



**Court Services and Offender Supervision Agency
for the District of Columbia**

*Community Supervision Services
Office of the Associate Director*

TO: Branch Chiefs

DATE: December 22, 2003

FROM: Tom Williams, Associate Director
Community Supervision Services

RE: Guidance Memorandum
SUBJECT: Parole/Supervised Release AVR Notifications

As I indicated in a November 21, 2003 e-mail, the U.S. Attorney's Office (AUSO) had expressed concern that their Assistant U.S. Attorneys (AUSAs) were not receiving timely information concerning arrests of parole and supervised releases.

In my correspondence, SCSOs or their CSAs were directed to e-mail Alex Grammer, SPU Manager, the date the AVR was faxed to the United States Parole Commission in all cases where supervised release or parole offenders have been held without bond or on a five-day-hold. Few SCSOs have complied with this request, and the AUSO's office is again expressing concern over the timely submission of Alleged Violation Reports (AVR).

Below, you will find information regarding five-day holds. Please share this information with your staff and ensure that, in all cases where a supervised release or parole case has been held without bond or on a five-day-hold, the SCSO or CSA is to e-mails Alex Grammer, Management Analyst, Special Projects Unit, indicating the date the AVR was faxed to the U.S. Parole Commission. The e-mail notifications are to be forwarded the same day that the fax notification is forwarded to the USPC. The e-mail notifications are not to include probation cases, and there is no need to send the actual AVR to Ms. Grammer.

This extremely time-sensitive issue involves multiple agencies, and it is mandatory that we submit timely reports to the USPC to ensure the safety of the community and to maintain positive relationships with both the USPC and the US Attorney's Office. I am confident of our success in this area and appreciate your assistance.

cc: McKinley Rush, Deputy Associate Director
Sylvia Lawson, Program Analyst
Debra M. Kafami, Acting Executive Assistant
Alex Grammer, Special Projects Unit (SPU) Manager
Erika Evans, Special Asst. to the Associate Director

GUIDANCE ON FIVE DAY HOLDS

D.C. Code §13-1322 (a) (1)(c) states:

- a) The judicial officer shall order the detention of a person charged with an offense for a period of not more than 5 days, excluding Saturdays, Sundays, and holidays, and direct the attorney for the government to notify the appropriate court, probation or parole official, or local or state law enforcement official, if the judicial officer determines that the person charged with an offense:
 - (1) Was at the time the offense was committed, on:
 - (C) Probation, parole or supervised release for an offense under local, state, or federal law; and
 - (2) May flee or pose a danger to any other person or the community.

This type of hold, known as a **five day hold**, provides the releasing authority, the U.S. Parole Commission (USPC), five business days to determine whether or not to issue a warrant for the offender. The USPC depends on the timely submission of the Alleged Violation Reports (AVR) and supporting documentation to make a decision regarding whether or not to issue a warrant.

CSS must ensure that the AVRs submitted to the USPC are timely and complete. The AVR must be completed and faxed with all supporting documentation to the USPC on the offender's third day in custody—the day of arraignment is the offender's first day of custody, and weekends and holidays are not included.

On the offender's fifth day of custody, a detention hearing is held where the AUSAs present the case on the offender to the D.C. Superior Court Judge. If the AUSA does not have evidence that a warrant has been issued, the offender is released to the community.