

Pretrial Services Agency
for the District of Columbia



**Congressional Budget Justification and
Performance Budget Request
Fiscal Year 2022**

May 28, 2021

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AGENCY OVERVIEW

The mission of the Pretrial Services Agency (PSA or Agency) for the District of Columbia (DC or District) is to promote pretrial justice and enhance community safety. In fulfilling this mission, 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) by conducting a risk assessment for every arrested person who will be presented in court, identifying detention eligibility and formulating 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 intended to reasonably assure that they return to court and do not engage in criminal activity pending their trial and/or sentencing.

PSA was created by an act of Congress (the *District of Columbia Bail Agency Act*) in 1967.¹ Under the *National Capital Revitalization and Self-Government Improvement Act of 1997*, PSA was established as an independent entity within the Court Services and Offender Supervision Agency (CSOSA) in the Executive Branch of the Federal Government.²

The District operates an “in or out” bail system that promotes open and transparent decisions about release or detention. The foundation of this system is the DC bail statute, which includes a presumption in favor of pretrial release for all non-capital defendants, emphasizes the use of least restrictive release conditions for eligible defendants, provides an option of preventive detention for those who pose an unacceptable risk to the community, and limits the use of money-based detention. PSA employs evidence-based practices to help judicial officers in the District and local and Federal courts make appropriate and effective bail decisions.

PSA’s efforts focus on creating a customer-centric culture that meets the needs of the judges, protects the rights of defendants and remains cognizant of the Agency’s responsibility to the DC community. The result is enhanced public safety, a fairer and more effective system of release and detention, and judicious use of jail resources.

In March 2020, PSA began responding to the coronavirus disease of 2019 (hereafter referred to as 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 has also been affected by COVID-19, resulting in the release 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 to PSA supervision.

During FY 2020, PSA supervised 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 notifications and criminal history checks for persons who were

¹ (<https://beta.code.dccouncil.us/dc/council/code/titles/23/chapters/13/>, n.d.)

² (<https://www.congress.gov/bill/105th-congress/house-bill/1963>, n.d.)

released on citation or personal recognizance, or whose charges were dismissed. Overall, PSA served more than 28,240 defendants during this period. Additionally, PSA conducted drug testing for 8,874 non-defendants.

PSA's current caseloads include individuals being supervised on a full range of charges, from misdemeanor property offenses to felony murder. The vast majority of defendants (95 percent) are awaiting trial in DCSC, with a smaller number (5 percent) awaiting trial in USDC. On average, defendants remained 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 to and maximize the likelihood of arrest-free behavior and court appearance during the pretrial period.

A MODEL FOR PRETRIAL JUSTICE

While serving the District for over 50 years, PSA's drug testing and innovative supervision and treatment programs have become recognized as models for the field of pretrial justice. The foundations of PSA's model approach include:

- providing timely and accurate information to the courts to support informed decision-making;
- honoring the presumption of innocence and each defendant's right to pretrial release under the least restrictive conditions that assure community safety and return to court;
- promoting the use of appropriate graduated sanctions and incentives in response to defendant conduct;
- using evidence-based solutions and implementing continuous process evaluation to improve outcomes;
- partnering with other criminal justice agencies and community organizations to enhance public safety in the District's neighborhoods, building capacity for support services for defendants under pretrial supervision; and
- effectively managing the appropriated funds entrusted to the Agency's stewardship.

PSA continues to facilitate a steady stream of requests for technical assistance from national and international groups. Requests from domestic groups to focus more on understanding the technical aspects of how to replicate certain operations, particularly risk assessment. Requests from international groups generally focus on explanations of the US civil and criminal justice systems at the Federal, state and local levels; the role of various criminal justice system partners; the Drug Court model; developing and implementing alternatives to incarceration; and supervision techniques for non-violent defendants. Most recently, PSA has hosted representatives from California, Illinois, Kentucky, Nevada, New York, Ohio, Texas, and Kenya, which have included senior government officials, policy advisors, researchers, and practitioners.

A MODEL FOR INNOVATION

PSA is a leader in the field of criminal justice drug testing, having established the first in-house laboratory for a pretrial agency in 1984. Drug testing is key to helping PSA and other justice agencies identify and address the substance use-related public safety risks posed by individuals

under supervision. PSA also plays a vital role in supplying the District of Columbia public health and public safety communities with information on emerging trends related to drug use within the criminal and juvenile justice systems.

PSA was one of the first pretrial agencies to use a risk assessment instrument (RAI) and has used some form of risk assessment since its inception. It has also leveraged developments in science and best practices to refine and improve its protocols and instruments. PSA's risk instrument was designed exclusively for the District of Columbia using a data set consisting of defendants assigned to pretrial supervision in the District. To be fair and effective, RAIs must be tested regularly to ensure that they produce valid results for the population being served and are unbiased with respect to race, gender or other factors. In accordance with this understanding, PSA's RAI is independently revalidated on a regular basis, most recently in 2018.

In addition to advancements in drug testing and risk assessment, during the pandemic, PSA has adopted innovative supervision techniques to provide continuity of critical services to the defendant population. In April 2020, PSA began providing virtual substance use disorder treatment groups and encouraged defendants to connect with community-based mental health providers to obtain virtual services and support from external agencies. In July 2020, the Agency began utilizing teleconferencing software to conduct virtual supervision meetings between defendants and PSOs. As PSA determines its post-pandemic operating posture, it hopes to leverage the lessons learned to inform future decisions regarding the delivery of supervision and treatment services.

FISCAL YEAR 2022 PRESIDENT'S BUDGET

PSA's FY 2022 President's Budget is \$77,419,000, including 325 FTE, a net increase of \$10,676,000, or 16 percent, above the FY 2021 Enacted Budget. The request consists of a net increase of \$3,143,000 in changes to base and an increase of \$7,533,000 in program changes. Program changes include \$7,304,000 for move and relocation expenses, and \$229,000 to conduct a retrospective review that examines the use of cash bail in the District in Columbia.

This budget request reinforces the Agency's commitment to its vital role in the District of Columbia law enforcement community. Critical to PSA's success is its ability to reduce defendant rearrest and failure-to-appear rates through high-quality risk assessment, drug testing and supervision and treatment services.

Pretrial Services Agency for the District of Columbia				
Summary of Change				
Fiscal Year 2022				
	FTE	Annual Amount \$(000)	Multi-Year Amount \$(000)	Total Appropriation Amount \$(000)
FY 2020 Enacted Budget	325	66,461	998	67,459
FY 2021 Enacted Budget	320	66,284	459	66,743
Changes to Base:				
FY 2021/2023 Non-recurring Resources in FY 2022 ¹	-	-	(459)	(459)
2022 Pay Raise	-	1,225	-	1,225
FY 2022 Agency FERS Contributions	-	534	-	534
Treatment and Transitional Housing	-	500	-	500
FY 2022 Awards Spending	-	550	-	550
Mission Critical Programs	-	793	-	793
FY 2022 Employment Increase	5	-	-	-
Sub-Total, Changes to Base	5	3,602	(459)	3,143
FY 2022 Base Operations	325	69,886	-	69,886
Requested Program Changes:				
Lease Replacement and Relocation Costs	-	-	7,304	7,304
Cash Bail Retrospective	-	229	-	229
Sub-Total, Requested Program Changes	-	229	7,304	7,533
FY 2022 President's Budget	325	70,115	7,304	77,419
Increase (Decrease) versus FY 2021 Enacted:	5	3,831	6,845	10,676
Percent Increase (Decrease) versus FY 2021 Enacted:	1.6%	5.8%	1491%	16.0%

¹ Reduction of \$459,000 in non-recurring three-year FY 2020/2022 funding associated with the Lease Replacement Prospectus.

the new rates, PSA computes agency contributions would increase by approximately \$534,000 in FY 2022.

Agency Retirement Contribution Rates

	FY 2020	FY 2021	FY 2022
FERS Regular	16.0%	17.3%	18.4%
FERS Law Enforcement Officer (LEO)	33.4%	35.8%	37.6%
FERS-Revised Annuity Employees (FERS-RAE)	14.2%	15.5%	16.6%
FERS-RAE LEO	31.6%	34.0%	35.8%
FERS Further Revised Annuity Employees (FERS-FRAE)	14.2%	15.5%	16.6%
FERS-FRAE LEO	31.6%	34.0%	35.8%

Treatment and Transitional Housing **+\$500,000** **0 FTE**

PSA requests an increase of \$500,000 to partially restore its treatment budget to pre-pandemic levels. This includes \$400,000 for residential substance use disorder treatment, which would support approximately 92 additional defendants for 30 days of treatment; and \$100,000 for transitional housing, which would support approximately 32 additional defendants for 30 days of transitional housing. Transitional housing provides a graduated step-down for individuals being released from residential treatment that supports continued abstinence and sobriety.

The request represents PSA’s conservative estimate of expected demand in fiscal year 2022. Due to the impact of COVID-19 on Agency operations in FY 2020 and FY 2021, PSA has not conducted the standard battery of behavioral health assessments on its supervised population, which it normally uses to estimate the demand for treatment services. Nevertheless, the request is likely less than the true demand for services.

Background

PSA’s contract treatment budget is used to provide a variety of behavioral health interventions for defendants. These services include detoxification, residential and intensive outpatient substance use disorder/co-occurring disorder treatment, transitional housing for defendants successfully discharged from residential treatment, and outpatient mental health treatment. These services are key to PSA’s risk mitigation strategies, which are designed to ensure that defendants remain arrest-free and make all scheduled court appearances while awaiting trial.

PSA reduced its contract treatment budget from \$1,181,000 to \$500,000 in FY 2021 as a result of budget reductions to support agency priorities that are underfunded and required a shifting of budgetary priorities to ensure viability of critical resources and programs.

PSA’s FY 2022 treatment budget submission is \$1,919,732. The table below outlines planned program and activities as follows:

Defendant Services	FY 2022 Planned Amount	FY 2022 Planned Contracted Services
Substance Use Disorder Treatment - Detoxification	\$180,000	Approximately 60 defendants (5-day length of stay)
Substance Use Disorder Treatment - Residential	\$900,000	Approximately 220 defendants (30 day length of stay)
Substance Use Disorder Treatment – Intensive Outpatient	\$369,548	Approximately 85 defendants (48 session program)
Transitional Housing	\$195,000	Approximately 62 defendants (30-day length of stay)
Mental Health – Outpatient Services	<u>\$275,184</u>	Approximately 200 defendants in group sessions and 30 defendants in individual sessions (variable length programming)
TOTAL	\$1,919,732	

Award Spending **+\$550,000** **0 FTE**

PSA requests \$550,000 to restore monetary awards for non-SES employees. This funding will allow PSA to recognize and award outstanding performance of its personnel, particularly mission-critical staff who have reported in-person for duty and continued necessary active in-person engagement with PSA’s defendant population during the COVID-19 pandemic.

PSA eliminated its awards budget for non-SES employees in FY 2020 and FY 2021 in order to cover unanticipated expenses arising from both the COVID-19 pandemic and to support the development and implementation of the agency’s new client management system (CMS). In addition to these unexpected costs, PSA has absorbed unfunded increases in mandatory costs due to increases in the agency FERS contribution rates in FY 2020 and FY 2021, and the FY 2020 pay raise.

In addition, PSA’s enacted FY 2021 budget required budget reductions to all PSA programs and further affected PSA’s ability to support performance awards.

Restoration of this funding for non-SES award spending will enable PSA to strategically implement incentive awards, bonuses, and recruitment and retention allowances to reward and retain high-performing employees and to retain those with critical skill sets. It will also allow PSA to support awards based on performance and ensure that meaningful distinctions are made, when recognizing the contributions of high-performing employees.

<u>FY 2021 Estimated Non-SES Salaries</u>	<u>Award Spending Percentage of Non-SES Salaries</u>	<u>Award Amount</u>
\$33,650,000	1.63%	\$550,000

Mission Critical Programs **+\$793,000** **0 FTE**

PSA requests \$793,000 be added to its baseline budget to support bringing mission-critical core programs back up to pre-pandemic levels.

During fiscal years 2020 and 2021, PSA significantly reduced mission-critical services, including forensic toxicology reagents, defendant GPS surveillance, defendant substance use disorder and mental health treatment, and employee training. These reductions were required as a result of unanticipated expenses arising from both the COVID-19 pandemic and development of the agency’s new client management system (CMS), now known as PARIS.

PARIS is an essential function of the Agency, making it imperative that these costs were prioritized within PSA’s base operations budget. PARIS is used to manage all data and criminal history information for all arrestees processed prior to appearance in court, all individuals released on personal recognizance and all defendants released to pretrial supervision. The system is a high value asset, as defined in OMB Memorandum 17-09: Management of Federal High Value Assets. The system is the Agency’s mainstay for providing reliable information to law enforcement, external criminal justice agencies and court officials. The information in PARIS is relied upon to inform decision making at the point of arrest, charging and first court appearance. In addition, the system stores all information related to supervision and treatment services that are provided during the pendency of a case. PARIS records may be subpoenaed during and/or after the pretrial supervision period and are referred to often by subsequent supervising agencies, including CSP.

The reductions in 2020 and 2021 significantly impacted PSA’s ability to meet its public safety mission. As a tangible example, the agency is currently working to remove nearly 150 defendants from GPS supervision and, despite increased demand, the number of defendants that can be placed onto GPS supervision for the remainder of FY 2021 will be reduced as a cost-savings measure. These cost-driven decisions undermine the agency’s ability to effectuate evidence-based supervision for defendants more at risk of rearrest and/or failure to appear in court.

Additionally, PSA made early strides to comply with the President’s Executive Order (EO) 13991, Protecting the Federal Workforce and Requiring Mask-Wearing and OMB Memorandum M-21-15, COVID-19 Safe Federal Workplace: Agency Model Safety Principles EO, directing the prioritization of the health and safety of all personnel and defendants to

comply with both Centers for Disease Control and Prevention (CDC) and General Services Administration (GSA) recommendations, directing federal agencies to halt the spread of COVID-19 by implementing a variety of science-based public health measures.

To support these recommendations, PSA implemented a phased reopening plan that maximizes telework for most of its workforce and virtual supervision for most defendants. In addition, to protect mission-essential employees required to work on-site and high-risk defendants required to report in person, PSA purchased PPE and disinfecting supplies, completed facilities modifications, introduced new technology, and adopted rigorous cleaning protocols.

During FY 2021 and particularly for FY 2022, PSA anticipates progressing through its reopening plan, resulting in greater numbers of employees and defendants reporting to PSA worksites, which is expected to increase COVID-related costs. FY 2020 costs incurred for these efforts amounted to \$162,600 and expected costs for FY 2021 are \$231,000.

Requested Program Changes **+\$7,533,000** **0 FTE**

PSA’s FY 2022 budget request includes funding for the replacement lease prospectus project and to conduct a cash bail retrospective.

	Operations Budget	Non- recurring Funding	Total	FTE
Replacement Lease Prospectus – Non-recurring FY 2022-24 Funding	\$0	<u>\$7,304,000</u>	<u>\$7,304,000</u>	0
Cash Bail Retrospective	<u>\$229,000</u>	<u>\$0</u>	<u>\$229,000</u>	<u>0</u>
Total Requested Program Changes	\$229,000	\$7,304,000	\$7,533,000	0

Replacement Lease Prospectus **+\$7,304,000** **0 FTE**

PSA requests \$7,304,000 in three-year (2022/2024) funding to replace 2019/2021 funding that is likely to lapse due to protracted delays in the General Services Administration (GSA) procurement process to secure a new headquarters location for the agency.

The estimated cost for this request was derived from GSA’s Move and Replication Cost Estimate and represents a long-term investment in space management through the execution of a 20-year replacement lease. Estimated costs include design and construction, information technology, communications and security equipment and setup, and GSA management fees.

In FY 2019, PSA received a three-year (2019/2021) appropriation to support space acquisition and planning and relocation costs for PSA’s expiring leases identified in Prospectus Number PDC-12-

WA19, which was submitted to OMB by GSA, and subsequently to Congress for approval. The prospectus includes replacement of three leases for PSA workspaces: 633 Indiana Avenue (expired as of September 30, 2020), 1025 F Street (expired as of November 7, 2020) and 601 Indiana Avenue (expiring on September 30, 2021). Due to the protracted delays in procurement of new space for PSA, expired leases required re-negotiation with building owners, and the following table provides new lease expiration dates:

Leased Spaces	PSA Lease Expiration
633 Indiana Avenue, NW	09/30/2022
1025 F Street, NW	11/07/2023
601 Indiana Avenue, NW*	TBD

*PSA is currently negotiating an extension for this building and the revised lease expiration date is pending.

In addition, the design phase of this project was projected to start during the first quarter of FY 2019. However, as of the second quarter of FY 2021, GSA’s procurement process is still pending and neither a definitive location nor schedule to start the design is known to PSA.

PSA is dependent on GSA for its space needs. There are no other alternatives at this time through which PSA can secure continued housing for its mission-critical operations other than working with GSA to complete this process. Furthermore, PSA does not have the flexibility to fund this project within its base operations budget. This action takes into consideration any further unforeseen delays and will ensure that enough funding is available when the process to secure needed space is complete.

For reference: The full funding justification for this request was contained in PSA’s FY 2019 Congressional Budget Justification (CBJ) and is included in [Appendix A](#) of this submission.

Cash Bail Retrospective **+229,000** **0 FTE**

PSA requests \$229,000 to conduct a retrospective review that examines the use of cash bail in the District in Columbia.

For over fifty years, the District of Columbia has operated a primarily non-financial system of release for defendants awaiting trial in its local and federal courts. The system has proven to be an effective solution to the problem of balancing the fair administration of justice against the need for public safety.

PSA is the federal agency responsible for administering the District’s bail system. From inception, the District’s bail system operated from a core set of tenets, including a presumption in favor of release on their own recognizance for non-capital defendants; conditional pretrial release with conditions imposed to reduce the risk of failure to appear; restrictions on money bail bonds, which the court could impose only if non-financial release options were not enough to assure a defendant’s appearance; and review of bail bonds for defendants detained for 24 hours or more.

In 1970, recognizing a need to make public safety an equal consideration to risk of flight in making bail determinations in the District, Congress passed the DC Court Reform and Criminal Procedure Act, a first of its kind in the nation. This was followed by the federal Comprehensive Crime Control Act (Bail Reform Act of 1984), which introduced the assessment of public safety for all federal cases.

In 1992, the District made yet another legislative shift to address emerging issues related to crime trends. The DC Bail Reform Amendment Act was passed by the DC Council and made several enhancements to the city’s bail system. Chief amongst those changes were the introduction of pretrial preventive detention for certain groups of defendants and an express prohibition on the use of money bail to control for public safety. This latter change essentially ended the cash bail industry in our Nation’s Capital.

2022 will mark 30 years since the passage of this groundbreaking and revolutionary law. PSA seeks to document the impact of this change by conducting a retrospective that examines pretrial functions and outcomes prior to and since passage of the 1992 law. PSA believes this study can make a significant contribution to the ongoing national conversation regarding bail reform, particularly the reduction and/or elimination of cash bail.

PSA proposes to engage a senior management analyst and technical writer for a six-month engagement to produce a summary report highlighting the District’s experience, including lessons learned, to commemorate the 30th anniversary of the legislation.

The estimated costs for this retrospective are as follows:

Resource	Estimated Cost	FTE
Senior Management Analyst	\$150,000	0
Technical Writer	\$75,000	0
Printing/Publication Costs	<u>\$4,000</u>	0
Total	\$229,000	0

ORGANIZATIONAL STRUCTURE

PSA's organizational structure supports the Agency in operating programs that provide an array of services to DCSC, USDC and the defendants under PSA's supervision. Consistent with the Agency's strategic plan, PSA is organized into two divisions: Defendant Engagement and System Support (DESS) and Management and Administration (M&A).

DEFENDANT ENGAGEMENT AND SYSTEM SUPPORT

DESS provides supervision and treatment services and support to persons awaiting trial in DCSC and USDC. DESS is comprised of the offices responsible for pre-release screening and risk assessment, drug testing specimen collection, forensic toxicology, release services, defendant supervision, behavioral health assessment and treatment, courtroom support, and administrative support. The Division is comprised of four offices: Pre-Release and Testing, Post-Release and Supervision, Forensic Toxicology Services, and Administrative Services.

Pre-Release and Testing

The Office of Pre-Release and Testing performs diagnostic and drug testing services and supports the process of transitioning defendants onto pretrial supervision. The office consists of two units: Diagnostic, and Drug Testing and Release Services.

The **Diagnostic Unit** interviews and reviews the criminal history of defendants arrested and charged with certain DC Code offenses and US Code offenses in the DCSC. This information is used to assess each defendant's likelihood of appearing in court when required and remaining arrest-free while awaiting trial. This is called a "risk assessment."

PSA then recommends to the court what, if any, release conditions can be ordered that will reasonably assure a defendant's appearance in court and public safety.

The **Drug Testing** team collects urine and oral fluid specimens from defendants during the diagnostic process and once cases are assigned to PSA for supervision. The unit also collects specimens from respondents and juveniles with matters pending in DC Superior Court Family Division.

Immediately after defendants are released, they report to the **Release Services** team to review conditions of release. This engagement helps support the transition to supervision and compliance with the court's expectations.

Post-Release and Supervision

The Office of Post-Release and Supervision is responsible for supervision, treatment intervention and support services. The Office consists of three units: Supervision I, Supervision II and Treatment.

The **Supervision Units** supervise the majority of defendants awaiting trial or sentencing in DCSC and USDC. This includes monitoring defendants' compliance with release conditions and reporting this information to the courts.

Common supervision requirements include reporting to a Pretrial Services Officer (PSO), drug testing, and curfew or electronic monitoring. PSA's supervision components include general supervision teams, as well as teams that specialize in the supervision of electronic monitoring and traffic-related cases.

The Supervision Units also include PSA's Court Representatives, who are PSOs assigned to criminal courtrooms to provide daily support to judges in the form of compliance reporting and facilitation of necessary referrals.

PSA's **Treatment Unit** is designed for defendants with severe substance use disorders and/or acute mental health treatment needs. The unit specializes in the synchronization of supervision and behavioral health interventions and consists of three components: Social Services and Assessment Center, Drug Court and Specialized Supervision.

The Social Services and Assessment Center (SSAC) administers assessments to identify defendants' treatment needs and assists PSOs in making appropriate referrals for treatment services. The SSAC also serves as a repository for information on community resources and helps connect defendants with needed social services.

The Superior Court Drug Intervention Program, or Drug Court, is a substance use disorder treatment and supervision program for defendants charged with misdemeanors and non-violent felonies. Participants receive appropriate treatment and, upon completion of the program, may have misdemeanor charges dismissed or receive favorable sentencing or reduction of felony charges.

Drug Court is a collaboration amongst the DCSC, United States Attorney's Office for the District of Columbia (USAO), Office of the Attorney General for the District of Columbia (OAG), Public Defender Service for the District of Columbia (PDS) and PSA. Through Drug Court, the judiciary, prosecutor, defense attorney and PSA work together to help defendants achieve sobriety and become law-abiding citizens. PSA's Drug Court team uses innovative case management, referrals to appropriate treatment, and recovery-focused incentives and sanctions to support the rehabilitative process. During the program, participants have immediate access to substance use disorder treatment and receive specialized care, including gender-specific groups and individual and group therapy for trauma-impacted individuals.

PSA's Specialized Supervision teams provide services to defendants with mental health or a combination of substance use disorder and mental health treatment needs to assist them in meeting pretrial obligations. Specialized Supervision plays a vital role in supporting the Mental Health Community Court (MHCC), which is a partnership amongst DCSC, OAG, USAO, the local defense bar and PSA, was created to provide an alternative to traditional case processing for appropriate defendants with mental health issues. The MHCC is available to eligible defendants charged with either misdemeanors or felonies and enables positive defendant judicial interaction and full participation in mental health services. PSA's participation in the MHCC includes assessing and recommending eligible defendants for participation, providing close supervision and connection to mental health and substance use disorder treatment, and reporting compliance to the court.

Forensic Toxicology Services

The Office of Forensic Toxicology Services (OFTS) operates a comprehensive drug testing program for pretrial defendants, as well as individuals supervised by Community Supervision Program (CSP) and certain juveniles and respondents with cases in DCSC Family Court.

OFTS screens urine and oral fluid specimens collected from offenders, defendants and respondents for up to 36 illicit substances: marijuana, phencyclidine (PCP), opiates (codeine/morphine; oxycodone/oxymorphone; hydrocodone/hydromorphone), methadone, cocaine, alcohol, heroin, amphetamines (methamphetamine/amphetamine; MDMA/MDA), and synthetic cannabinoids (20 analytes). In addition, samples are tested for creatinine levels to determine sample validity and for ethyl glucuronide (EtG) to confirm alcohol use. OFTS uses gas chromatography/mass spectrometry (GC-MS) to confirm test results and is in the process of introducing liquid chromatography with tandem mass spectrometry (LC-MS-MS) to enhance PSA's ability to test for synthetic compounds. Toxicologists conduct levels analyses to distinguish new use from residual use to provide timely and accurate results for pretrial and other judicial decision-making.

OFTS also conducts forensic research that leads directly to practical enhancements in drug testing, improves strategies in surveillance monitoring, reveals trends in emerging new drug use, develop bi-directional partnerships with the scientific and social research community, and introduces new technologies that improve efficiency and provide critical evidence to support future decision making.

Administrative Services

The Office of Administrative Services (OAS) provides a full range of services to DESS offices and is responsible for ensuring alignment with PSA's strategic goals and management objective. In addition, OAS is responsible for enterprise risk-management, emergency preparedness, and quality management, and conducts analyses and evaluations of business processes to support data-driven decision making.

MANAGEMENT AND ADMINISTRATION

The Management and Administration (M&A) division is comprised of the offices responsible for PSA's planning and evaluation, policy development and implementation, information technology, human capital management, financial management, procurement and facilities management.³

Justice and Community Relations

The Office of Justice and Community Relations establishes and maintains partnerships with judicial system partners, other government and non-profit entities, and the community to enhance PSA's ability to provide effective community supervision, enforce accountability, increase community awareness of PSA's public safety role, and develop opportunities for defendants under pretrial supervision. It is through these partnerships that PSA can effectuate close supervision to reasonably assure that defendants will return to court and not endanger the community while on pretrial release.

³ Certain functions are performed by CSP for PSA, including select functions of the Office of General Counsel; Office of Legislative, Intergovernmental, Public Affairs; Equal Employment Opportunity; and Diversity and Special Programs.

In addition, treatment and social service options are developed and/or expanded to address the social problems that contribute to criminal behavior.

Finance and Administration

The Office of Finance and Administration (OFA) assures the effective management and financial integrity of PSA programs, activities, and resources by developing, implementing and managing policies, procedures and systems in the areas of budget formulation and execution, finance and accounting, travel, internal control, financial systems, and contract management. OFA also has responsibility for developing and administering policies, standards, and procedures regarding facilities management, property management and control, space management, vehicles, mail and distribution services, printing and reproduction services, and emergency management planning.

Human Capital Management

The Office of Human Capital Management (OHCM) develops and administers the full range of human resources programs, including organizational design; a comprehensive classification, pay, and position management program; staffing and recruitment; awards and recognition; payroll administration; employee and labor relations; benefits; and personnel security. OHCM also includes the Training and Career Development Center (TCDC), which manages programmatic, systems and management training; performs training needs assessments; develops curricula; and prepares, presents, procures and delivers training courses. TCDC also offers formal developmental programs and training opportunities to all staff.

Information Technology

The Office of Information Technology (OIT) plans, develops, and manages the information technology systems that support PSA programs and management operations as well as information technology-related standards, policies and procedures. OIT assesses PSA technology requirements; analyzes potential return on technology investment for internal systems and for PSA interface with external systems; designs and administers system configuration and architecture including hardware and software, telecommunications, network operations, desktop systems, and system security; and reviews and approves acquisition of all PSA major hardware, software, and information technology contracts.

Planning, Policy and Analysis

The Office of Planning, Policy and Analysis (OPPA) was established in November 2017 with the mission of using evidence-based approaches to inform planning, policy and operations. OPPA, in close partnership with other PSA offices, supports the achievement of the Agency's mission by administering a range of functions, including strategic planning, budget formulation, policy development, evidence-based analyses, and Agency performance improvement. Notably, OPPA ensures accurate reporting of Agency performance measures among other mission-critical analytical functions for offices across the Agency. OPPA's Deputy Assistant Director serves as PSA's Performance Improvement Officer.

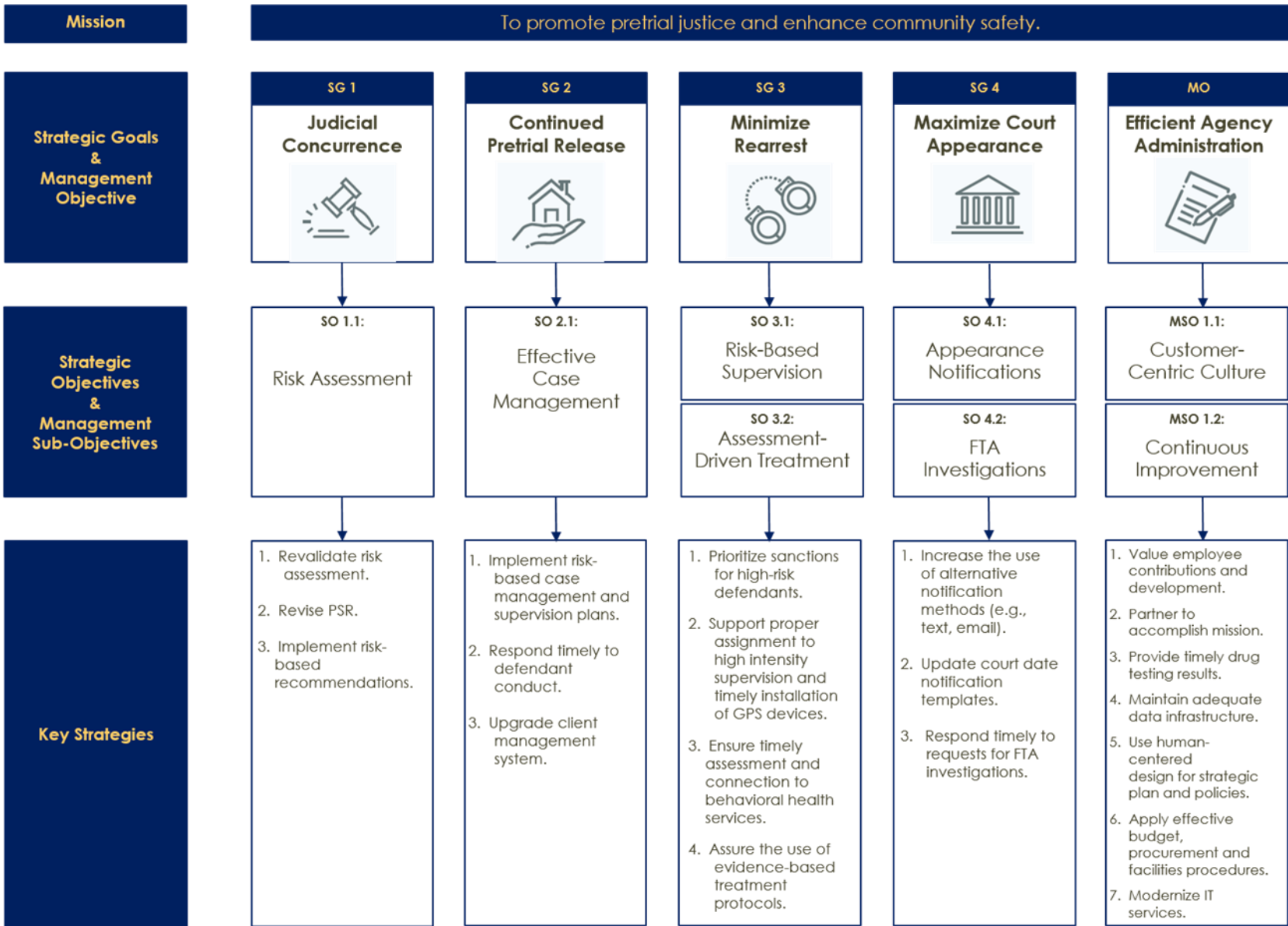
PSA STRATEGIC FRAMEWORK

PSA's strategic plan is the foundation upon which the Agency sets outcome-oriented goals, determines actions to achieve the goals, and mobilizes resources to execute the actions. It is based on a clear mission and sets forth a framework of priorities and objectives that cascade throughout all levels of the Agency to guide its work of promoting pretrial justice and enhancing community safety while striving for efficient Agency administration.

PSA's FY 2018-2022 strategic plan is comprised of four strategic goals and one management objective that outline the long-term outcomes the Agency plans to achieve. Four strategic goals focus on effectiveness of mission accomplishment, and one management objective focuses on efficiency of Agency administration (refer to figure on next page). The four strategic goals are supported by specific objectives that target Agency progress. Key strategies outline how the Agency will achieve its objectives, and the performance indicators measure the impact of progress towards Agency goals.

The cascading structure of PSA's strategic plan from strategic goals down to performance indicators provides leading and lagging indicators of Agency performance. This allows PSA to proactively monitor performance at various organizational levels and adjust direction towards achieving Agency goals.

PSA 2018 – 2022 STRATEGIC PLAN







PROGRAM PERFORMANCE

In response to COVID-19, and in adherence to public health guidance from the CDC and the White House, PSA altered its operations starting in March 2020 to enforce social distancing measures necessary to slow the spread of the virus. In coordination with the courts, the Agency suspended defendant lockup interviews, drug testing, treatment assessments and referrals to treatment programs, all of which require close in-person contact. To safely continue contact with defendants on release to PSA, the Agency continued defendant location monitoring, and shifted the majority of in-person reporting to phone reporting. For higher risk defendants, where in-person contact was necessary to promote community safety, PSA limited in-person reporting to:

- New installations of location monitoring devices,
- Maintenance and troubleshooting of existing location monitoring devices,
- Specific release conditions ordered by DCSC or USDC, and/or
- Individual cases based on PSO request with supervisory approval.

Also, in March 2020, most DCSC hearings were suspended, with the exception of arraignments, emergency and detention hearings, which were held virtually. Similarly, USDC instituted virtual court operations. The judicial decision-making process supporting defendant release and detention was also affected by COVID-19, resulting in the release to PSA supervision of some defendants who were previously held under preventive detention statutes, as well as other defendants who were eligible for preventive detention and would otherwise have been held without bond. Despite the impact of COVID-19 on Agency operations, PSA continued to meet or exceed the performance targets for all strategic goals during FY 2020.

Performance Indicator Area	Indicator Description	FY 2016 Actual	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2018-2022 Target
Strategic Goal 1	Judicial Concurrence with PSA Recommendation	72%	76%	81%	78%	79% 	70%
Strategic Goal 2	Continued Pretrial Release	88%	87%	85%	87%	85% 	85%
Strategic Goal 3	Arrest Free Rate	88%	86%	87%	87%	88% 	88%
	(Violent Crimes)	98%	99%	99%	99%	99%	97%
Strategic Goal 4	Court Appearance Rate	91%	88%	89%	88%	91%* 	87%

*Due to COVID-19 and the interruption in PSA's normal operations, FY 2020 data covers October 2019 through March 2020.

FY 2020 KEY AGENCY ACCOMPLISHMENTS

During FY 2020, PSA continued to advance its mission of promoting pretrial justice and enhancing community safety. Select highlights of Agency accomplishments include:

A. Supporting Judicial Decision-Making

Redesigned Reports for US District Court

Consistent with PSA's goal of maintaining a customer-centric culture, the Agency redesigned the USDC status report to conform to the layout used in other federal jurisdictions. The revisions help judges quickly locate key information and make PSA's report easily understood when cases are transferred across federal districts. The new report includes the defendant's picture along with a summary of the defendant's compliance with conditions of release and recommendations for any modification of conditions of release, if applicable.

B. Enhancing Drug Testing

1. Implemented Universal Fentanyl Testing

In response to the nationwide public health emergency to address the opioid crisis and based on PSA's research findings showing fentanyl use among its defendant population, PSA expanded its substance use testing panel to include fentanyl testing. While COVID-19 delayed the Agency's plans to begin fentanyl testing in April 2020, as originally scheduled, PSA is ready to implement universal fentanyl screening upon the Agency's return to normal operations.

2. Reduced Turnaround Times for Oral Fluid Screening

Due to medical conditions and other factors, some defendants and respondents are unable to provide urine specimens for testing. As an alternative for these individuals, PSA conducts testing on oral fluid specimens. PSA previously relied on an external contractor for all oral fluids testing, however this caused delays in the turnaround times for specimen results and resulted in increased testing expenses for the Agency. In 2016, PSA began screening a limited number of oral fluid specimens in-house, using a manual process. While this lowered testing expenses for PSA, the high turnaround times for test results persisted, due to the manual analysis process.

In February 2020, PSA secured and introduced testing kits that allow for screening of oral fluid specimens using its high-capacity automated analyzers. The introduction of the new oral fluid specimen testing kit enabled the Agency to reduce testing turnaround times from seven business days to five business days for routine oral fluid test results, and from four business days to two business days for spot test results. In addition to reducing turnaround times for oral fluid screening, the new kit expanded detection to include four additional substances: alcohol, methadone, methamphetamine, and oxycodone. This new kit enables detection of a total of nine substances. This includes the newly added substances mentioned above, plus the original five

that were previously detected: amphetamines, cocaine/cocaine metabolites, marijuana, opiates, and PCP.

C. Enhancing Defendant Supervision

1. *Expanded Community Supervision Options for Cyber-Crime Offenses for USDC Defendants*

In September 2019, PSA awarded a contract to enable remote supervision of internet activity for select defendants. Within USDC, judges will soon have the option to order computer and electronic device surveillance for defendants charged with child pornography and/or sexual exploitation and financial crimes. This specialized computer monitoring brings PSA's supervision options into alignment with other federal pretrial districts. Once fully operational, this contract will allow PSA to offer real-time monitoring of a defendant's online activity to ensure compliance with court-ordered release conditions related to the use of electronic devices and accessing the internet. PSA plans to pilot this supervision tool in FY 2021. During the pilot phase, PSA will place up to five defendants charged with child sex offenses on remote internet and computer monitoring. Once the pilot is completed, PSA will expand use of the computer monitoring tool by training additional USDC PSOs.

2. *Improved Monitoring of Defendant Criminal Activity*

In January 2020, PSA and the Federal Bureau of Investigation (FBI), Criminal Justice Information Services (CJIS) Division signed an interagency agreement that provides PSA with real-time, nationwide criminal activity alerts for defendants released to PSA for supervision. Execution of the agreement makes PSA the first federal law enforcement agency to use the FBI's Criminal Justice RAP (Record of Arrest and Prosecution) Back Service. In March 2020, PSA and the FBI successfully piloted the exchange of criminal activity alerts and launched the data exchange. Through this partnership, PSA continuously monitors defendants' criminal activity, particularly that which occurs outside of the District, thereby enhancing the Agency's ability to provide effective supervision for defendants and accurate compliance information to the court.

3. *Enhanced Community Safety by Requesting Arrest Warrants in USDC*

To further align PSA's efforts with those of other federal pretrial agencies, in October 2019, PSA implemented a new Petition for Warrant for USDC. Historically, PSA has submitted reports describing defendant non-compliance to the Court and has deferred to the Court and prosecutors to initiate actions related to the issuance of warrants. In response to a request from the Chief Judge, PSA introduced the practice of requesting warrants in cases of sustained non-compliance or egregious acts of non-compliance by defendants under supervision. In addition, to support changes made by the DC Neighborhood Engagement Achieves Results (NEAR) Act, in FY 2021, PSA will develop and implement a new Petition for Warrant in DC Superior Court for defendants who violate a condition of release by violating a stay-away order or an order to wear a detection device. These new reports alert judicial officers about defendants that may be at higher risk of failing to appear in court and/or being rearrested. The report also requests

expedited judicial responses for cases where defendants are in a loss of contact status, abscond from a halfway house, tamper with GPS equipment and/or violate a condition of release.

D. Enhancing Prosocial Services Interventions

Ensuring Treatment Access During the Pandemic

In March 2020, PSA suspended all internal intensive outpatient substance use disorder treatment groups and mental health groups to ensure the safety of defendants and employees during the COVID-19 pandemic. To ensure continuity of care for defendants under supervision, PSA collaborated with community-based mental health and substance use disorder treatment vendors to identify and connect defendants with virtual services until PSA safely resumes service delivery.

PSA also worked with its contract-funded treatment vendors to develop virtual services using remote platforms such as Zoom. Virtual treatment groups were launched in July 2020 and PSA's mental health and substance use treatment vendors now offer virtual group services at the same level as pre-pandemic in-person offerings. In FY 2021, PSA will start to administer virtual substance use disorder assessments to continue to identify defendants' treatment needs and assists PSOs in making appropriate referrals for treatment services.

KEY AGENCY STRATEGIES

PSA continued to progress towards meeting its FY 2020-2021 Agency Priority Goal (APG) of implementing a risk-based supervision operating model.⁴

During FY 2020, PSA developed risk-based case management protocols into a finalized risk-based supervision (RBS) guide and began drafting corresponding staff instructions in preparation for training and implementation. In fulfillment of its labor obligations pertaining to the implementation of RBS, throughout the year, PSA briefed and worked collaboratively with its labor union to finalize implementation plans. Since the onset of the pandemic, PSA has continued to actively engage its union to adjust the plan in response to COVID-19.

Additionally, PSA completed the initial cloud configuration for its newly acquired client management system, PARIS. In February 2020, the Agency demonstrated the preliminary functionality of PARIS for the first half of PSA's business process and continued Agile configuration and user testing of the second half of its business process during the remainder of the year. Early user acceptance testing of the preliminary PARIS design was exceptionally favorable.

While PSA remains on track to complete the implementation of risk-based supervision in FY 2021, factors related to COVID-19 and the recent interruption of the courts' and other criminal justice partners' normal operations could impact the Agency's progress.

⁴ This is based on the three-year modernization plan described in the FY 2021 President's Budget.

STRATEGIC GOAL 1: JUDICIAL CONCURRENCE WITH PSA RECOMMENDATIONS

PSA promotes the fair administration of justice by recommending the least restrictive release conditions consistent with community safety and return to court. To support judicial decisions, PSA provides a Pretrial Services Report, or PSR, which contains a summary of each defendant's criminal history and demographic information. In this report, PSA recommends – as appropriate – release conditions that are designed to mitigate the risk of failure to appear and rearrest during the pretrial period. PSA's release recommendations include pro-social interventions, such as drug testing, behavioral health assessment and treatment, halfway house placement, global positioning system (GPS) electronic monitoring, and regular contact with a PSO. To gauge how often judicial officers concur with PSA's release recommendations, the Agency implemented a measure of judicial concurrence.



Strategic Objective 1.1 Risk Assessment

The PSR provides much of the information judicial officers use to determine a defendant's risk to the community and the level of supervision, if applicable, that the defendant requires. Risk assessment is a core component of the PSR. PSA uses a scientifically-validated risk assessment to determine each defendant's risk of pretrial misconduct.⁵ Use of this instrument, which was developed specifically for the adult defendant population within the District of Columbia, enhances the Agency's ability to accurately assess pretrial risk of failure and make appropriate recommendations to the court regarding release conditions.

To gauge the quality of the information provided to judicial officers for decision-making, PSA implemented a measure of PSR completeness. A PSR is deemed "complete" when it contains defendant interview responses (or documented refusal thereof), lock-up drug test results, criminal history, and release recommendations based on risk assessment score, prior to the case being called in court.

⁵ Kennedy, S., House, L., and Williams, M. (2013). Using Research to Improve Pretrial Justice and Public Safety: Results from PSA's Risk Assessment Validation. *Federal Probation a journal of correctional philosophy and practice*, 77(1), 28-32. Retrieved from <https://www.uscourts.gov/federal-probation-journal/2013/06/using-research-improve-pretrial-justice-and-public-safety-results>.

Performance Indicators

Table 1 - Performance Indicators for Strategic Goal 1: Judicial Concurrence with PSA Recommendations							
Performance Indicator Area	Indicator Description	FY 2016 Actual	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2018-2022 Target
Strategic Goal 1	Judicial Concurrence with PSA Recommendation	72%	76%	81%	78%	79% 	70%
Strategic Objective 1.1⁶	Risk Assessment (Complete PSRs)	N/A	73%	80%	72%	73%* 	73%

*Due to COVID-19 and the interruption in PSA’s normal operations, data covers October 2019 through March 2020.

PSA met or exceeded its performance targets for Strategic Goal 1: *Judicial Concurrence with PSA Recommendations* and its supporting strategic objective.

Key Strategies Supporting Strategic Direction

1. Revalidate the existing risk assessment instrument during the first 12 months of the strategic period to ensure that it has maintained the predictive validity and accuracy

Since 2014, PSA has utilized a scientifically validated risk assessment. To ensure continued accuracy and validity, PSA periodically revalidates its risk assessment tool. In FY 2018, PSA completed the revalidation of its risk assessment tool. The revalidation confirmed that the instrument continues to effectively predict risk among adult defendants awaiting trial in DC. Since fiscal year 2020 PSA has partnered with the Metropolitan Police Department and DC Department of Corrections to obtain access to data regarding handgun offenses, which will allow PSA to specifically assess firearms-related offense risk during the next revalidation.

2. Revise the Pretrial Services Report (PSR) to effectively inform judicial officer decisions

During FY 2019, PSA launched the first revision to the PSR for USDC. The revision maps release condition recommendations to the specific domain of risk that each is designed to mitigate (e.g., failure to appear or rearrest). PSA continues to collaborate with USDC magistrate judges by seeking feedback on desired enhancements and revisions to the report and implements new plans, as appropriate.

3. Implement risk-based recommendations matrix to support judicial decision making

PSA’s current case management model utilizes court-ordered conditions of release to place defendants in supervision “programs.” These programs have uniform core requirements that result in similar approaches being utilized for all defendants who are released with the same

⁶Strategic Objective 1.1 does not include CDC and CTF because not all of these defendants receive a diagnostic interview; a key component of the Complete PSR measure.

release conditions. Best practices recommend utilization of individualized approaches that correspond to each defendant's assessed risk(s). In accordance with best practices, PSA is transitioning from a program-based to a risk-based supervision model, where supervision is tailored to each defendant's identified risk designation.

PSA has developed and will implement a new risk-based recommendations matrix that balances the risks of failure to appear and re-arrest to support judicial decision making. This will enable PSA to ensure harmonization among risk designations, release condition recommendations, and supervision protocols.

STRATEGIC GOAL 2: CONTINUED PRETRIAL RELEASE

Continued pretrial release aims to ensure that defendants placed on release remain safely in the community during the pendency of their cases. During the pretrial period, defendant release may be revoked due to non-compliance with conditions of release. To gauge the effectiveness of defendant case management, PSA implemented a measure of continued pretrial release, which examines the rate at which defendants remain on release without revocation or a pending request for revocation due to non-compliance.






Strategic Objective 2.1 Effective Case Management

Case management is an individualized approach for securing, coordinating, and monitoring the appropriate supervision, treatment, and ancillary services necessary to manage each defendant successfully for optimal outcomes. It comprises all activities performed by PSA that support a defendant's compliance with court-ordered conditions of release, appearance at all scheduled court hearings, and crime-free behavior while on pretrial release.

To gauge the effectiveness of its defendant case management, PSA implemented measures of response to defendant non-compliance and defendant satisfaction with PSA case management.

Performance Indicators

Table 2 - Performance Indicators for Strategic Goal 2: Continued Pretrial Release

Performance Indicator Area	Indicator Description	FY 2016 Actual	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2018-2022 Target
Strategic Goal 2	Continued Pretrial Release	88%	87%	85%	87%	85% 	85%
Strategic Objective 2.1	Response to Defendant Conduct ⁷	91%	91%	90%	89%	91%* 	Drug Infractions: 80%
		87%	89%	89%	89%	93% 	Contact Infractions: 70%
		87%	88%	92% ⁸	95%	94% 	Electronic Monitoring Infractions: 92%
		90%	88%	89%	80%	78%* 	Group Session Infractions: 80%

*Due to COVID-19 and the interruption in PSA’s normal operations, data covers October 2019 through March 2020.

PSA met or exceeded its performance targets for performance indicators supporting Strategic Goal 2: *Continued Pretrial Release*, except for:

- Strategic Objective 2.1- *Group Sessions*, for which the Agency was within 2 percentage points of its performance target.

Key Strategies Supporting Strategic Direction

1. Implement risk-based case management protocols and supervision plans

Under its new risk-based supervision model, PSA has developed and is preparing to implement supervision protocols that take full account of a defendant’s individual risk and respond to both compliant and non-compliant behavior accordingly.

2. Respond in a timely manner to defendant compliance with conditions of release to enhance defendants’ observance of court requirement.

PSA has updated timelines and options for responding to defendant non-compliance that correspond to each defendant’s assessed risk level.

⁷ PSA refined its methodology by removing instances with suspected data entry errors (e.g., observations where the date of non-compliance is addressed occurs before the non-compliance date). This logic update was performed as part of the Agency’s data revalidation process.

⁸ Data captured between February 14th and May 12th, 2018 were excluded due to PSA’s transition from manual to automation collection.

3. Upgrade client management system to support new supervision protocols

In support of PSA's transition to revised case management protocols, PSA is upgrading its client management system to ensure proper documentation of supervision activities.

STRATEGIC GOAL 3: MINIMIZE REARREST

PSA supervision is designed to minimize risk to the community. PSA uses appropriate supervision strategies to manage defendants most at risk of violating their release conditions. PSA also provides pro-social interventions, such as mental health and substance use disorder treatment, to enable defendants to remain arrest-free. To gauge PSA's effectiveness in minimizing rearrests, PSA implemented a measure of arrest-free rates.









Strategic Objective 3.1 Risk-Based Supervision

PSA focuses supervision resources on defendants most at risk of violating their release conditions and uses graduated levels of supervision consistent with each defendant's identified risk level. As described in the APG, once PSA implements risk-based supervision fully, very low-risk defendants (those released on personal recognizance) will receive only notification of their court dates. Low-risk defendants with reporting conditions will require limited contact with PSA. Medium-risk defendants will be placed under PSA's supervision and maintain regular contact through a combination of in-person and telephone reporting to PSOs. High-risk and very high-risk defendants will be subject to more frequent and primarily in-person contact with assigned PSOs.

PSA's supervision strategy includes promoting swift, consistent consequences for violation of release conditions, and promoting incentives for defendants who consistently comply with release conditions. Swift, graduated sanctions are used to modify defendant behaviors considered precursors to a return to criminal activity or failure to appear for court. Examples of such behaviors include loss of contact and absconding from substance use disorder and/or mental health treatment. Responding promptly to non-compliance is directly related to reducing failures to appear and enhancing public safety. When violations of conditions are detected, PSA uses all available administrative sanctions, informs the court and, when warranted, seeks judicial sanctions, including revocation of release. PSA also harnesses the power of incentives to change defendant behavior. Common incentives recommended by PSA include reduction in the number of contacts with PSOs required, reduction in the frequency of drug testing, and placement in less intensive treatment or supervision programs.

To gauge the effectiveness of Risk-Based Supervision, PSA implemented a measure of defendant compliance at case disposition.

Performance Indicators

Performance Indicator Area	Indicator Description	FY 2016 Actual	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2018-2022 Target
Strategic Goal 3	Arrest-Free Rate	88%	86%	87%	87%	88% 	88%
	(Violent Crimes)	98%	99%	99%	99%	99% 	97%
Strategic Objective 3.1.1	Compliance with Release Conditions (Closeout Assessment)	72%	71%	75%	77%	74% 	77%
Strategic Objective 3.1.2	GPS Monitoring Installations						TBD
Strategic Objective 3.2.1	Substance Use Disorder Assessments	92%	93%	91%	96%	95%* 	95%
Strategic Objective 3.2.2	Placement into Substance Use Disorder Treatment	49%	53%	55%	50%	33%* 	50%
Strategic Objective 3.2.3	Reduction in Drug Use	84%	85%	82%	85%	85%* 	74%
Strategic Objective 3.2.4	Mental Health Assessments	89%	95%	95%	93%	84%* 	95%
Strategic Objective 3.2.5	Connection to Mental Health Services	84%	88%	89%	86%	92%* 	80%

*Due to COVID-19 and the interruption in PSA's normal operations, data covers October 2019 through March 2020.

PSA met or exceeded its performance targets for performance indicators supporting Strategic Goal 3: *Minimize Rearrest*, except for:

- Strategic Objective 3.1.1 - *Compliance with Release Conditions*, for which the Agency was within 3 percentage points of its performance target.
- Strategic Objective 3.2.2 – *Placement Into Substance Use Disorder Treatment*, for which the Agency was below target by 17 percentage points. Due to COVID-19, placement into substance use disorder treatment was suspended in March 2020.
- Strategic Objective 3.2.4 – *Mental Health Assessments*, for which the Agency was below target by 11 percentage points. Due to COVID-19, mental health assessments were suspended in March 2020.

Key Strategies Supporting Strategic Direction

1. Prioritize sanctions and court reporting for non-compliant high-risk and very high-risk defendants

To assist judicial officers in identifying court reports that require immediate action, PSA implemented a priority reporting system to assist with expediting judges' responses to non-compliance by high-risk and very high-risk defendants. PSA designates reports as "high priority" when high-risk and very high-risk defendants are declared a loss of contact, violate a stay away order or when any defendant (irrespective of risk level) threatens or assaults PSA staff or other defendants or tampers with GPS equipment.

2. Support proper assignment of defendants to electronic monitoring supervision and timely installation of GPS equipment

Consistent with the shift to risk-based supervision, PSA is refining its process for recommending electronic monitoring in an effort to limit its use to defendants who are at greatest risk of pretrial misconduct. In FY 2021, PSA developed new eligibility criteria for future electronic monitoring placements and worked with the courts, the US Attorneys' office and the defense bar to implement the new criteria. In addition, PSA is refining its protocols to prioritize high-risk and very high-risk defendants for immediate installations.

Strategic Objective 3.2 Assessment-Driven Treatment

An effective approach to minimizing rearrests is addressing underlying issues, such as substance use disorder and mental health treatment needs, during the pretrial period. PSA provides, through either contracted services or referral, appropriate substance use disorder and mental health treatment to enhance supervision compliance. In addition to public safety benefits, the community also benefits from the cost savings of providing supervision with appropriate treatment instead of incarceration.

Treatment for either substance use or mental health disorders is provided as a supplement to, and never in lieu of, supervision. Just as defendants are assigned to supervision levels based on risk, they are assigned to supervision units that provide treatment based on both risk and need. In addition to substance use disorder treatment, defendants placed in these programs have drug testing, contact, and other release conditions and are held accountable for compliance with these conditions.

To gauge effectiveness of pro-social interventions, PSA measures defendant referral, assessment, and placement in treatment programs.

Key Strategies Supporting Strategic Direction

1. Ensure timely assessment and connection to behavioral health services and substance use disorder treatment

Prior to the COVID-19 pandemic PSA conducted, in person, same-day mental health and substance use disorder assessments for referred defendants under pretrial supervision. PSA has resumed substance use disorder assessments, utilizing a virtual platform, to support the case management processes and to allow safe assessments of defendant treatment needs during the pandemic.

2. Assure the use of evidence-based treatment protocols by PSA contractors

PSA contracts with licensed and certified providers to address underlying severe mental illnesses and substance use disorders that increase defendant risk of pretrial misconduct. To ensure the provision of appropriate, quality-based services, PSA will continue conducting routine audits to ensure adherence to contract requirements.

STRATEGIC GOAL 4: MAXIMIZE COURT APPEARANCE


The strategic goal of maximizing court appearance is one of the most basic outcome measures for pretrial service programs. National standards on pretrial release identify minimizing failures to appear as a central function for pretrial programs. This strategic goal is measured by the defendant appearance rate, which indicates the percentage of defendants on pretrial release who make all scheduled court appearances.

Strategic Objective 4.1 Court Appearance Notifications

In order to minimize failures to appear, PSA notifies defendants of future court dates. During the last strategic period, PSA expanded its notification process by adding an electronic option to inform, remind, and/or update defendants of upcoming court dates. This new process incorporates the use of text and email notifications in addition to traditional mailed letters. During the initial contact, PSA asks defendants about their preferred method of notification. An automatic hierarchy is then generated for notifications to the defendant (i.e., email, text messages, and letters) based on the defendant's preference.

To gauge the effectiveness of defendant court appearance notifications, PSA implemented a measure of court appearance following notifications.

Performance Indicators

Table 4 -Performance Indicators for Strategic Goal 4: Maximize Court Appearance							
Performance Indicator Area	Indicator Description	FY 2016 Actual	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2018-2022 Target
Strategic Goal 4	Court Appearance Rate ⁹	91%	88%	89%	88%	91%* 	87%
Strategic Objective 4.1.1	Court Notification Automation						TBD
Strategic Objective 4.1.2	Redesign Court Notification						TBD
Strategic Objective 4.2.1	Failure to Appear Investigation						TBD
Strategic Objective 4.2.2	Ratio to Bench Warrant						TBD

*Due to COVID-19 and the interruption in PSA’s normal operations, data covers October 2019 through March 2020.

Prior to its operations being impacted by the COVID-19 pandemic, PSA met or exceeded its performance target for Strategic Goal 4: *Maximize Court Appearance*

Key Strategies Supporting Strategic Direction

1. Update court date notification templates

Due to COVID-19 and the interruption in PSA’s normal operations, the *Improving Court Appearance Rates Project* was placed on hold. Upon resumption of normal Agency operations, PSA will test the court date notifications with defendants and evaluate their effectiveness and will continue to use insights from behavioral science to improve defendant communications about their future court dates.

2. Increase the use of alternative notification methods (e.g. text, email)

Once the courts resume more standard operations, PSA will continue automating its court date notifications to more efficiently and effectively remind defendants of their upcoming court dates. The requirements gathering for the Agency’s new Pretrial Automated Records and Information System ensures emphasis on the capability to initiate and record automated notifications.

⁹ The Court Appearance Rate indicator is for the life of an individual’s case, which can contain multiple court appearances, and success is dependent on the individual making all court appearances in order to be counted towards meeting the target.

Strategic Objective 4.2 Failure to Appear Investigations

Defendants often present issues that may contribute to failure to appear in court (e.g., unstable home environments, homelessness, illiteracy and low educational achievement, developmental disabilities, unemployment, substance use disorders, mental illness, physical problems, etc.). To help address these issues, PSA conducts failure-to-appear investigations to determine the reason for a defendant's nonappearance in court. The pertinent information is documented, and the court is informed of the findings. In some cases, these investigations may prevent issuance of a bench warrant.

Key Strategies Supporting Strategic Direction

Respond timely to requests for investigating defendant failure to appear in court

PSA will continue to assist in bench warrant prevention and provide information to the court in regards to defendants' statuses on scheduled court appearance dates and reasons for failing to appear for court.

RESOURCE REQUIREMENTS BY STRATEGIC GOAL

PSA uses a cost allocation methodology to determine actual and estimated appropriated resources, including both direct (e.g., staff performing direct defendant supervision) and indirect (e.g., rent, administrative activities, management), supporting each strategic goal. The chart below reflects the funding allocation by strategic goal for fiscal years 2020, 2021 and 2022.

FUNDING BY STRATEGIC GOAL

	FY 2020 Actual	FY 2021 Enacted	FY 2022 Request	Change from FY 2021
Strategic Goal 1: <i>Judicial Concurrence With PSA Recommendations</i>				
<i>\$ in thousands</i>	16,102	16,098	17,029	931
FTE	80	79	80	1
Strategic Goal 2: <i>Continued Pretrial Release</i>				
<i>\$ in thousands</i>	15,616	15,611	16,514	903
FTE	76	75	77	2
Strategic Goal 3: <i>Minimize Rearrest</i>				
<i>\$ in thousands</i>	17,157	17,153	18,144	991
FTE	83	82	84	2
Strategic Goal 4: <i>Maximize Court Appearance</i>				
<i>\$ in thousands</i>	17,426	17,422	18,428	1,006
FTE	85	84	84	0
Total Base Funding <i>\$ in thousands</i>	66,301	66,284	70,115	3,831
Total FTE	324	320	325	5
<i>Lease Replacement Prospectus</i>				
<i>\$ in thousands</i>	0	459	7,304	6,845
Total Budget	66,301	66,743	77,419	10,676

SUPPORTING MATERIALS

MANAGEMENT AND ADMINISTRATION

Strategic Human Capital Management

- ✓ Revised the Agency's Performance Management Policy, changing the performance cycle to align with the fiscal year. The changes increase accountability by tying performance closely to year-end Agency outcome and performance measures. In addition, all performance plans cascade from the Senior Executive Service level through managers and supervisors to line employees, ensuring that performance at each administrative level can be directly linked to the performance at subordinate levels.
- ✓ Supported achievement of the Agency's Priority Goal by working to ensure that all labor/bargaining obligations were met. Began work with organizational units to modify position descriptions and performance standards, as appropriate, to ensure that expectations are clearly articulated and that employees are held accountable for results.
- ✓ Developed, tested, and launched a new system for electronic routing of personnel actions. The new system improves process flow and facilitates timely review and approval within a virtual environment.
- ✓ Continued to manage a training and career development program committed to developing a workforce capable of effectively responding to current and future demands in administering pretrial services and creating a work environment that promotes inclusiveness and growth:
 - PSA employees completed 5,900 hours of training to include on-line courses, instructor-led courses, forums, shadowing and on-the-job instruction.
 - Hosted four undergraduate and graduate student interns.
 - Two employees participated in Executive Potential Program at Graduate School USA.

Records Management Infrastructure Development

- ✓ Conducted individual office assessments for record maintenance compliance and timely disposal of records that reached or surpassed disposition dates.
- ✓ Conducted the annual training for records liaisons.
- ✓ Identified approximately 13,255 closed cases for transfer to the Federal Records Center for storage.
- ✓ Disposed of approximately 17,270 closed cases.
- ✓ Ensured Agency-wide compliance with the annually mandated records management training.

Financial Statement Audit

- ✓ Achieved an *unmodified* (clean) opinion on the FY 2020 financial statements.

Information Technology

- ✓ Developed and implemented the Automated Security Awareness Program for PSA employees, interns, and contractors.
 - Trained 93 percent of staff on handling personally identifiable information.
 - Trained 95 percent of staff with significant privacy and security functions on role-based security.
 - Conducted five phishing campaigns to mitigate the risk of security vulnerabilities.
 - Enhanced security awareness with monthly cybersecurity newsletters.

- ✓ Enhanced mobile capabilities for the PSA workforce in response to establishing a maximum telework posture due to COVID-19.
 - Deployed the Microsoft Teams collaboration tool to all PSA employees.
 - Developed user training tools and techniques on telework best practices.
 - Conducted an independent infrastructure assessment to inform PSA's strategy to accelerate cloud adoption.

- ✓ Enhanced the cloud migration effort through the deployment of the Salesforce Platform as a Service and Software as a Service (PaaS/SaaS) capabilities.
 - Implemented the PaaS which allows PSA to easily deploy, run, and manage future cloud applications without the complexity of building and maintaining its own servers and infrastructure.
 - Implemented the Government Cloud environment for the Salesforce SaaS which will be used to deploy PARIS.

BUDGET DISPLAYS

SALARIES and EXPENSES (BASE FUNDING) SUMMARY OF REQUIREMENTS by GRADE and OBJECT CLASS <i>(Dollars in Thousands)</i>								
Grade	FY 2020 Actual		FY 2021 Enacted		FY 2022 PB		FY 2021 to FY 2022 Variance	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
SES	1	197	3	533	3	543	0	10
GS-15	10	1,644	10	1,657	10	1,670	0	13
GS-14	31	4,460	30	4,351	30	4,388	0	37
GS-13	57	6,952	56	6,885	57	7,066	1	181
GS-12	164	17,102	159	16,714	163	17,278	4	564
GS-11	10	766	10	772	10	779	0	7
GS-09	13	959	14	1,041	14	1,050	0	9
GS-08	5	330	5	333	5	335	0	2
GS-07	18	1,115	18	1,124	18	1,134	0	10
GS-06	2	117	2	118	2	119	0	1
GS-05	13	649	13	655	13	660	0	5
Total Appropriated FTE	324	34,291	320	34,183	325	35,022	5	839
Object Class								
11.1 Full-time Permanent	324	34,291	320	34,183	325	35,022	5	839
11.3 Other than Full-time Permanent	0	0	0	0	0	0	0	0
11.5 Other Personnel Compensation - Awards	0	29	0	0	0	550	0	550
11.5 Other Personnel Compensation - Other	0	281	0	298	0	298	0	0
12.0 Personnel Benefits	0	16,481	0	17,402	0	18,322	0	920
Personnel Costs	324	51,082	320	51,883	325	54,192	5	2,309
21.0 Travel and Transportation of Persons		2		2		2		0
22.0 Transportation of Things		0		0		0		0
23.1 Rental Payments to GSA		3,184		3,386		3,454		68
23.2 Rental Payments to Others		2,022		2,056		2,094		38
23.3 Communications, Utilities & Misc. Charges		663		661		661		0
24.0 Printing and Reproduction		14		20		20		0
25.1 Advisory and Assistance Services		8		65		65		0
25.2 Other Services from non-Federal Sources		4,958		4,551		6,959		2,408
25.3 Other Goods/Services from Federal Sources		1,430		1,419		1,419		0
25.4 Operation and Maintenance of Facilities		8		17		17		0
25.7 Operation and Maintenance of Equipment		191		151		651		500
26.0 Supplies and Materials		613		520		520		0
31.0 Equipment (& Furniture)		2,126		1,553		61		-1,492
32.0 Land and Structures		0		0		0		0
43.0 Interest		0		0		0		0
Non-Personnel Costs		15,219		14,401		15,923		1,522
TOTAL	324	66,301	320	66,284	325	70,115	5	3,831

**SALARIES and EXPENSES (NON-RECURRING FUNDING)
SUMMARY OF REQUIREMENTS by GRADE and OBJECT CLASS**

(Dollars in Thousands)

Object Class	FY 2020 ¹		FY 2021 ²		FY 2022 ³	
	Enacted		Enacted		PB	
	3-year 20/22		3-year 21/23		3-year 22/24	
	Lease Prospectus		Lease Prospectus		Lease Prospectus	
	FTE	Amount	FTE	Amount	FTE	Amount
Object Class						
11.1 Full-time Permanent	0	0	0	0	0	0
11.3 Other than Full-time Permanent	0	0	0	0	0	0
11.5 Other Personnel Compensation	0	0	0	0	0	0
12.0 Personnel Benefits	0	0	0	0	0	0
Personnel Costs	0	0	0	0	0	0
21.0 Travel and Transportation of Persons		0		0		0
22.0 Transportation of Things		0		0		0
23.1 Rental Payments to GSA		0		0		5,127
23.2 Rental Payments to Others		0		0		943
23.3 Communications, Utilities & Misc. Charges		0		0		0
24.0 Printing and Reproduction		0		0		0
25.1 Advisory and Assistance Services		0		153		395
25.2 Other Services from non-Federal Sources		0		0		0
25.3 Other Goods/Services from Federal Sources		0		0		0
25.4 Operation and Maintenance of Facilities		0		11		0
25.7 Operation and Maintenance of Equipment		0		0		0
26.0 Supplies and Materials		0		0		0
31.0 Equipment (& Furniture)		998		295		839
32.0 Land and Structures		0		0		0
43.0 Interest		0		0		0
Non-Personnel Costs		998		459		7,304
TOTAL	0	998	0	459	0	7,304

¹ Three-year FY 2020/2022 funding was received to fund additional costs associated with the Lease Replacement Prospectus.

² Three-year FY 2021/2023 funding was received to fund increase in costs associated with the Lease Replacement Prospectus.

³ Three-year FY 2022/2024 funding is requested to replace any lapsed 2019/2021 funding that is expected to occur due to delays with the GSA procurement process for the Lease Replacement Prospectus.

APPENDIX A: PSA’s FY 2019 CONGRESSIONAL BUDGET JUSTIFICATION FOR LEASE REPLACEMENT AND RELOCATION COSTS

Replacement Lease Prospectus **+\$7,304,000** **0 FTE**

PSA requests \$7,304,000 in three-year funding to support space acquisition and planning for the expiring leases identified in Prospectus Number PDC-03-WA18, which was submitted to OMB by the General Services Administration (GSA). This funding request is made in accordance with 40 U.S.C. § 585(a), 40 U.S.C. § 3307(a)(1) and (2) and (h), and applicable GSA procedures and regulations.

The estimated funding is derived from GSA’s Move and Replication Cost Estimate and represents a long-term investment in space management through the execution of a 20-year replacement lease. Also included in the total program increase request are the estimated costs that may be required for lease early termination fees.

Justification for Program Increase Replacement Lease Prospectus Management Objective 1 – Effective Agency Administration		
Program Area	FTE	Estimated Funding
<u>Real Property Costs</u>		
Design	0	\$395,000
Construction	0	\$6,590,000
Standard Contingency built-in by GSA	0	\$699,000
GSA Management Fee (4%)	0	\$195,000
Slide Scale Overhead Fee	0	\$30,000
Less Tenant Improvement Allowance Amortized in Monthly Rent Payments	0	(\$2,800,000)
Total Real Property Costs	0	<u>\$5,109,000</u>
<u>Personal Property Costs</u>		
IT/Communications	0	\$452,000
Security	0	\$174,000
IT Collaborative Spaces	0	\$213,000
Standard Contingency built-in by GSA	0	\$413,000
Total Personal Property Costs	0	<u>\$1,252,000</u>
Total GSA’s Move and Replication Estimated Costs for FY 2019	0	\$6,361,000
<u>Lease Early Termination Costs</u>		<u>\$943,000</u>
Total Requested Program Increase	0	\$7,304,000

GSA’s Move and Replication estimate also included the costs in the table below. The funding for these costs may be requested in future fiscal year(s).

Projected Additional Funding Required in Future Fiscal Years Replacement Lease Prospectus Management Objective 1 – Effective Agency Administration		
Program Area	FTE	Estimated Funding
<u>Personal Property Costs</u>		
Move	0	\$255,000
Signage, Artwork, Graphics	0	\$63,000
Furniture Units	0	\$2,940,000
Total Personal Property Costs	0	<u>\$3,258,000</u>
Total Funding Required in FY 2020	0	\$3,258,000

Background

The GSA lease for 633 Indiana Avenue, NW expires on September 30, 2020. PSA shares this space with CSP and the Public Defender Service (PDS) and each agency holds a separate occupancy agreement with GSA. Since the annual rent for this space requirement will exceed the net annual rent prospectus threshold imposed by 40 U.S.C. § 3307(a)(1) and (2), GSA is legally required to submit a prospectus to OMB and Congress for approval to fund future rent expenses before it can enter into a new lease.

GSA proposes a replacement lease(s) for CSP, PSA and PDS in Washington, DC. The prospectus includes six leased locations currently occupied by the agencies.

Leased Spaces	PSA Lease Expiration	Occupants
GSA Leases		
633 Indiana Avenue, NW	09/30/2020	PSA, CSP, PDS
600 E Street, NW		PDS
1025 F Street, NW	11/07/2020	PSA
Non-GSA Leases		
601 Indiana Avenue, NW	09/30/2021	PSA, CSP
25 K Street, NW		CSP
300 Indiana Avenue, NW		CSP

PSA opted to include the leases at 1025 F Street, NW and 601 Indiana Avenue, NW in the prospectus because these leases expire within a year or less of the 633 Indiana Avenue lease. This

option is intended to streamline overall space acquisition and planning and long-term facility management and reduce the Agency’s footprint.

Since the existing lease at 601 Indiana Avenue expires approximately eight months after the projected move-in/occupancy date for the new leased property, an early termination fee may be imposed. The existing lease does not allow for early termination, but during the lease replacement process, PSA will work with GSA to negotiate an early termination agreement at a reduced rate (to the extent possible).

Justification of Request

Reduce the Footprint - The replacement lease will provide necessary continued housing for PSA and will improve the office utilization rate per person and overall space utilization. PSA’s goal is to reduce its real estate footprint through consolidation and elimination of some of its existing locations. PSA’s workplace goals include advancing positive and productive work environments; promoting flexible workplace schedules to help improve employee work/life balance; and increasing employee morale and satisfaction without compromising the mission of the Agency or diminishing the support that PSA provides the courts, defendants and those who live, work, and visit the District. PSA aims to provide an environmentally responsible and energy efficient workplace and will reduce its real estate footprint and operational costs by reducing the size and number of individual offices and through open space plans and office sharing, where feasible. PSA estimates it will consolidate space for the majority of its staff and reduce its footprint by nearly 9,400 usable square feet under a replacement lease.

The following table shows the expiration date of each existing lease, the number of personnel impacted, and a comparison of current versus planned space utilization.

Building Location	Lease Expiration	Personnel Impacted	Usable Square Footage		Square Footage Change	Percentage Change
			Current	Planned		
633 Indiana Avenue	9/30/2020	130	31,202	25,968	-5,234	-17%
1025 F Street	11/07/2020	33	9,679	9,405	-274	-3%
601 Indiana Avenue	9/30/2021	131	28,423	24,535	-3,888	-14%
Total		294	69,304	59,908	-9,396	-14%
Maximum Rentable Square Footage: 72,000						

Delineated Area – Statutorily, PSA is required to provide direct support for the courts, and for 50 years, has performed its mission-critical operations/services within walking distance to the courts. There is constant interaction between the activities conducted in the courts and the Pretrial Services Officers (PSOs) and management officials located in nearby PSA locations. PSA personnel provide in-person daily support to nearly 30 courtrooms in DC Superior Court and approximately 15 courtrooms in US District Court. Having the ability to immediately respond to the courts helps to ensure the pretrial release process is administered fairly and, in turn, enhances community safety. Staff also have daily interactions with other criminal justice partners and the defendants who are

placed under PSA's supervision while awaiting trial. Similarly, the proximity of the Social Services Assessment Center to the courthouses allows PSA to provide prompt response to court-ordered substance use and mental health assessments.

PSA strongly believes that close proximity to the local and federal courthouses in which it operates is vital to its mission. Many defendants under PSA supervision are diagnosed with mental health and/or substance use disorders, homeless, and/or unemployed. Having PSA offices within walking distance to the courts allows the defendants to conduct their pretrial release matters with the courts, PSA, and PDS in one central location. An increase in distance between required reporting locations potentially increases the likelihood of defendants failing to appear for critical supervision and treatment related appointments with agency personnel, which are key components of PSA's risk mitigation and public safety strategies. Relocating these mission-critical operations to other areas of the city could negatively impact PSA's budget; efficiency of operations; and services to the courts, defendants, and the community. PSA has asked GSA to consider these factors as the lease replacement process moves forward.

20-Year Investment - PSA will secure long-term space for most of its staff through this project and simplify management of its facilities. PSA intends to enter into a 20-year occupancy agreement for the new space and will have fewer agreements to manage, as it closes three expiring leases simultaneously. In addition, PSA will reduce costs by eliminating the non-GSA lease at 601 Indiana Avenue, which is its most expensive space per square foot.

Three-Year Funding – Three-year funding is requested because GSA estimates the entire project may take several years to complete. The project phases include solicitation of lease proposals through an open bid process; execution of a lease(s); design and construction of space; installation of furniture, information technology, security, and communications; and relocation of personnel, files, and personal property. The space design phase is projected to start in the first quarter of FY 2019 and PSA must have funding to enter into a Reimbursable Work Authorization with GSA for this work to commence. The design and construction phases may take up to 24 months to complete. Before the construction is complete, PSA will begin procuring personal property and moving services to meet the projected move-in/occupancy timeframe in the second quarter of FY 2021. Additional funding may be required in future years to fund all aspects of the project.

Three-year funding is requested because PSA does not have the flexibility to fund this project within its existing base budget without significantly compromising its public safety mission. The three-year funding will also provide flexibility if any unforeseen delays occur during the various phases of the project and/or if there is a delay in the appropriation process (i.e., operating under a continuing resolution).

PSA is dependent on GSA for its space needs. GSA has certified that the prospectus is the best solution to meet PSA's validated space requirements. There are no other alternatives at this time through which PSA can secure continued housing for its mission-critical operations beyond the expiration terms of the existing leases.