



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

*Community Supervision Services
Office of the Associate Director*

MEMORANDUM

April 30, 2003

TO: Addressees

FROM: Thomas H. Williams, Associate Director (*signed*)
Community Supervision Services

RE: Accountability Tours

Subject: Guidance

Reference is made to the Agency's policy with regards to the above referenced item and the Agency's Search and Seizure Policy. This correspondence is being forwarded as additional guidance relative to the aforementioned policies.

In our efforts directed toward crime prevention and offender compliance, conducting community visits with law enforcement is one of the strategies instituted to accomplish this goal. In regards to crime prevention, we have a shared goal with law enforcement entities.

Our policy prohibits staff from conducting searches and seizures, unless there is a specific directive from the releasing authority (i.e., seize from the offender any pornographic material). Moreover, when the Agency is directed to conduct a search and seizure, law enforcement entities are contacted to provide assistance. Staff are not authorized to independently conduct any searches or to seize any items.

During the accountability tours, searches and seizures by law enforcement can occur under the following conditions:

- 1) Items are in plain view (i.e., the butt of a weapon is viewed under a couch, or what appears to be illegal drugs is viewed on a kitchen table); or
- 2) Reasonable suspicion exists (i.e. the offender's behavior is inconsistent with his/her usual pattern – the offender is very nervous, excessively sweating, etc., or upon entering the home, there is the smell of marijuana).

Wherever reasonable suspicion exists, law enforcement **must request permission from the offender to “look around” or “to search”**. If the offender refuses, the search cannot occur. If the offender gives permission for the law enforcement officer to “look around” or “to search”, the CSO is not to engage in the search. If illegal items are found as a result of the search, law enforcement will place the offender under arrest. Upon returning to the office, the CSO is to immediately advise his/her supervisor or their designee of the incident and is to document the incident in SMART, as appropriate.

With regards to the accountability tours, CSOSA is in partnership with, and not the agent of, law enforcement. One of the purposes of the accountability tour is to present to the offender and to the community a united front in our efforts directed towards offender compliance. Law enforcement cannot use our invitation to assist in home visitation as a license to abridge the constitutional rights of any citizen.

CSOs are required to plan all community visits, and there must be specific goals related to the community visit, consistent with the offender’s goals for supervision and case planning strategies.

Addressees:

CSS Branch Chiefs
CSS SCSOs

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Adrienne Poteat, Associate Director
McKinley Rush, Deputy Associate Director
Erika Evans, Special Assistant to the Associate Director
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