



Court Services and Offender Supervision Agency

Office of the Director

May 28, 2021

Honorable Rosa L. DeLauro
Chairman
House Committee on Appropriations
H-307 The Capitol Building
Washington, DC 20515

Honorable Patrick Leahy
Chairman
Senate Committee on Appropriations
S-128 The Capitol Building
Washington, DC 20510

Honorable Mike Quigley
Chairman
House Subcommittee on Financial Services
and General Government
Committee on Appropriations
2000 Rayburn House Office Building
Washington, DC 20515

Honorable Chris Van Hollen
Chair
Senate Subcommittee on Financial Services
and General Government
Committee on Appropriations
133 Dirksen Senate Office Building
Washington, DC 20510

Honorable Kay Granger
Ranking Member
House Committee on Appropriations
1036 Longworth House Office Building
Washington, DC 20515

Honorable Richard Shelby
Ranking Member
Senate Committee on Appropriations
S-146 A The Capitol Building
Washington, DC 20510

Honorable Steve Womack
Ranking Member
House Subcommittee on Financial Services
and General Government
Committee on Appropriations
1036 Longworth House Office Building
Washington, DC 20515

Honorable Cindy Hyde-Smith
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 2022 Budget Justification for the Court Services and Offender Supervision Agency for the District of Columbia (CSOSA). The FY 2022 President's Budget requests \$283,425,000 for CSOSA. Of this amount, \$206,006,000 is requested for the Community Supervision Program (CSP) and \$77,419,000 is requested for the Pretrial Services Agency for the District of Columbia (PSA).

The FY 2022 request represents a \$37,502,000 increase above CSOSA's FY 2021 Enacted Budget. The FY 2022 request includes one-time resources to support critical physical space relocations for CSOSA's Re-entry and Sanctions Center (RSC), 800 North Capitol Street, NW, and Headquarters locations. The request also includes program increases for offender treatment interventions and defendant cash bail reviews.

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 Superior Court of the District of Columbia's 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.

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 the enactment of the Revitalization Act. Resources requested for FY 2022 are integral to ensuring that CSOSA's high-priority public safety and offender and defendant support services are continued within the District of Columbia. When CSOSA successfully supervises our offender and defendant populations, the burden placed on the community and our public safety partners to support these citizens is significantly diminished.

Community Supervision Program

CSP's mission is to effectively supervise adults under our jurisdiction to enhance public safety, reduce recidivism, support the fair administration of justice, and promote accountability, inclusion, and success through the implementation of evidence-based practices in close collaboration with our criminal justice partners and the community.

In FY 2020, CSP monitored or supervised approximately 8,300 adult offenders on a daily basis and 11,837 different offenders over the course of the fiscal year. As a result of the COVID-19 pandemic, the Superior Court of the District of Columbia significantly limited its operations and CSP's FY 2020 offender population decreased due to a reduction in offender intakes. CSP anticipates post COVID-19 increases in offender intakes and our daily population in late FY 2021.

CSP experienced 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. Resources contained in the FY 2022 President's Budget would allow CSP to have the physical space and offender treatment interventions necessary to continue to improve public safety in the District of Columbia.

CSP 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

works closely with law enforcement entities, such as the D.C. Metropolitan Police Department (MPD), the Superior Court of the District of Columbia, and the D.C. Department of Corrections, as well as the Federal Bureau of Prisons (BOP), the U.S. Parole Commission, the U.S. Attorney's Office, and the U.S. Marshals Service to increase public safety for everyone who lives, visits, or works in the District of Columbia. CSP has established electronic data exchanges with the D.C. MPD, D.C. Sentencing Commission, D.C. Criminal Justice Coordinating Council, Federal BOP, Federal Bureau of Investigation, U.S. Parole Commission, D.C. Pretrial Services Agency, as well as law enforcement partners in Maryland and Virginia to more quickly share information and ensure efficient supervision.

Despite the temporary decrease in the number of offenders supervised in FY 2020, the assessed risk to public safety and critical support service needs of those remaining under supervision continued to increase. CSP's challenge in effectively supervising and reducing recidivism amongst our offender population is substantial and will increase as we face an influx of post-COVID intakes. Many CSP offenders have significant needs, are prone to recidivate, and therefore present a high risk to public safety. In FY 2020, 3,169 adult offenders entered CSP supervision; 83 percent of these offenders reported having a history of substance abuse at intake, 30 percent were identified as having mental health issues, 33 percent had less than a high school diploma or GED, 64 percent were unemployed, and 10 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, approximately 49 percent of our total FY 2020 active offender population was assessed and supervised by CSP at the highest risk levels; reflecting a steady increase in assessed risk since FY 2012 when approximately 37 percent of our active offender population was assessed and supervised at the highest risk levels.

CSP research has shown that, compared to the total supervised population, offenders who have been previously incarcerated are more likely to 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. Data shows that addressing the criminogenic and support services needs of high-risk offenders is essential to reducing recidivism. 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. CSOSA's RSC at Karrick Hall is one of our most important high-risk intervention programs. The RSC provides intensive assessment and reintegration programming for CSP offenders and PSA defendants. RSC participants have significant behavioral health, substance use disorder, and/or cognitive behavior issues that require immediate residential services to address challenges to successful reentry into the community.

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. 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 authority 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 increased since FY 2012 reflecting the increased risk of our offenders and the vigilance of our supervision operations.

CSP Alleged Violation Reports Issued

	Percentage of Total Supervised Population with at Least One AVR Issued
FY 2012	18.7
FY 2013	19.1
FY 2014	23.0
FY 2015	24.0
FY 2016	26.7
FY 2017	29.0
FY 2018	30.3
FY 2019	29.4
FY 2020	27.4

The District of Columbia experienced an increase in homicides in 2020, as well as an increase in robberies and the total number of firearms recovered. Despite this increase in homicides and certain other crimes, the overall number of incidents of serious violence¹ in the District has declined since 2012. In 2012, the average number of serious violent incidents per day in the District was 21. This average decreased to approximately 11 incidents per day in 2020. Importantly, the percentage of CSP offenders arrested for serious violent incidents while under supervision remains fairly low. Of the 10,989 unique offenders supervised by CSP in 2020, less than two percent were arrested for an incident of serious violence and less than 0.25 percent were arrested for homicide in the District while under supervision.

Despite the low number of CSP offenders arrested for an incident of serious violence in the District, the increase in homicides, firearm recoveries and robberies is a significant concern to the Agency. With respect to CSP offenders, CSOSA is actively addressing this critical public safety issue by focusing our resources on our highest-risk offenders with the intent of further reducing all types of serious violence within the District and the participation or victimization of CSP offenders in those crimes. To that end, CSP is improving our offender risk and needs assessments and interventions and has created high-intensity supervision teams and compliance units to immediately address non-compliant activities and share data on high-risk offenders. CSP is partnering with D.C. MPD to perform night and weekend supervision activities in high-crime areas and collaborating with the U.S. Marshals Service to address offenders with outstanding arrest warrants.

As a result of our efforts, and those of our public safety and community partners, CSP experienced improvements in FY 2020 for both of our long-term public safety performance outcomes. In FY 2020, 7.5 percent of CSP's total offender population had their supervision term

¹ Serious, violent incidents include homicide, aggravated and sexual assault (including assault with a deadly weapon and assault with the intent to kill), and robbery (including carjacking). Incidents counted are those that occurred during the year, even if the arrest was not made until after the end of the year.

revoked and were incarcerated by the appropriate releasing authority and 71.2 percent of offender cases closed successfully, each representing improvements from FY 2019.

CSP Long-Term Offender Supervision Outcome Performance Measures

	Percent of Total Supervised Population Revoked to Incarceration	Percentage of Case Closures that were Successful
FY 2017	9.8	63.2
FY 2018	9.6	64.3
FY 2019	9.3	65.7
FY 2020	7.5	71.2

Resources contained in the *FY 2022 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 (DCSC) and the United States District Court for the District of Columbia (USDC). PSA conducts a risk assessment for every arrested person who will be presented in court, identifies detention eligibility and formulates release recommendations, as appropriate, based upon the arrestee's demographic information, criminal history, and 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.

During FY 2020, PSA supervised over 15,451 defendants on pretrial release, which corresponds to an average of 3,782 defendants on any given day. PSA served an additional 12,789 defendants by providing services such as court date notification and criminal history checks for persons who were released on citation or personal recognizance, or whose charges were dismissed. Overall, PSA served more than 28,240 defendants during this period. The vast majority of defendants are awaiting trial in DCSC, with a smaller number awaiting trial in USDC. 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 140 days. During this period, PSA administered 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.

In March 2020, PSA began responding to COVID-19 by altering its operations to enforce social distancing measures necessary to slow the spread of the virus. Overall, the number of arrests has decreased, but the number of cases assigned to PSA supervision, court case processing times and the number of days defendants remain under PSA supervision have all increased. In addition, the

judicial decision-making process supporting defendant release and detention is also affected by COVID-19, resulting in the release to PSA supervision of some defendants who were previously detained under DC's preventive detention statute, as well as other defendants who are eligible for preventive detention and would otherwise have been held.

Through the successful fulfillment of its mission, PSA continued to meet or exceed the performance targets for its strategic goal performance indicators in FY 2020, despite the impact of COVID-19 on Agency operations.

Performance Indicator Area	Indicator Description	FY 2020 Actual	FY 2018-2022 Target
Strategic Goal 1	Judicial Concurrence with PSA Recommendation	79% 	70%
Strategic Goal 2	Continued Pretrial Release	85% 	85%
Strategic Goal 3	Arrest Free Rate	88% 	88%
Strategic Goal 4	Court Appearance Rate	91% 	87%

The *FY 2022 Presidents' Budget* request for PSA reinforces the Agency's commitment to be a performance-based, results-driven organization and highlights its dedication to ensuring public safety and promoting pretrial justice through high-quality risk assessment, supervision and treatment services.

FY 2022 Request Summary

The *FY 2022 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 2022 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,

RICHARD
TISCHNER

Digitally signed by RICHARD
TISCHNER
Date: 2021.05.20 14:12:04 -0400

Director

Enclosure