest dropped to 14 percent of the total supervised parole population. Initial probation data also became available through SMART. The rearrest rate of probationers was higher; approximately 21 percent of all probationers were rearrested in FY 2002. The combined FY 2002 arrest rate for the total population was 18 percent.

In FY 2003, the rate of parole rearrest rose slightly, to 17 percent of the total supervised parole population. However, probation rearrest dropped significantly, from 21 percent of the supervised population to 13 percent. The combined FY 2003 arrest rate for the total population was 15 percent.

In FY 2004, 3,246 offenders, or 18 percent of the population under supervision, were rearrested. This breaks down as 20 percent of probationers and 13 percent of parolees.

In FY 2005, both probation and parole rearrest rates increased. The probation rate decreased to 17 percent of the supervised population, while the parole rate increased to 22 percent. A total of 3,588 offenders, or 19 percent of the supervised population, were rearrested.

In FY 2006, a total of 3,666 offenders were rearrested, or 20 percent of the supervised population. Both the probation and parole rates rose 1 percent, to 18 percent and 23 percent, respectively.

Rearrest statistics are summarized in the following table:

**Percentage of Supervised Population Rearrested, FY 2002 – FY 2006**

	FY2002	FY2003	FY2004	FY2005	FY2006
Probation	21%	13%	20%	17%	18%
Parole	14%	17%	13%	22%	23%
Combined	18%	15%	18%	19%	20%

**Performance Trends:** Rearrest is a complex outcome that is potentially affected by a number of different conditions, only some of which are directly or indirectly under CSP’s

control. When an individual is rearrested for new criminal activity (as opposed to a violation of the terms of release), it is almost impossible to say whether the rearrest occurred due to a weakness in supervision practices, ‘crackdown’ enforcement by law enforcement agencies (e.g., crime emergencies and other forms of targeted enforcement practices), a circumstantial choice by the individual (that is, he/she had an unforeseen opportunity to engage in criminal activity), or other, larger social forces (lack of economic opportunity, lack of stable housing, drug use, etc.). This indicator therefore creates the perception that supervision controls a wider range of individual circumstances and choices than it actually does.

Rearrest trends provide a barometer of offender accountability and their level of compliance with all conditions of release. Overall, if CSP’s program model—which attempts to impose accountability and create opportunity—is “working,” rearrest should decline. Based on the years of available, reliable data (FY 2002-FY 2006), it is possible that CSP’s supervision model is having a modest effect on parole rearrest. CSP is undertaking additional research to “comb out” the real causes and dynamics of parole rearrest from these gross statistics. There is insufficient probation rearrest data to support even a preliminary conclusion as to program effectiveness.

**Drug use:** Given that approximately 70 percent of offenders under CSP supervision have a history of substance abuse, and given the well-documented correlation between drug use and criminal activity, reducing drug use among the supervised population is critical to CSP’s success.

Under CSP’s drug testing policy issued in September 2000, offenders can become ineligible for testing (other than initial testing at intake) for a variety of administrative reasons, including change to warrant status, case transfer to another jurisdiction, rearrest, and admission to treatment (at which point testing is done by the treatment provider). The policy was revised in August 2005 to include implementation of random testing for offenders who do not have histories of drug use and establish a record of negative tests.

In FY 2000, CSP did not establish a baseline against which FY 2001 results could be measured because the new policy was under development. However, approximately 61 percent of the active supervision population was tested at least once per month in FY 2001. Of these, approximately 31 percent tested positive at least once.

In FY 2002, a more precise measurement was conducted of the candidate pool yielding the majority of drug tests: offenders under general supervision for at least 30 days (and for whom general supervision was their only assignment during the fiscal year). Of the 6,114 offenders meeting these criteria, roughly 66 percent were drug tested at least once during the fiscal year. Approximately 58 percent of the tested population reported at least one positive during the year.

In FY 2003, approximately 6,032 offenders met the criteria for testing. Of these, approximately 64 percent reported at least one positive during the year.

In FY 2004, 51 percent of the tested population reported at least one positive drug test; 55 percent reported at least one positive alcohol test.

In FY 2005, drug usage declined. Approximately 48 percent of the tested population reported at least one positive drug test (excluding alcohol); approximately 52 percent of the supervised population reported at least one positive drug or alcohol test.

In FY 2006, positive drug tests remained relatively stable. Approximately 46 percent of the tested population reported at least one positive drug test (excluding alcohol); approximately 51 percent reported at least one positive drug or alcohol test.

Drug test results are summarized in the table below.

**Percentage of Tested Population Reporting at Least One Positive Drug Test (including Alcohol)**

	FY2002	FY2003	FY 2004	FY 2005	FY 2006
Offenders with at least one positive drug test	58%	64%	55%	52%	51%

**Performance Trends.** CSP’s research and analysis are focusing on evaluating the effectiveness of our drug testing strategy and exploring whether “targeted” testing would yield more meaningful performance information. We believe the reported information to constitute a valid baseline from which targets can be set.

**Relevance and Reliability**

CSP obtains performance data for these measures from the primary sources. For rearrest, data originate with the Metropolitan Police Department. Arrest data is downloaded at 30-minute intervals from the police department information system into the SMART SQL database. For drug use, the data originate in the Pretrial Services Agency’s Laboratory Information Management System. PSA’s laboratory performs the analysis of CSP drug specimens, and the results are downloaded into this system, which is accessible from SMART.

At present, CSP runs performance data from a copy of the SMART database, which is refreshed nightly. CSP is moving toward a data warehouse system, which would improve data access and the quality of performance measures.

**Assessment of Underlying Factors**

When considering factors that affect reported performance, it is important to distinguish among factors under CSP control, factors under CSP influence, and factors outside of CSP’s control. Each is discussed briefly below:

- *Factors under CSP control.* These factors include program design, resource allocation, and adherence to Agency policy and operating procedures. Each of these factors can be adjusted to accommodate changes in performance.

- *Factors under CSP influence.* CSP's programmatic activities can influence, but are not determinative of, some components of our performance outcomes. For example, the extent to which we can provide substance abuse treatment should influence drug use within the population. Similarly, CSP can recommend conditions of release to the court or paroling authority but cannot impose those conditions. Imposing appropriate conditions of release might limit an offender's chance of rearrest.
- *Factors outside CSP control.* Many aspects of an offender's life, and the world in which he or she lives, are completely outside of CSP's influence or control. The most intensive contact standards require two contacts per week; therefore, the associates, activities, and choices the offender encounters during the rest of his or her time are largely determined by that individual.

Among the factors CSP can control, such as program design and adherence to policy, it is important to note that CSP has made great progress in using performance data as a management tool. SMART is being designed to measure the extent to which CSOs comply with Agency policy and operating procedures by prompting the officer for complete information and recording when data is entered. CSP has developed a wide variety of management reports focusing on data quality and compliance issues. These reports can disaggregate officer performance by team and even individual caseload, and are regularly distributed to first-line managers for review and, where necessary, corrective action.

CSP will continue to study performance trends as they emerge and modify its program design accordingly; however, it is unlikely that either outcome or impact evaluations will be completed for several years.

## *Pretrial Services Agency*

The D.C. Pretrial Services Agency (PSA) mission is to assess, supervise and provide services for defendants, and collaborate with the justice community, to assist the courts in making pretrial release decisions. Through these efforts, PSA promotes community safety and return to court. Driven by this mission, PSA has established two operational goals: 1) reduction in the rearrest rate for violent and drug crimes during the period of pretrial supervision and 2) reduction in the rate of failures to appear for court.

### **Strategies and Resources**

PSA's two operational goals span the major functions and operations of the agency (assessment, supervision, treatment and partnerships). The strategies employed by PSA to accomplish these goals are summarized below.

**Risk and Needs Assessment.** PSA provides timely and accurate information to judicial officers in both the D.C. Superior Court and the U.S. District Court for their use during the release decision-making process. PSA accomplishes this goal by conducting prerelease investigations, which include both background investigations and defendant interviews for defendants charged with criminal offenses. The Court is provided with release recommendations which are based on the information collected during this process.

Gathering and verifying relevant information about each defendant is one of the primary activities conducted by PSA during the prerelease investigation. Pretrial Services Officers (PSOs) interview defendants scheduled for criminal bail hearings and verify the information provided. Questions are not asked concerning the circumstances of the current arrest. The PSO also reviews the defendant's criminal history at both the local and national levels. Other information obtained by the PSO includes: probation and parole information, lock-up drug test results, and compliance reports from PSA supervision units.

PSA makes release condition recommendations based on the least restrictive conditions needed to reasonably assure appearance in court and the protection of the community. The defendant's criminal history sometimes establishes a pattern of behavior upon which judicial officers base their decisions. PSA provides the prerelease investigation information (which includes criminal history) and the associated release recommendation to the courts in a "Pretrial Services Report."

Throughout the prerelease investigation and release recommendation process, PSOs rely on sophisticated information technology to gather and compile information. PSA has long been a leader in the innovative use of information technology. Continuing to improve this technology to better support these processes is a major focus for PSA.

**Close Supervision.** PSA has statutory responsibility to monitor and supervise defendants in the community prior to the disposition of their criminal case, consistent with release conditions ordered by the court. PSA recognizes that a continuum of monitoring and

supervision needs exists in the defendant population. Using information gathered during the prerelease investigation, PSA recommends appropriate levels of monitoring and/or supervision for each defendant. PSA focuses its supervision resources on the defendants most at risk of violating their release conditions. Very low risk defendants (those released unconditionally) receive only notification of court dates. Fairly low risk defendants are placed in monitoring programs that require limited contact with PSA. As the risk level of the defendant increases, the intensity of supervision is increased. Higher risk defendants may be subject to frequent contact and drug testing, substance abuse or mental health treatment, curfew, electronic monitoring, halfway house, or other conditions.

One of the challenges facing PSA is the need for swift responses to noncompliance. Failure to appear for a supervisory contact, a resumption of drug use, absconding from a drug treatment program, and other condition violations can be precursors to serious criminal activity. Responding quickly to noncompliance is directly related to meeting the goals of reducing failures to appear and protecting the public. Graduated sanctions are used to modify a defendant's behavior, and PSA focuses on modifying the behaviors most closely associated with a return to criminal activity or with absconding.

The technology currently in place allows virtually real-time access to drug test result data, as well as rearrest, and failure to appear data in the District of Columbia. PSA will continue to commit significant resources to the further improvement of its information technology infrastructure.

**Treatment and Support Services.** Because drug use contributes to both public safety and flight risks, PSA has developed specialized supervision programs that provide drug treatment. Each of the sanction-based drug treatment programs includes a system of sanctions and incentives designed to motivate compliant behavior and to reduce drug use. Further, each program features the use of a treatment plan that guides case managers in tailoring and modifying therapeutic interventions specifically for a population involved in the criminal justice system. Defendants placed in these programs have drug testing, contact, and other release conditions.

PSA's treatment and supervision programs offer defendants access to various treatment modalities. Each program provides centralized case management of defendants. This organizational structure facilitates consistent sanctioning and supervision practices, and leads to better interim outcomes for defendants. PSA also uses a combination of contract funded and community-based drug intervention programs. Defendants who have mental health issues and special needs are referred to appropriate community-based programs. Even if defendants are referred to community-based services, they continue to be supervised by PSA.

Defendants placed under the supervision of PSA have a variety of needs. PSA works with defendants to identify any problems and refer them to needed services. PSA will continue to devote resources to identifying appropriate community-based resources to address all defendant needs, including: medical, educational/vocational services, family services and other social services. As with referral to drug or mental health treatment, PSA will be monitoring defendant use of, and involvement with, social services.

**Partnerships.** Effective partnering with other justice agencies and community organizations is a major strategy through which PSA enhances public safety in the District's neighborhoods and builds the capacity for support services for defendants under pretrial supervision. It is through these partnerships with the courts, the United States Attorney's Office for the District of Columbia, Office of the Attorney General for the District of Columbia, various District government agencies and nonprofit community-based organizations that PSA can effectuate close supervision of defendants 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 defendant's likelihood of success 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 Community Supervision Program, and identifies opportunities for partnerships with other justice agencies and community organizations that enhance the work of PSA.

### **Planned and Actual Performance**

PSA has long been a leader in the D.C. criminal justice system, nationally recognized for its innovative programs combining supervision and treatment, for its utilization of drug testing, and for the use of information technologies and automation. The Pretrial Real-time Information System Manager (PRISM) is an Agency-wide case management system developed to support PSA's mission of ensuring that defendants on conditional release return to court for trial and do not engage in criminal activity. The main purpose of PRISM is to provide reliable information and to improve the timeliness and quality of decisions relating to the release recommendations, supervision and treatment of defendants who enter the criminal justice system in the District of Columbia.

PRISM became operational on March 3, 2002. The system is available 24 hours a day, 7 days a week with virtually no down time. It has proven to be successful in supporting the Agency and in improving the reliability, timeliness and quality of Agency data. PRISM makes use of proven technologies, utilizing the same technology as the World Wide Web. An updated version was implemented in June 2005.

In FY 2003, PSA began development of a data warehouse to extract and catalogue commonly used PRISM data elements. The warehouse stores information on Agency long-term outcomes, performance measures and work processes and is constantly evolving to better meet the informational needs of PSA management and staff. PSA has begun expanding the data warehouse to also allow for collection of management data for many of the diagnostic, supervision and treatment functions. These data can then be used for quality assurance and control purposes and to identify trends, allowing for quick response to problematic issues. Focus is being placed on disaggregating the data to allow

for tracking of individual PSO performance and unit performance, as well as Agency-wide performance.

As previously stated, PSA has identified two critical outcomes: reduction in the rearrest rate for violent and drug crimes during the period of pretrial supervision and reduction in the rate of failure to appear before court. Achievement of these two outcomes depends on many factors. Evaluating each defendant's potential for flight and rearrest is critical as it allows PSA to make the most appropriate release recommendations for each defendant. Based on PSA's understanding of the defendant population and research conducted in the District and in other jurisdictions, providing close supervision coupled with sanctions for noncompliance and reducing drug use are of primary importance. Further, PSA's use of social services, e.g., employment and job training, contributes to behavioral change in the defendant population.

Eleven performance measures are used to track activities and results:

- percentage of defendants who are assessed for risk of failure to appear and rearrest;
- percentage of defendants for whom PSA recommends the least restrictive conditions consistent with public safety and return to court;
- percentage of defendants who are in compliance with release conditions at the end of the pretrial period;
- percentage of defendants whose noncompliance is addressed by PSA either through the use of an administrative sanction or through a recommendation for judicial action;
- percentage of referred defendants who are assessed for substance abuse treatment;
- percentage of eligible assessed defendants placed in substance abuse treatment programs;
- percentage of defendants who have a reduction in drug usage following placement in a sanction-based treatment program;
- percentage of defendants connected to educational or employment services following assessment by the Social Services and Assessment Center;
- percentage of referred defendants who are assessed or screened for mental health treatment;
- percentage of eligible assessed defendants connected to mental health services;
- 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.

These measures are used to manage PSA's progress toward achievement of its goals and consequent contributions to CSOSA's success. PSA has selected measures that address the most important activities conducted for each Critical Success Factor. Many other activities occur, but those chosen are those that PSA has identified as making the most important contributions to outcomes.

PSA uses a variety of methods to collect performance measurement data. First, data is available through PSA's data warehouse, which extracts information from PRISM on the

two key outcomes. Second, manual data is collected on a weekly basis from each of the supervision and treatment units. The manual data supports many of the performance measures and provides additional data of interest to the supervisors in the units. In addition, PSA regularly accesses the databases of other law enforcement agencies for rearrest data and the D.C. Superior Court and the U.S. District Court for failure to appear data. The information is routinely compiled and analyzed. Performance measurement information is computed and transmitted back to the units and to executive leadership on a quarterly basis (or more often if needed). That information can be and is frequently used to make mid-course corrections and to guide future policy and procedure decisions.

Performance data for PSA's outcomes from the last several years is included in the chart below.

Outcomes	FY 2003 Actual	FY 2003 Target	FY 2004 Actual	FY 2004 Target	FY 2005 Actual	FY 2005 Target	FY 2006 Actual	FY 2006 Target	FY 2007 Target	Long Term Target
<b>Percentage of defendants rearrested for violent or drug crimes during the period of pretrial supervision.</b>										
For all defendants rearrested for:										
- any crimes	12%	13%	14%	13%	13%	13%	12%	13%	12%	12%
- violent crimes	1%	1%	3%	1%	3%	1%	3%	1%	1%	1%
- drug crimes	5%	4%	4%	4%	4%	4%	4%	4%	4%	4%
For drug-using defendants rearrested for:										
- any crimes	17%	19%	23%	19%	20%	19%	19%	19%	18%	18%
- violent crimes	1%	2%	5%	2%	4%	2%	4%	2%	2%	2%
- drug crimes	8%	7%	8%	7%	7%	7%	7%	7%	7%	7%
For nondrug-using defendants rearrested for:										
- any crimes	2%	5%	6%	5%	5%	5%	5%	5%	5%	5%
- violent crimes	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%
- drug crimes	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%
<b>Percentage of cases in which a defendant failed to appear for at least one court hearing.</b>										
- all defendants	16%	14%	14%	14%	9%	14%	13%	14%	13%	13%
- drug-users	19%	17%	20%	17%	13%	17%	18%	17%	16%	15%
- nondrug-users	11%	9%	8%	9%	6%	9%	7%	9%	9%	9%

### **Performance Trends**

Overall rearrest rates for all defendants decreased slightly between FY 2004 and FY 2006. Also, these data clearly illustrate the impact of drug use on rearrest rates. The overall rearrest rate for drug using defendants is consistently over three times as high as the rearrest rate for non-drug using defendants.

The overall Failure to Appear (FTA) rate decreased slightly between FY 2004 and FY 2006. Like the rearrest rate, the impact of drugs is evident in the FTA data. In FYs 2004, 2005 and 2006, the FTA rate for drug using defendants was more than twice the rate of non-drug using defendants.

### **Relevance and Reliability**

The data warehouse extracts data from PRISM on the two critical outcomes. On a daily basis, the District of Columbia Metropolitan Police Department provides electronic information to PSA's case management system, PRISM, on the arrests that have been made within the District of Columbia. The District of Columbia Superior Court provides electronic information to PRISM on bench warrants that have been issued for defendants who failed to appear for Court. PSOs are able to access this information as soon as it is downloaded into PRISM.

The method of data extraction for rearrest and FTA outcome information was extensively validated prior to deployment of the data warehouse. Several months were spent in this process, comparing the data warehouse data to rearrest and FTA data extracted from PRISM using Structured Query Language (SQL). The ETL (extract, transform and load) process, which physically moves the information from PRISM to the data warehouse, is fixed. Only two Information Technology developers are able to access the underlying system or the programs that are associated with the data warehouse. The two developers "refresh" (or update) the data on a weekly basis.

### **Assessment of Underlying Factors**

In considering the external factors that impact PSA and its success, much like CSOSA, it is clear that those affecting reported performance include those that are under PSA control, factors that are under PSA influence, and factors outside of PSA's control. Each is discussed briefly below:

- *Factors under PSA control.* These factors include program design, resource allocation, and adherence to Agency policy and operating procedures. Each of these factors can be adjusted to accommodate changes in performance.
- *Factors under PSA influence.* PSA's programmatic activities can influence, but are not determinative of, some components of our performance outcomes. For example, the extent to which we can provide substance abuse treatment should influence drug use within the population. Similarly, PSA can recommend conditions of release to the court but release conditions can only be set by the judicial officer.
- *Factors outside PSA's control.* Economic and social conditions as well as the level of drug availability drive the crime rate to a much greater extent than our programs.

The improvements in data management that have been made possible by the data warehouse allow for closer tracking of the factors that PSA can control and influence. Performance and management data can be used to track activities and adherence to policy. The availability of such data is expected to increase significantly over the next few years as quality assurance data points are identified.

PSA will also be realigning its resources to ensure that adequate attention is paid to those factors that PSA has a reasonable chance of influencing. For example, one of PSA's primary functions in the criminal justice system is to make release recommendations to the court. Only judges can set release conditions, revoke release, or administer judicial sanctions. PSA's success is dependent upon collaboration and effective communication with the court. Similarly, PSA depends on the cooperation of the U.S. Attorney's Office, defense attorneys, and numerous community-based treatment programs to achieve appropriate outcomes. Given these mutual dependencies, PSA will be devoting significant resources to building stronger partnerships.

## **Agency Financial Statements**

The financial statements have been prepared to report the financial position and results of operations of CSOSA, pursuant to requirements of 31 U.S.C. 3515(b).

While the statements have been prepared from the records of the entity in accordance with generally accepted accounting principles for federal entities and the formats prescribed by the Office of Management and Budget (OMB), the statements are in addition to the financial reports used to monitor and control budgetary resources which are prepared from the same books and records.

The statement should be read with the realization that they are for a component of the U.S. Government, a sovereign entity.

## **Systems, Controls, and Legal Compliance**

The Federal Managers' Financial Integrity Act (FMFIA, P.L. 97-255) and Office of Management and Budget Circular A-123, Management Accountability and Control, require federal agencies to conduct ongoing evaluations of the adequacy of the systems of internal accounting and administrative control, and report yearly to the President all material weaknesses found through these evaluations. The Integrity Act also requires the head of agencies to provide the President with yearly assurance that obligations and costs are in compliance with applicable law; resources are efficiently and effectively allocated for duly authorized purposes; funds, property, and other assets are safeguarded against waste, loss, unauthorized use, or misappropriation; and managers and employees demonstrate personal integrity, ethics, competence and effective communication. To provide this report and assurance to the President, the CSOSA Director depends upon information from component heads regarding their management controls. The CSOSA Director can provide qualified assurance that the agency's management controls and financial systems met the objectives of Sections 2 (Programmatic Controls) and 4 (Financial Controls) of the Integrity Act for FY 2007, with the following known exceptions:

### Programmatic Controls:

CSOSA management identified that control mechanisms were in place to ensure that programs achieved their intended results and resources are used consistent with the Agency's mission.

### Financial Controls:

As part of the FY 2004 financial statement audit, the independent auditors identified the following material internal control weaknesses within CSOSA:

#### I. Improvements needed in financial accounting control activities:

- a) CSP controls surrounding the recordation and updating of property items;
- b) CSP and PSA controls surrounding the processing of obligations, which resulted in incorrect status and values of accounts payable and undelivered orders;
- c) CSP controls surrounding the classification and calculation of Advances from Others, Unfilled Customer Orders, Accounts Receivable and Transfers-In related to Grants;
- d) CSP and PSA controls surrounding the monitoring of Department of Justice accounting and financial system support activities performed on behalf of CSOSA;

#### II. Improvements needed in financial reporting process.

### Legal Compliance:

As part of the FY 2004 financial statement audit, the independent auditors identified the following CSOSA issues of non-compliance with laws and regulations:

- I. CSOSA did not submit quarterly financial statements within 45 days after the end of each quarter and audited financial statements (included in a Performance and Accountability Report) within 45 days after the end of the fiscal year, as required by the Accountability of Tax Dollars Act of 2002;
- II. CSOSA did not appoint an independent external party to perform independent assessments, as required by the Federal Information Security Management Act (FISMA) of 2002.

### **Improper Payments**

The Improper Payment Information Act (IPIA) of 2002 (PL 107-300) extends erroneous payment reporting requirements to all Federal programs and activities. The Office of Management and Budget (OMB) Memorandum No. 03-13 outlines the requirements of the Act. IPIA requires that agencies examine the risk of erroneous payments in all programs and activities they administer. The Court Services and Offender Supervision Agency (CSOSA) consists of two programs: The Community Supervision Program (CSP) and the D.C. Pretrial Services Agency (PSA).

Agencies are required to review annually all programs and activities they administer and identify those that may be susceptible to significant erroneous payments. Given the inherent risks of the CSP and PSA programs, internal controls, the results of prior financial audits, and CSP's internal testing of FY 2005 payment transactions, CSOSA has determined that neither program poses the risk of improper payments exceeding both 2.5% and \$10 million.

## **Possible Future Effects of Existing Demands, Risks, Uncertainties, Events, Conditions, and Trends**

As with any law enforcement agency, CSOSA's ability to achieve its performance targets and thereby protect public safety is affected by a number of uncertainties and external forces. A number of these issues are identified below.

- The population of adults in their "most productive" criminal years (20's and 30's) is rising. It is possible that both violent and property crime rates, which have fallen in recent years, will rise, resulting in an increased number of individuals on community supervision. According to the Bureau of Justice Statistics, violent crime levels in 2003 were the lowest ever recorded, and property crime rates have stabilized after years of falling. It is unlikely that these crime levels will be sustained indefinitely. Any significant rise will impact caseloads, which in turn may impact the effectiveness of CSOSA's program model.
- The nation's incarcerated population continues to rise in response to changes in sentencing laws. It is probable that the number of individuals subject to post-release supervision will increase as these individuals complete their incarceration.
- The Washington, D.C. metropolitan area is expected to grow by approximately 2 million people over the next 15 to 20 years. Although the metropolitan area currently has one of the lowest unemployment rates in the nation, most of the jobs created here tend to exclude the population from which CSOSA's clients are drawn. Continued area growth will also increase pressure on the area housing market, decreasing the supply of affordable stable housing. The combination of employment and housing market pressures could impact the size and characteristics of the population under CSOSA supervision.
- CSOSA's ability to maintain field operations depends, to a great extent, on its ability to locate, acquire, and prepare appropriate sites. As the Washington, D.C. real estate market tightens, these sites become ever more difficult to find. It is possible that CSOSA will be forced to close one or more field offices as leases expire.
- CSOSA's effectiveness depends on the cooperation and success of several key District of Columbia and Federal agencies. The primary key D.C. and Federal agency partners are the United States Parole Commission, the Federal Bureau of Prisons, the D.C. Departments of Employment Services, Health, Housing, Education and the Metropolitan Police Department. CSOSA depends on these external agencies to provide essential performance data. Arrangements with these external entities are defined in Memorandums of Understanding, which are renegotiated at regular intervals. Our ability to report performance data would be greatly compromised if our partners chose not to renew these agreements.