



## Court Services and Offender Supervision Agency

*Office of the Director*

February 12, 2018

Honorable Rodney Frelinghuysen  
Chairman  
House Committee on Appropriations  
H-305, The Capitol  
Washington, DC 20515

Honorable Nita Lowey  
Ranking Member  
House Committee on Appropriations  
1016 Longworth House Office Building  
Washington, DC 20515

Honorable Thad Cochran  
Chairman  
Senate Committee on Appropriations  
S-128, The Capitol  
Washington, DC 20510

Honorable Sen. Patrick Leahy  
Ranking Member  
S146-A, The Capitol  
Senate Committee on Appropriations  
Washington, DC 20510

Honorable Thomas Graves  
Chairman  
House Subcommittee on Financial Services  
And General Government  
Committee on Appropriations  
B-300 Rayburn House Office Building  
Washington, DC 20515

Honorable Mike Quigley  
Ranking Member  
House Subcommittee on Financial Services  
and General Government  
Committee on Appropriations  
1016 Longworth House Office Building  
Washington, DC 20515

Honorable Shelley Moore Capito  
Chair  
Senate Subcommittee on Financial Services  
and General Government  
Committee on Appropriations  
Room S128, The Capitol  
Washington, DC 20510

Honorable Chris Coons  
Ranking Member  
Senate Subcommittee on Financial Services  
and General Government  
Committee on Appropriations  
125 Hart Senate Office Building  
Washington, DC 20510

Dear Committee and Subcommittee Chairmen and Ranking Members,

I am pleased to present the FY 2019 Budget Justification for the Court Services and Offender Supervision Agency for the District of Columbia (CSOSA). The FY 2019 President's Budget requests \$256,724,000 for CSOSA. Of this amount, \$183,166,000 is requested for the Community Supervision Program (CSP) and \$73,558,000 is requested for the Pretrial Services Agency for the District of Columbia (PSA).

The FY 2019 request includes net reductions to base of \$5,109,000 and \$15,509,000 in program increases for CSOSA office relocations and PSA's client management system modernization. CSOSA requests a \$13,223,000 program change for one-time (three-year) funding to relocate CSOSA's headquarters, field offices and related facilities with imminent lease expirations. In addition, the FY 2019 request includes a \$2,286,000 program change to modernize PSA's defendant client management system, the Pretrial Real-Time Information System Manager (PRISM).

Established under the National Capital Revitalization and Self-Government Improvement Act of 1997 (the Revitalization Act), CSOSA supervises adults on pretrial release, probation, parole, and supervised release in the District of Columbia. CSOSA assumed the supervision functions of both the D.C. Superior Court Adult Probation Division and the D.C. Board of Parole. Also pursuant to the Revitalization Act, PSA became an independent entity within CSOSA and receives its funding as a separate line item in the CSOSA appropriation. With implementation of the Revitalization Act, the Federal government has taken on a unique, front-line role in the day-to-day public safety of everyone who lives, visits or works in the District of Columbia.

Resources requested for FY 2019 are integral to ensuring that CSOSA's high-priority public safety and offender and defendant support services are continued within the District of Columbia.

### **Community Supervision Program**

CSOSA's mission is to increase public safety, prevent crime, reduce recidivism, and support the fair administration of justice in close collaboration with the community. In FY 2017, CSP supervised approximately 10,500 adult offenders on a daily basis and 16,407 different offenders over the course of the fiscal year. On any given day, CSP supervises approximately one in every 68 adult District residents. CSP continues to work towards improvements in our two established long-term public safety performance outcomes: decreasing recidivism among the supervised offender population and increasing the number of offenders successfully completing supervision.

CSOSA is a critical partner in creating and implementing the District's public safety strategy, working closely with the Mayor's office, and local and Federal criminal justice agencies. CSP also collaborates on a daily basis with the D.C. Metropolitan Police Department, D.C. Superior Court, and D.C. Department of Corrections, as well as the Federal Bureau of Prisons, U.S. Parole Commission, U.S. Attorney's Office and U.S. Marshals Service to increase public safety in the District of Columbia. CSP has regular electronic data exchange agreements established with our local and Federal partners as well as with the states of Maryland and Virginia to ensure efficient supervision of adult offenders. CSP also relies upon the District of Columbia Government, local faith-based, community and non-profit organizations to provide critical support services to our offender population. As a result of efforts by the entire D.C. criminal justice system, including CSOSA, the Nation's Capital has experienced significant improvements in crime and public safety since enactment of the Revitalization Act.

CSP's challenge in effectively supervising and reducing recidivism amongst our offender population is substantial and increasing. Many CSP offenders have significant needs, are a high risk to public safety and are prone to recidivate. In FY 2017, 6,162 adult offenders entered CSP supervision; 83 percent of these offender intakes reported having a history of substance abuse, 47 percent had diagnosed or self-reported mental health issues, 31 percent had less than a high school diploma or GED, 56 percent were unemployed and 8 percent were homeless, lived in homeless shelters or resided in other emergency housing at intake. Based on the results of CSP's proprietary offender screening tool, 39.2 percent of our total FY 2017 active offender population was assessed and supervised by CSP at the highest risk levels; reflecting a steady increase in assessed risk since FY 2011 when 36.3 percent of our active offender population was assessed and supervised at the highest risk levels.

CSP performs close supervision of our client population to address criminogenic and support service needs, provide timely interventions and ensure compliance with conditions of release with the goal of successful completion of supervision. CSP continues to re-orient our interventions toward the cognitive and broader behavioral health factors that are increasingly prevalent in our population and that research has shown are effective in achieving positive outcomes. However, in cases of certain types of arrest and/or instances where CSP supervision sanctions do not restore offender compliance, CSP immediately informs the releasing authorities by filing an electronic Alleged Violation Report (AVR). An AVR can result in incarceration or the imposition of additional supervision special conditions by the releasing authority. The percentage of CSP's offender population for which one or more AVRs are issued has increased steadily since FY 2011 reflecting the increasing risk of our offenders and the vigilance of our supervision operations.

**CSP Alleged Violation Reports Issued**

	<b>Percentage of Total Supervised Population with at Least One AVR Issued</b>
FY 2011	20.2
FY 2012	18.7
FY 2013	19.1
FY 2014	23.0
FY 2015	24.0
FY 2016	26.7
FY 2017	29.0

In FY 2017, 9.8 percent of CSP's total offender population was revoked to incarceration by the releasing authorities; a sometimes necessary public safety intervention. This represents an increase from the 8.8 percent that were revoked to incarceration in FY 2016. In FY 2017, 63.2 percent of offender cases closed successfully, representing a decline from FY 2016.

**CSP Long-Term Offender Supervision Outcome Performance Measures**

	<b>Percent of Total Supervised Population Revoked to Incarceration</b>	<b>Percentage of Case Closures that were Successful</b>
FY 2011	10.4	61.4
FY 2012	9.8	62.8
FY 2013	9.8	63.2
FY 2014	9.4	64.3
FY 2015	8.1	68.1
FY 2016	8.8	65.3
FY 2017	9.8	63.2

Through successful community supervision interventions and, where necessary, the filing of AVRs, CSP has been successful in keeping offenders from engaging in serious, violent crime while under our supervision. In 2017, less than two percent of our offender population were arrested for serious, violent crime (i.e., homicide, aggravated and sexual assault, and robbery) and less than one-quarter of one percent were arrested for homicide while under supervision.

CSP research of FY 2017 offender outcomes has shown that, compared to the total supervised population, offenders who recidivate are more likely to be younger, test positive for drugs, have unstable housing, lack employment, be supervised as part of a mental health caseload, and be assessed by CSP at the highest risk levels. The District of Columbia Government and other local providers do not have the capacity to meet the needs of these offenders. Therefore, CSP continues to adjust our programs and reallocate resources toward providing timely and specialized supervision and support to these highest-risk and highest-need offenders. Recent examples include the creation of a new Rapid Engagement Team to provide proactive engagement and immediate responses to client issues and the expansion of our Community Engagement and Achievement Center and Young Adult Initiative programs to provide on-site support and training for our highest-need offenders. Finally, consistent with Executive Order 13781 (Comprehensive Plan for Re-organizing the Executive Branch), CSP is currently performing an Agency-wide re-organization to consolidate mission-critical functions, streamline operations, realize greater efficiencies, and continue to expand our use of cognitive behavioral supervision interventions that have been found to improve supervision outcomes.

Resources contained in the FY 2019 President’s Budget are necessary to ensure that CSP can continue the overall trend of improvements in public safety outcomes in the District of Columbia.

**Pretrial Services Agency**

PSA’s mission is to promote pretrial justice and enhance community safety. PSA assists judicial officers in both the Superior Court of the District of Columbia and the United States District Court for the District of Columbia by conducting a risk assessment for every arrested person who will be presented in court, identifying detention eligibility and formulating release recommendation, as appropriate, based upon arrestee’s demographic information, criminal history, as well as substance use and/or mental health information. For defendants who are placed on conditional release pending trial, PSA provides supervision and treatment services that reasonably assure that they return to court and do not engage in criminal activity pending their trial and/or sentencing.

PSA has responsibility for over 17,000 defendants each year, and supervises approximately 4,780 individuals on any given day. The vast majority of supervised defendants are awaiting trial in DC Superior Court, with a smaller number awaiting trial in US District Court. PSA’s current caseloads include individuals being supervised on a full range of charges from misdemeanor property offenses to felony murder. On average, defendants remain under supervision for 112 days. During this period, PSA administers evidence-based and data informed risk assessment and supervision practices to identify factors related to pretrial misconduct and maximize the likelihood of arrest-free behavior and court appearance during the pretrial period.

Consistent with its mission—and the legal status of pretrial defendants—PSA measures achievement of its critical outcomes through four measures:

Outcome Measure	FY 2017 Performance
✓ <b>Judicial Concurrence Rate</b> – agreement between PSA’s release recommendations and judicial release and detention decisions.	✓ 76 percent agreement between PSA’s release recommendations and judicial decisions
✓ <b>Arrest-Free Rate</b> - percentage of defendants who remain arrest-free during the pretrial release period.	✓ 86 percent of released defendants remained arrest free
✓ <b>Appearance Rate</b> – percentage of defendants who make all scheduled court appearances during the pretrial period.	✓ 88 percent of released defendants also made all scheduled court appearances
✓ <b>Continued Pretrial Release</b> – percentage of defendants who remain on release at the conclusion of their pretrial period without a pending request for removal or revocation due to non-compliance.	✓ 87 percent of defendants remained on release at the conclusion of their pretrial status without a pending request for removal or revocation due to non-compliance

The FY 2019 President’s Budget reinforces PSA’s commitment to be a performance-based, results-driven organization that can directly link costs with outcomes. It highlights the

Agency's dedication to ensuring public safety and promoting pretrial justice through high-quality risk assessment, supervision and treatment services.

A challenge faced by CSOSA, and all law enforcement entities, is the detection of and treatment for synthetic drugs used by the offender and defendant populations. During the past four years, both CSP and PSA have worked with various criminal justice, research, health, and policy partners to assess the prevalence of synthetic cannabinoids (SCs) in the defendant and offender populations in the District of Columbia. Often referred to as "synthetic marijuana," SCs exist in several different forms, with newer ones being synthesized and added to the class rapidly.

In FY 2017, PSA fully integrated the third generation screening reagent (K2-3) into the routine screening of all incoming specimens for SCs and the rate of positive tests for SCs was approximately 4 percent. The results indicate that defendants are still using SCs but shifting to different varieties.

PSA is also studying the trend in positive rates and prevalence of fentanyl use among the criminal justice population and will use the results of the ongoing research to develop a plan for routine testing of fentanyl in the populations supervised and provide avenues to respond to the opioid epidemic.

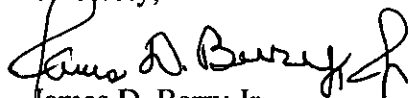
#### **FY 2019 Request Summary**

The FY 2019 President's Budget submission for CSOSA reflects our continuing commitment to improving performance and increasing the effectiveness of front-line service delivery.

Resources requested for FY 2019 are integral to ensuring that CSOSA's high priority public safety and offender and defendant support services are continued within the District of Columbia. As you make decisions on the CSOSA budget, I hope you will also consider our critical public safety mission, our accomplishments to date, and our commitment to performance-based management.

I look forward to working with you on this request.

Sincerely,



James D. Berry Jr.  
Acting Director

Enclosure