

Pretrial Services Agency
for the District of Columbia



**Congressional Budget Justification and
Performance Budget Request**

Fiscal Year 2023

March 28, 2022

LEADERSHIP

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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 (DC Superior Court) and the United States District Court for the District of Columbia (US District Court) 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, 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 clear and reasoned decisions about release or detention. The foundation of this system is the DC bail statute, which 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 pandemic by altering its operations to comply with guidance from the Centers for Disease Control (CDC), enforced social distancing, and implemented other measures necessary to safeguard the health and safety of our workforce and the defendant population we serve to slow the spread of the COVID-19 virus. Overall, while the number of arrests decreased, the number of cases assigned to PSA supervision, court case processing times, and the number of days defendants remain under PSA supervision increased.

In order to achieve its mission, PSA implemented a phased reopening plan that includes a combination of in-person and virtual supervision for defendants and maximized telework for members of its workforce whose duties could be performed remotely. To protect mission-essential employees required to work onsite and defendants required to report in person, PSA purchased personal protective equipment (PPE) and disinfecting supplies, performed facilities modifications, leveraged technology where appropriate, and adopted rigorous cleaning protocols.

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.)

During FY 2021, PSA was responsible for over 25,742 arrestees and defendants. The Agency supervised 15,074 defendants on pretrial release, which corresponds to an average of 10,453 defendants on any given day. PSA provided services to an additional 10,668 arrestees and defendants, which included completing criminal history checks for persons who were released on citation or personal recognizance or whose charges were dismissed prior to the first appearance in court. Additionally, PSA conducted drug testing for 4,704 non-defendants.

PSA's current caseloads include individuals with charges ranging from misdemeanor property offenses to felony murder. Most defendants (93 percent) are awaiting trial in DC Superior Court, with a smaller number (7 percent) awaiting trial in US District Court. On average, defendants remained under supervision for 214 days. This average increased significantly during the COVID-19 pandemic from 94 days during FY2019 to 214 in FY 2021. During this period, PSA administered evidence-based and data-informed risk assessment and supervision practices to identify factors related to pretrial misconduct and to maximize the likelihood of arrest-free behavior and court appearance during the pretrial period.

A MODEL FOR PRETRIAL JUSTICE

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 behavior;
- 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 requests for technical assistance from national and international groups. Requests from domestic groups tend to focus more on understanding the technical aspects of how to replicate certain operations, particularly risk assessments. 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 defendants charged with non-violent offenses. With the onset of the pandemic, most recently we have provided virtual technical assistance, which included meetings with senior government officials and policy advisors from Jamaica, California, Ohio and Maryland as well as senior leadership from the National Association of Pretrial Services Agencies (NAPSA).

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 also has 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 and with the support of this budget request, a risk assessment revalidation is planned for FY 2023.

In addition to advancements in drug testing and risk assessment, PSA also responded to the COVID-19 pandemic by adopting innovative supervision techniques to ensure continuity of critical services to the defendant population. PSA transitioned to telephonic diagnostic interviews and increased virtual support of court operations to achieve its mission. In addition, PSA shifted to virtual substance use disorder treatment groups and encouraged defendants to connect with community-based mental health service providers to obtain virtual services and support from external agencies, as appropriate. The Agency also introduced the use of videoconferencing software to conduct virtual substance use disorder assessments, mental health screenings, and supervision meetings between defendants and Pretrial Services Officers (PSOs). As PSA determines its post-COVID-19 operating posture, it will leverage the lessons learned during the pandemic to inform future decisions regarding the delivery of supervision and treatment services.

FISCAL YEAR 2023 PRESIDENT'S BUDGET

PSA's FY 2023 President's Budget is \$76,937,000 including 344 FTEs, a net increase of \$9,701,000, or 14 percent above the FY 2022 Annualized Continuing Resolution.

Pretrial Services Agency for the District of Columbia				
Summary of Change				
<i>Fiscal Year 2023 Budget Request</i>				
	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	325	66,284	459	66,743
FY 2022 Continuing Resolution (CR)^{A & B}	325	70,115	-	70,115
FY 2023 Changes to Base:				
2023 Pay Raise	-	1,897	-	1,897
PRISM Modernization		2,100		2,100
Client Management System: Ongoing License		(1,600)		(1,600)
Client Management System: Ongoing Maintenance	-	(500)	-	(500)
Sub-Total, Changes to Base	-	1,897	-	1,897
FY 2023 Base Operations	325	72,012		72,012
Requested Program Changes:				
FY 2022/2024 Non-recurring Resources in FY 2023 ^C	-	-	7,304	7,304
FY 2022/2024 Non-recurring Resources in FY 2023 ^D	-	-	(7,304)	(7,304)
FY 2023/2025 Lease Replacement and Relocation Costs	-	-	998	998
Salary and Benefits		728	-	728
FTE's	19	2,201		2,201
Risk Assessment Revalidation	-	414	-	414
Human Resources Systems	-	84	-	84
Treatment Program	-	500	-	500
Sub-Total, Requested Program Changes	19	3,927	998	4,925
FY 2023 President's Budget	344	75,939	998	76,937
Increase (Decrease) versus FY 2022 CR:	19	5,824	998	6,822
Percent Increase (Decrease) versus FY 2022 CR:	5.8%	8.3%	-	9.7%
Increase (Decrease) versus FY 2023 President's Budget:	40	8,703	998	9,701
Percent Increase (Decrease) versus FY 2023 President's	13.2%	12.9%	-	14.4%

^A A full-year 2022 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the 2022 Extending Government Funding and Delivering Emergency Assistance Act (P.L. 117-43), as amended). The FY 2022 PB includes one-time, multi-year relocation funds outlined in footnote C.

^B The actual FTE number for the FY22 PB was 321.

^C The 2022 PB included \$7,304,000 in non-recurring three-year FY 2022/2024 funding associated with the Lease Replacement Prospectus.

^D The 2022 PB \$7,304,000 in non-recurring three-year funding FY 2022/2024 does not recur in the FY2023 Budget

PSA’s FY 2023 budget request includes changes to base operations funding in the following areas:

FY 2023 Changes to Base Operations	+\$1,897,000	0 FTE
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Pay Increases	+\$1,897,000	0 FTE
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In line with guidance from OMB, the pay increase reflects a 4.6 percent increase as well as annualization for the FY22 pay increase

CMS: Ongoing Licenses	-\$1,600,000	0 FTE
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CMS: Ongoing Maintenance	-\$500,000	0 FTE
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PSA requested \$6,858,000 be provided in increments of \$2,286,000 over a span of three fiscal years beginning in FY 2019 to modernize its client management system (CMS). PSA received \$2,286,000 in its base operations budget in FY 2019 and FY 2020 and received the third installment of funding in FY 2021 to complete the design, development, and deployment of a new CMS. This funding does not recur in FY 2022; however, a justification to retain \$2,100,000 funding in PSA’s base operations budget to cover the ongoing costs of operating and maintaining the system was submitted in the FY 2022 Congressional budget to fund the licenses and recurring annual costs to operate and maintain its modernized CMS. In FY 2021, due to the surge in the demand for GPS and other PSA services caused by the pandemic , PSA made the decision not to proceed with this initiative; however, the agency is requesting to maintain the O&M funding in our baseline to modernize the legacy CMS. See Background section (below) for further information on the decision not to proceed.

PRISM Modernization Ongoing Cost	+\$2,100,000	0 FTE
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PSA requests \$2,100,000 within its base operations budget to continue modernizing its existing legacy CMS, PRISM. PRISM stores information on every person who has been arrested in the District of Columbia since the 1970s and is relied upon by internal and external users to support decision making across the District’s public safety network. It assists PSOs in making timely and appropriate release condition recommendations to court officials and assists law enforcement officers and prosecutors in making charging decisions. Among other features, PRISM contains a full criminal history database, and it implements PSA’s scientifically validated RAI.

Plan for FY 2022

In FY 2022, PSA plans to utilize the \$2,100,000 to secure and reinforce PRISM. This legacy CMS is a High Value Asset (HVA) for the Agency. The system needs to be brought into compliance with modern IT security standards and protocols, including operating from the cloud. In accordance with the National Institute of Standards and Technology’s Risk Management Framework and OMB Memorandum 17-09: Management of Federal High Value Assets,³ the Agency will engage an

³ OMB Memorandum 17-09: Management of Federal High Value Assets ([M-17-09](#)), dated December 9, 2016.

independent auditor to conduct a security and privacy assessment of PRISM. All findings will be documented, and the Authorizing Official will issue a new Authorization to Operate (ATO) contingent on addressing the findings.

Next, the Agency will work with a private systems integrator to address PRISM security and privacy assessment findings and will move to the cloud. Moving PRISM to the cloud improves its security posture significantly including built-in security features, such as data-at-rest encryption, dual-factor authentication, least privilege access control, and retention rules, will greatly enhance the system’s security. In addition, PRISM requires some basic adjustments to support the implementation of risk-based services (RBS). RBS uses a defendant’s risk level to tailor release recommendations, supervision, and responses to non-compliance relevant to each individual awaiting trial. Transitioning to RBS will mitigate the risk of non-compliance resulting from overly restrictive conditions being applied to lower risk defendants who pose a lower likelihood of pretrial misconduct and ensure appropriate allocation of resources to defendants at a higher risk of misconduct. In addition, securing and reinforcing PRISM will allow PSA the necessary time to make enhancements.

PRISM TABLE 1

<u>FY-2022: Secure and reinforce the existing CMS-PRISM</u>		Costs	Occurrence
i) Secure			
	(1) DOJ Security Assessment	\$170,000	One-time
	(2) System integrator to secure PRISM	\$400,000	One-time
i) Reinforce			
	(1) Data consolidation and migration	\$30,000	One-time
	(2) System integrator to reinforce PRISM with basic RBS updates	\$800,000	One-time
ii) Cloud environment			
	(1) Secured Cloud services procurement	\$250,000	Annual
	(2) Secured Cloud architecture services	\$125,000	One-time
	(3) Secured Cloud environment design and implementation	\$325,000	One-time
Estimated cost to secure and reinforce existing CMS PRISM:		\$2,100,000	

Plan for FY 2023 and Beyond

In FY 2023 and beyond, PSA will need to keep the \$2,100,000 in its base operations budget to both maintain PRISM and continue to work towards a replacement. PSA will continue the modernization of PRISM or its replacement by building a series of secure light-weight applications to support RBS. These RBS apps will be like phone applications that can be accessed using multiple form factors such as tablets, laptops, PCs, and other wireless mobile devices.

The RBS apps will address the operational needs of each component in the PSA lifecycle, from arrest through case disposition. Data shared across components will be housed in the current centralized database, so it remains secure, consistent, and immediately available across the suite of applications. The RBS apps will interface with each other and with PRISM to prevent work duplication or mission disruption. This strategy affords PSA the ability to modernize its technology but depends on the Agency’s ability to steadily fund it.

PRISM TABLE 2

FY-2023 and forward: design, operate and maintain (O&M) RBS applications		Costs	Occurrence
i) Cost to O&M RBS applications			
(1)	System integrator to create, operate, and maintain (O&M) RBS applications	\$1,500,000	Annual
(2)	Security Assessment costs	\$57,000	Annual
ii) Cloud environment cost			
(1)	Secured Cloud services	\$250,000	Annual
(2)	Secured Cloud express route connectivity	\$175,000	Annual
(3)	Equipment, software licenses and training	\$118,000	Annual
Estimated cost O&M RBS Apps:		\$2,100,000	

Background:

In FY 2019, PSA initiated a three-year critical initiative to replace the legacy CMS, PRISM, which houses all defendant information, including criminal history, behavioral health data, and supervision records. PRISM is relied upon by federal and local partners across the justice system to access sensitive data to perform respective criminal justice and law enforcement functions.

With the onset of the COVID-19 pandemic, PSA experienced sharp increases in demand for supervision and other defendant services, specifically GPS monitoring. PSA’s FY 2021 funding level was insufficient to meet these surge demands. After enacting a hiring freeze and making significant programmatic reductions Agency-wide, PSA remained unable to meet the demand for GPS services.

After pursuing all options to secure an emergency supplemental appropriation for FY 2021 and exhausting all possible avenues of relief, the Agency made the difficult decision to cease work on the new CMS to ensure the availability of GPS services for defendants through the remainder of the year. Prior to ending work on the new CMS, PSA considered the alternative of furloughing staff as a cost savings measure. However, furloughing staff was not a viable option as it would have exacerbated the already higher caseloads across all general supervision units.

FY 2023 Program Changes:

Lease Prospectus **-\$7,304,000** **0 FTE**

The 2022 President’s Budget included \$7,304,000 in three-year (FY 2022-2024) funding to support additional costs associated with Prospectus Number PDC-12-WA19, for the lease replacement and relocation of its operations at 601 and 633 Indiana Avenue, NW, and 1025 F Street, NW. This funding does not recur in FY 2023.⁴

Replacement Lease Prospectus **+\$998,000** **0 FTE**

PSA requests \$998,000 in three-year (2023-2025) funding to replace 2020-2022 funding that is likely to lapse due to protracted delays in the 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 the relocation itself and furniture for the new space. This funding was a follow-on to the acquisition funding discussed below.

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 included replacement of three leases for PSA workspaces: 633 Indiana Avenue (expired September 30, 2020), 1025 F Street (expired November 7, 2020) and 601 Indiana Avenue (expired 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:⁵

Leased Spaces	PSA Lease Expiration
633 Indiana Avenue, NW	09/30/2022
1025 F Street, NW	11/07/2023
601 Indiana Avenue, NW*	<u>Lease Renewal in Progress</u>

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

In addition, the design phase of this project was originally set to start during the first quarter of FY 2019. However, as of fiscal year end 2021, GSA’s procurement continued to experience various delays, ultimately resulting in no award. Currently, a new prospectus is underway.

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

⁴ For more information on PSA’s Lease Prospectus, [reference PB 2022 CBJ](#)

⁵ For more information on PSA’s Lease Prospectus, [reference PB 2019](#) and [PB 2020](#)

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 is completed to secure needed space.

For reference, the full funding justification for this request, along with an Appendix, was contained in PSA’s FY 2020 Congressional Budget Justification (CBJ).

Salary and Benefits **+\$728,000** **0 FTE**

PSA requests an increase of \$728,000 to support actual payroll expenses incurred annually. This request includes \$483,000 for salaries and \$245,000 for personnel benefits and was calculated based on four GS-13 Step 4 positions.

Background

As a part of its annual budget planning exercises, during FY 2021, PSA performed a detailed analysis of the grades and positions on board across the Agency and determined that the average PSA employee has a salary equivalent of a GS-13, step 4. This takes into consideration that there is also a substantial number of FTEs currently paid at the GS-12, step 7 or higher, which equates in salary to a GS-13 step 4. Historically, PSA’s formula for estimating salaries and expenses for vacant positions for all grades has utilized a base salary for each position’s designated grade at the step 1 level of compensation (e.g., GS-12, step 1). However, in actual execution, vacancies were and continue to be filled at the step 4 level or higher, irrespective of the grade, which is primarily due to the cost of living and talent pool within the DC metropolitan area. This estimation technique has resulted in a large deficit between the annual budget received and actual execution and prevents the Agency from filling vacancies as planned.

FTEs Increase **+\$2,201,000** **19 FTEs**

PSA requests an increase of \$2,201,000, which includes \$1,463,000 for personnel salaries and \$738,000 for benefits to support projected demands for supervision services and administrative functions. This request supports 19 additional FTEs, detailed background information and the corresponding individual position justifications are provided below.

Background

PSA’s base operations budget level, not including information technology investments, has remained relatively flat for the past five years, while costs per FTE have risen significantly. The ongoing effect of pay raises and increases in FERS contributions were absorbed not only by reducing FTEs – largely through attrition and through the implementation of a hiring freeze – but also by postponing information technology and laboratory equipment refresh plans and reducing travel, training, and contracting costs. Additionally, PSA also absorbed unexpected COVID-19 costs to support the safety and health, of its employees and clients. These situations were compounded by the sharp increase in the length of time that defendants remained under supervision as a result of the pandemic. To manage the effects of the aforementioned circumstances, PSA reviewed all contractual agreements, modified COVID-19 cleaning contracts through the use of indefinite delivery/indefinite quantity contracts, and made the difficult decision to cease work on its

being assigned to the Agency daily, albeit at overall lower rates during the pandemic. However, cases are being resolved through trial or other means at a significantly slower rate, leaving cases assigned to the Agency for longer periods of time. Prior to the pandemic, defendants remained under supervision for an average of 92 days. As of September 2021, the average has risen a staggering 133% to 214 days. These two factors have left PSOs with unmanageable caseloads.

The slower rate of processing the backlogged cases in DC Superior Court, resulting from the pandemic, will likely impact the Agency's caseloads for the next several fiscal years. For context, prior to the pandemic DC Superior Court held an average of 16 trials per week. While this rate was not ideal, PSA made internal adjustments to staffing and programs to sustain this rate of processing to maintain reasonable caseload ratios. At the onset of the pandemic, trials were suspended in DC Superior Court. Trials are beginning to resume – at a rate of roughly four trials per month – but there is now a backlog of defendants in jail and in the community, who are awaiting trial. As of September 30, 2021, there were just over 787 defendants detained in DC Jail awaiting trial. Using the pre-pandemic trial rate (which has yet to be resumed), it would take approximately 49 weeks just to clear the detained defendant backlog.

In terms of prioritization, community-based pretrial defendants are scheduled for trial after detained defendants. This means that PSA will continue to supervise most of its current population until the DC Jail backlog is cleared. As of September 30, 2021, there were nearly 11,000 defendants in the community awaiting trial. Applying the pre-pandemic trial rate to this backlog, it would take 688 weeks (13.2 years) to schedule trials. Even if 75% of the cases are disposed of through non-trial means, PSA will supervise these backlogged cases for the better part of the next four fiscal years (one year to clear the detained backlog and three years to clear the community-based backlog), while still continuing to receive new cases each day. Without a significant adjustment to its base budget, the Agency will not have adequate personnel to sustain critical supervision functions for this much larger supervised population. As of September 30, 2021, general supervision caseloads were 136:1. With the addition of six PSO FTEs in FY23, the ratio would be reduced to 98:1.⁶ While this does not meet the national best practices recommendation nor provide much elasticity, it would be a marked improvement over the Agency's current status.

Relationship to PSA's Vision, Mission, and Goals: This position supports the Agency's four strategic goals. PSOs provide direct defendant engagement services that directly correlate to PSA's *Judicial Concurrence* rate, which is the rate at which judicial officers concur with PSA's initial release condition recommendations; *Continued Pretrial Release* rate, which is the rate at which defendants assigned to supervision remain on supervision without revocation due to non-compliance or a request for revocation due to non-compliance; *Arrest-Free* rate, which is the rate of defendants who are not rearrested while awaiting trial in the community; and *Court Appearance* rate, which is the rate of defendants who make all scheduled court appearances leading up to their trial date.

Proposed Solution: Add six FTEs for PSO positions.

⁶ The 98:1 ratio assumes the following: PSA will hire two PSOs during FY 2022; PSA will hire four PSOs during FY 2023 through the requested restoration of salaries and expenses to meet its FY 2021 planned staffing level; and PSA will hire six PSOs during FY 2023 through this requested increase for mission critical staffing. In order to achieve the recommended 75:1 ratio, PSA would require a total of 56 PSOs (or 13 PSOs beyond this request).

All calculations are based on general supervision cases (4218) and staffing (31 PSOs) as of September 30, 2021.

Methodology: The grade level of this position is determined in accordance with OPM and PSA’s personnel policies.

Expenditure Plan: PSA will recruit and hire in accordance with OPM’s and PSA’s personnel policies.

Relationship to Existing Funding: Due to FY21 budget constraints, PSA enacted a hiring-freeze. This prevented the backfilling of PSO positions as they are vacated through voluntary separation and mandatory retirement. The Agency did not have resources within its existing base budget to fund PSO positions without negatively impacting other defendant services, including substance use disorder treatment, mental health treatment, and GPS monitoring, all of which are critical to managing defendants effectively in the community.

Drug Testing Technician Position **+\$315,472** **5 FTE**

PSA requests \$315,472 to add five Drug Testing Technician positions.

Justification for Program Increase Drug Testing Technician Positions <i>Strategic Goal 1: Judicial Concurrence with PSA Recommendations</i> <i>Strategic Goal 2: Continued Pretrial Release</i> <i>Strategic Goal 3: Minimize Rearrest</i> <i>Strategic Goal 4: Maximize Court Appearance</i>		
Salary and Benefits	FTE	Estimated Funding
Salary (Based on GS 5/4)	5	\$209,890
Benefits	0	<u>\$105,582</u>
Total Requested Program Increase	5	\$315,472

Key to mitigation of the risk of pretrial misconduct is the availability of diagnostic data that allow for informed decision making and intervention. Drug testing data are essential to PSA’s ability to obtain information about arrestees ‘and defendants’ patterns of substance use so that appropriate treatment can be provided to reduce the risk of failure to appear and rearrest. PSA collects urine and oral fluid specimens from defendants during the diagnostic lockup process, once cases are assigned to PSA for supervision. The team also collects specimens from respondents and juveniles with matters pending in DC Superior Court Family Division. Specimens are collected by Drug Testing Technicians (DTT).

Urine specimen testing comprises most of the testing conducted by PSA. All collections are observed by an individual who is the same gender as the defendant from whom the specimen is being obtained. From the beginning of the collection process through testing, specimens must be handled in accordance with strict chain-of-custody protocols. For this reason, it is essential to have a sufficient number of male and female technicians to meet the demand for services and to ensure

adequate coverage of all team functions, including lockup drug testing, defendant check-in, specimen collection, and transfer to PSA’s forensic toxicology laboratory. Due to budget constraints, as of FY 2021, PSA has only one-half of the required DTTs on staff. With the addition of five DTTs in FY 2023, the vacancy rate will be reduced to 17%, which would be a significant improvement over the current operating status.⁷

Relationship to PSA’s Vision, Mission and Goals: This position supports the Agency’s four strategic goals. DTTs provide specimen collection services that allow PSOs to make informed recommendations to the court at initial appearance, coordinate appropriate substance use disorder assessment and treatment services, and provide accurate compliance updates to the court. Not only is drug testing essential to general supervision, it directly supports the two specialty courts that operate within DC Superior Court, Drug Court and Mental Health Community Court. All of these activities directly correlate to the PSA’s *Judicial Concurrence* rate, which is the rate at which judicial officers concur with PSA’s initial release condition recommendations; *Continued Pretrial Release* rate, which is the rate at which defendants assigned to supervision remain on supervision without revocation due to non-compliance or a request for revocation due to non-compliance; *Arrest-Free* rate, which is the rate of defendants who are not rearrested while awaiting trial in the community; and *Court Appearance* rate, which is the rate of defendants who make all scheduled court appearances leading up to their trial date.

Proposed Solution: Add five FTEs for Drug Testing Technician positions.

Methodology: The grade level of this position is determined in accordance with OPM and PSA’s personnel policies.

Expenditure Plan: PSA will recruit and hire in accordance with OPM’s and PSA’s personnel policies.

Relationship to Existing Funding: Due to budget constraints, PSA enacted a hiring-freeze during FY 2021. This prevented the backfilling of DTT positions as they are vacated. The Agency did not have resources within its existing base budget to fund DTT positions without negatively impacting other defendant services, including substance use disorder treatment, mental health treatment, and GPS monitoring, all of which are critical to managing defendants effectively in the community.

Defendant Engagement & System Support Program Assistant Positions +\$189,283 3 FTE

PSA requests \$189,283 to add three Program Assistant positions.

**Justification for Program Increase
Program Assistant Positions**
Strategic Goal 1: Judicial Concurrence with PSA Recommendations
Strategic Goal 2: Continued Pretrial Release
Strategic Goal 3: Minimize Rearrest
Strategic Goal 4: Maximize Court Appearance

⁷ The projected vacancy rate assumes that PSA will hire one DTT during FY 2022.

Salary and Benefits	FTE	Estimated Funding
Salary (Based on GS-5/4)	3	\$125,934
Benefits	0	<u>\$63,349</u>
Total Requested Program Increase	3	\$189,283

In the District of Columbia, over 90% of defendants awaiting trial are released to the community. PSA’s case management strategies are designed to increase the likelihood that supervised defendants make all scheduled court appearances and remain arrest-free during the pretrial period. Key to mitigation of the risk of pretrial misconduct is the availability of on-site, in-person supervision and behavioral health services. Throughout the pandemic, PSA continued to conduct in-person contacts with defendants to encourage compliance with release conditions. As defendants report for such visits, they are initially processed by the Agency’s Program Assistants (PAs). PAs provide the full range of administrative support for PSOs and all defendant engagement units and perform some supervision-related functions, including check-in calls. PSA’s ideal staffing pattern has one PA assigned to most DESS teams, for a total of 13 PAs. Due to budget constraints, as of September 30, 2021, the Agency has a 54% vacancy rate for PAs, meaning fewer than half of the necessary positions are filled. The addition of three PAs would reduce the vacancy rate to 31%, providing much needed relief.

Relationship to PSA’s Vision, Mission, and Goals: This position supports the Agency’s four strategic goals. PAs provide critical mission support services that allow PSOs to provide defendant engagement services that directly correlate to PSA’s *Judicial Concurrence* rate, which is the rate at which judicial officers concur with PSA’s initial release condition recommendations; *Continued Pretrial Release* rate, which is the rate at which defendants assigned to supervision remain on supervision without revocation due to non-compliance or a request for revocation due to non-compliance; *Arrest-Free* rate, which is the rate of defendants who are not rearrested while awaiting trial in the community; and *Court Appearance* rate, which is the rate of defendants who make all scheduled court appearances leading up to their trial date.

Proposed Solution: Add three FTEs for Program Assistant positions.

Methodology: The grade level of this position is determined in accordance with OPM and PSA’s personnel policies.

Expenditure Plan: PSA will recruit and hire in accordance with OPM’s and PSA’s personnel policies.

Relationship to Existing Funding: Due to budget constraints, PSA enacted a hiring-freeze in FY 2021. This prevented the backfilling of Program Assistant positions as they are vacated. The Agency did not have resources within its existing base budget to fund Program Assistant positions without negatively impacting other defendant services, including substance use disorder treatment, mental health treatment, and GPS monitoring, all of which are critical to managing defendants effectively in the community.

PSA requests \$221,145 to add one Cloud Architect position.

Justification for Program Increase Cloud Architect Position <i>Strategic Goal 1: Judicial Concurrence with PSA Recommendations</i> <i>Strategic Goal 2: Continued Pretrial Release</i> <i>Strategic Goal 3: Minimize Rearrest</i> <i>Strategic Goal 4: Maximize Court Appearance</i> <i>Management Objective 1: Efficient Agency Administration</i>		
Salary and Benefits	FTE	Estimated Funding
Salary (Based on GS-14/5)	1	\$146,894
Benefits	0	<u>\$74,251</u>
Total Requested Program Increase	1	\$221,145

Central to the Agency’s ability to achieve its operational and administrative objectives is the ability to create, maintain, and access data and applications in a secure environment. In alignment with the federal government’s push towards cloud migration, PSA has taken initial steps in this direction and the Agency has started to introduce cloud-based services. With these changes comes the need for an FTE with the requisite knowledge, skills, and abilities to develop and oversee the Agency’s cloud computing strategy. All of PSA’s current FTEs assigned to the Office of Information Technology (OIT) are allocated to existing priorities, including service delivery (e.g., helpdesk support, including hardware and software services) and IT management (e.g., IT security, FISMA compliance, website maintenance, continuity of operations planning, etc.). Due to the scarcity of human capital resources, PSA is not able to assign an existing employee to oversee cloud development activities. Further, the Agency’s workforce is not adequately trained to take on such functions, even if reassigned.

PSA anticipates recruiting for a cloud solutions architect, who will be responsible for assuring effective integration services related to cloud migration; overseeing the resolution of technical and architectural issues by identifying the root cause and degree of impact; and lead the Agency’s efforts related to development of applications software design concepts and methods, network management methods, and project management methods.

In performing these tasks, the Cloud Architect will: determine the level and pace of PSA’s cloud migration (e.g., shallow or deep integration); assess the viability of using a single cloud or multi-cloud solution; prioritize migration components; perform and oversee any necessary refactoring before migration; and establish performance baselines and Key Performance Indicators (KPI). Without the addition of this FTE, the Agency will be unable to support migration to the cloud and be required to continue its current practice of onsite data storage and maintenance, without the resources to ensure that this is done safely and in compliance with cybersecurity requirements. As

The Office of Information Technology (OIT) is responsible for the planning, development, and management of the information technology systems and subsystems that support PSA programs and management operations. Due to the 24/7 operations of PSA's diagnostic unit, employees require around the clock technical support for hardware, software, and applications support. Currently, PSA has two employees assigned to helpdesk services. These employees are assigned to day shift functions and handle all issues and helpdesk tickets that occur during normal business hours (9:00 am – 6:00 pm, Monday through Friday). PSA does not have sufficient FTEs to provide coverage for evenings and weekends, despite the fact that internal and external users require 24/7 access to the Agency's CMS, and internal users may experience issues with the Agency's network, hardware, or applications outside normal business hours. This lack of personnel results in helpdesk tickets being placed into a queue for resolution by an "on call" member of the service delivery team. When the "on call" team member cannot resolve the issue, generally, it is placed back into the queue for resolution during normal business hours. This system is neither sufficient nor responsive to the needs of our internal or external customers.

An additional FTE for customer support would allow PSA to create a coverage schedule that accounts for its 24/7 operations. The Information Technology Specialist would be responsible for a host of functions, including configuration, installation and maintenance of hardware and software, including desktop and laptop computers, printers, and other network peripherals (e.g., forensic toxicology instrumentation and systems); access control for in-house systems, including the Agency's CMS and forensic toxicology lab management system; providing first-tier customer support; and monitoring internal systems and external integrations to ensure adequate uptime and timely resolution of outages and network issues. Due to budget constraints, for the last several years, the Agency has prioritized hiring for direct defendant engagement vacancies over those allocated to its administrative functions. As a result, many of PSA's administrative offices, including the Office of Information Technology, had to delay backfilling of key positions and have been unable to request new positions in response to emergent needs. Through agreements with our workforce, we have developed an "on call" system that provides a stopgap for 24/7 coverage. The ideal solution to ensure quality service is the establishment of a dedicated position to meet the Agency's needs.

Relationship to PSA's Vision, Mission, and Goals: This position supports the Agency's four strategic goals and management objective. PSA operates several applications that are central to mission achievement, including its CMS and PRISM. PRISM is relied upon by federal and local partners across the justice system to access sensitive data to perform their respective criminal justice and law enforcement functions. Presently, OIT does not have an enough FTEs to provide 24/7 coverage in support of the Agency's public safety functions. This position will allow the Agency to develop an adequate and sustainable model to ensure critical coverage for operations.

Proposed Solution: Increase PSA's authorized FTE count to include one FTE for an Information Technology Specialist position.

Methodology: The grade level of this position is determined in accordance with OPM and PSA's personnel policies.

positive screening results, which also provides the measured concentration of the substance detected). PSA performs urine or oral fluid screening for offender and defendant samples for up to 36 illicit substances: Marijuana, 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.

PSA uses Gas Chromatography/Mass Spectrometry (GC-MS) instruments for confirmation testing and is in the process of introducing a Liquid Chromatography with a tandem Mass Spectrometry (LC-MS-MS) instrument to enhance the Agency's ability to test for synthetic compounds. These Instruments separate chemical mixtures (the GC or LC component) and identify the mass spectrum (essentially a fingerprint) produced by the chemical components at a molecular level (the MS component). Toxicologists also conduct levels analyses to distinguish new use from residual drug use and provide timely and accurate results for pretrial and other criminal justice partners.

In accordance with the screening and testing processes described above, OFTS is divided into two teams: the immunoassay team and the confirmation team. Due to budget constraints, for the past year and a half, the confirmation team supervisor position has remained vacant. The Agency has used temporary promotions and detail assignments to cover this staffing shortage; however, this is no longer a viable option. The team requires a dedicated supervisor to ensure proper implementation of methods and practices required to maintain PSA's accreditation from the US Department of Health and Human Services Clinical Laboratory Improvement Amendments (CLIA) program.

Relationship to PSA's Vision, Mission, and Goals: This position supports the Agency's four strategic goals. OFTS provides critical substance use testing data that allows PSOs to make informed recommendations to the court at a defendant's initial appearance, coordinate appropriate substance use disorder assessment and treatment services, and provide accurate compliance updates to the court. Not only is drug testing essential to general supervision, it directly supports the two specialty courts that operate within DC Superior Court, Drug Court, and Mental Health Community Court. All of these activities directly correlate to the PSA's *Judicial Concurrence* rate, which is the rate at which judicial officers concur with PSA's initial release condition recommendations; *Continued Pretrial Release* rate, which is the rate at which defendants assigned to supervision remain on supervision without revocation due to non-compliance or a request for revocation due to non-compliance; *Arrest-Free* rate, which is the rate of defendants who are not rearrested while awaiting trial in the community; and *Court Appearance* rate, which is the rate of defendants who make all scheduled court appearances leading up to their trial date.

In addition to directly supporting PSA's four strategic goals, OFTS supports CSP's strategic goal 1: *Reduce recidivism by targeting criminogenic risk and needs using innovative and evidence-based practices.*

Proposed Solution: Increase PSA's authorized FTE count to include one FTE for a Supervisory Chemist/Toxicologist position.

Methodology: The grade level of this position is determined in accordance with OPM and PSA’s personnel policies.

Expenditure Plan: PSA will recruit and hire in accordance with OPM’s and PSA’s personnel policies.

Relationship to Existing Funding: Due to budget constraints, for several years, PSA was required to reduce FTEs through attrition and ultimately enacted a hiring-freeze in FY 2021. These necessary actions prevented the backfilling of the Supervisory Chemist/Toxicologist position after it was vacated in FY 2020. The Agency did not have resources within its existing base budget to fund this position without negatively impacting other defendant services, including substance use disorder treatment, mental health treatment, and GPS monitoring, all of which are critical to managing defendants effectively in the community.

Human Resources Specialist Positions +\$402,938 2 FTE

PSA requests \$402,938 to add two Human Resources Specialist positions.

Justification for Program Increase Human Resources Specialists Positions <i>Strategic Goal 1: Judicial Concurrence with PSA Recommendations</i> <i>Strategic Goal 2: Continued Pretrial Release</i> <i>Strategic Goal 3: Minimize Rearrest</i> <i>Strategic Goal 4: Maximize Court Appearance</i> Management Objective: Efficient Agency Administration		
Salary and Benefits	FTE	Estimated Funding
Salary (Based on GS-14/5)	1	\$146,894
Benefits		\$74,251
Salary (Based on GS-13/4)	1	\$120,653
Benefits		<u>\$61,140</u>
Total Requested Program Increase	2	\$402,938

PSA is divided organizationally into two divisions, DESS and Management and Administration (MA). DESS performs most external facing operational activities, including all direct defendant services. MA supports these functions by performing key administrative activities, including staffing, benefits, training and career development, personnel security, and employee and labor relations. These services are provided through PSA’s Office of Human Capital Management (OHCM).

Over the last several fiscal years, PSA was required to fund increases in salary and employee benefits without any corresponding adjustments to its base budget. These increases totaled roughly

\$5M. To offset these increases, PSA made sharp reductions in FTEs and other critical programmatic areas. To remain within its enacted funding, PSA reduced its staffing levels steadily over the last five fiscal years, resulting in a net reduction of 13% since FY 2017:

Fiscal Year	CBJ FTEs	FTEs	Change %
2017	374	340	↓ 9.1%
2018	364	335	↓ 8.0%
2019	350	321	↓ 8.3%
2020	350	325	↓ 7.1%
2021	325	321	↓ 1.2%

To reduce the strain on DESS, for several years, the Agency prioritized hiring for DESS vacancies over those allocated to MA. As a result, many of PSA’s administrative offices have a single FTE responsible for critical duties and/or had to delay backfilling of key positions. OHCM is one such office. This request supports two positions, both of which are central to mission achievement.

Deputy Unit Chief, GS-201-14

Training is often the most overlooked and underfunded element of organizations while functioning as the core and foundation. Training departments ensure the workforce is equipped with the critical skills needed to accomplish the mission. The Deputy Unit Chief position is pivotal to meeting this goal. The incumbent of this position brings to fruition the vision of the Unit Chief -- to provide a robust and impactful training program that supports PSA’s mission and goals. This position serves as a working supervisor responsible for serving as the Agency’s Learning Champion; DESS liaison; CSOSA liaison; supervisory and executive development manager, and project manager. The Deputy Unit Chief will lead and execute all major Agency-wide initiatives to include the Executive Order on Diversity, Equity, Inclusion and Accessibility in the Federal Workforce and the development and deployment of the Agency’s new supervision model, RBS, training curriculum and content; and will provide oversight of the revision of all DESS technical training impacted by the RBS deployment (over 50 classes). The incumbent of this position will also ensure compliance with regulatory guidance and established quality standards.

If this position is not filled, the deployment date for RBS will be adversely affected; supervisory and executive development programs will not be further developed or deployed; and critical supervisory training will not be deployed. The inability to deploy critical training will result in an inability to fill critical leadership positions and negatively impact the Agency’s ability to provide DESS staff with the skills necessary to perform risk-based services effectively and efficiently. Additionally, failure to fill this position will also limit our ability to create an engaged body comprised of staff at every level to promote professional and personal development and increase employee engagement. As we are understaffed by four positions, failure to fill this position would mean that there would be no one assigned to research and recommend the possible implementation of the industry’s best practices and cutting-edge technologies. This will result in providing training

using outdated methodologies, which will decrease staff's interest in continual learning and could negatively impact productivity, engagement, and retention.

HR Specialist (ER/LR), GS-0201-13

As an independent federal agency, PSA has full responsibility for managing labor and employee relations in accordance with federal law, rule, and regulation. The Agency has a very active Union that represents approximately 70% of its employees. The relationship with the Union is managed by a Collective Bargaining Agreement (CBA). As part of the relationship with the Union, PSA must engage in both mid-term and term bargaining and ensure that supervisors and managers are adequately trained and advised on implementing the CBA and are operating within the confines of the Federal Service Labor-Management Relations Statute (Title VII of the Civil Service Reform Act of 1978 (CSRA) (5 U.S.C. §§ 7101 to 7135). In addition, the Agency must comply with the Code of Federal Regulations and any rules established by the Office of Personnel Management in addressing and responding to conduct and/or performance-based issues. In some cases, representations must be made to third parties to defend actions taken by the Agency against employees to prove that all legal requirements have been met.

The field of employee and labor relations requires specific expertise and a full understanding of all applicable law, rules, and regulations. Managers and supervisors require frequent guidance to ensure that they are not running afoul of any legal requirements and that actions do not put the Agency at legal risk. The workload for one staff member has been overwhelming and has resulted in delays responding to supervisors on critical performance issues, disciplinary issues and grievances, delays in signaling the Agency's intent to enter into term negotiations, and delays responding to Union inquiries, which must be addressed within established time frames. Over the past six years, there has been a steady increase in work-hours needed to decipher the many executive orders and changes in federal laws and regulations, including, educating our work force on these changes and implementing these changes after fulfilling labor obligations with the union. As a result, there has been a significant increase in compensatory time required to maintain the status quo.

Currently, PSA has a single FTE allocated to employee and labor relations. The addition of a second HR Specialist will allow PSA to recruit for an individual with an extensive background in the management of employee and labor relations within the federal government. Responsibilities will include: managing labor relations functions for PSA to include serving as management's representative during term and mid-term negotiations; routinely training supervisors on the application of labor and employee relations laws, rules, regulations, Agency policies, and the CBA; meeting with and providing advice to managers; providing guidance and advice to managers on proposing and deciding on performance and conduct based actions; recommending and implementing strategies to ensure effective relationships with the established bargaining unit(s) that represent PSA employees; and administering labor management agreements.

Relationship to PSA's Vision, Mission and Goals: This position supports the Agency's four strategic goals and management objectives. Key to PSA's ability to achieve these goals is having an adequately staffed workforce with the requisite knowledge, skills and abilities to perform their

produce valid results and are untainted by bias with respect to race, gender and other factors. In accordance with this understanding, it is important to perform a periodic, independent revalidation of the tool. It will also be critical to conduct this revalidation following the implementation of Risk-Based Services in FY 2021.

The most recent revalidation was completed in FY 2018. Thus, timing dictates that is imperative that in FY 2023, PSA revalidates its RAI to ensure the instrument continues to produce valid results and provides evidence-based support for judicial decision-making. Additionally, this revalidation will have a residual effect in helping PSA evaluate the utilization of the Risk Assessment for District Court (RADDC), which is a separate risk assessment for defendants appearing in federal court. During the FY 2018 revalidation, a racial bias analysis was conducted. The FY 2023 revalidation would be an extension of this, as the purpose of this review would be to examine PSA’s RAI for any bias beyond race and to examine the impact of newly available data regarding defendants with histories of firearms related offenses.

Automated Human Capital Mangement Systems +\$84,000 0 FTE

PSA requests an increase of \$84,000 to support three automated human capital management systems, of which two are supported by the Office of Personnel Management (OPM).

PSA requests \$22,000 for ongoing maintenance costs for the USA Performance, an automated performance management system that assists agencies with complying with human capital regulations. The annual maintenance cost covers maintaining a library of critical performance elements and provides a format for agency-specific performance plans and rating forms.

PSA requests \$10,000 for ongoing costs to cover the cost of standard assessments for seven licenses for USA Hire, an automated and competency-based assessment tool which provides access to a compendium of competency assessments. These assessments are specifically designed to identify behaviors, education, and experience to evaluate an applicant’s background and qualifications for the duties and responsibilities of PSA positions. The assessments are incorporated into the Federal job announcement process and allow for an in-depth assessment of an applicant’s range of skills and capabilities.

PSA also requests \$52,000 for initial and ongoing costs to support the Success Factors Learning Management System (LMS), a web-based training portal that provides a single, common infrastructure to manage all PSA learning and training initiatives across the organization. It also ensures continued compliance with the OPM-mandated eHRI reporting requirements and offers unique training opportunities to improve the knowledge, skills and abilities of PSA personnel.

SuccessFactors LMS is based on a license-per-user structure. PSA currently uses LMS in collaboration with Court Services and Offender Supervision Agency (CSOSA) through an Interagency Agreement where PSA pays 30 percent and CSOSA pays 70 percent of the costs.

The following table depicts initial set up costs to support these systems and the annual funding required to remain in the baseline budget to support ongoing maintenance and license requirements.

Items	Initial Costs	Ongoing Costs	FTE
USA Performance		\$22,000	0
USA Hire		\$10,000	0
SuccessFactors LMS	<u>\$26,000</u>	<u>\$26,000</u>	<u>0</u>
Total Requested Program Changes	\$26,000	\$58,000	0

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

PSA requests an increase of \$500,000 to 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 FY 2023. 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.

Treatment Table 1

<u>Defendant Services</u>	<u>Amount</u>
Substance Use Disorder Treatment-Residential	\$400,000
Transitional Housing	\$100,000
Total	\$500,000

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 and/or 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.

As the courts are reopening and beginning to request assessments and treatment for defendants following the pandemic, PSA is discovering that many defendants have struggled with sobriety and other psychosocial stressors during the pandemic and are in immediate need of services. PSA estimates that by FY 2023, the agency will be providing treatment services at the pre-pandemic level of \$2.4M each year. Before the pandemic, PSA placed approximately 500 defendants into residential treatment, 250 defendants into intensive outpatient treatment, 55 defendants into medically monitored detoxification, and 30 defendants into transitional housing services annually.

Treatment Table 2

<u>Fiscal Year</u>	<u>Amount</u>
2019 Actual	\$2,855,000
2020 Actual	\$1,179,000
2021 Planned	\$1,181,000
2021 Revised Plan	\$500,000
2022 Planned	\$1,900,000
FY 2023 Planned	\$2,400,000

ORGANIZATIONAL STRUCTURE

PSA’s organizational structure supports the Agency in operating programs that provide an array of services to DC Superior Court, US District Court, and the defendants under PSA’s supervision. Consistent with the Agency’s strategic plan, as noted above, PSA is organized into two divisions: Defendant Engagement and System Support (DESS) and Management and Administration (MA).



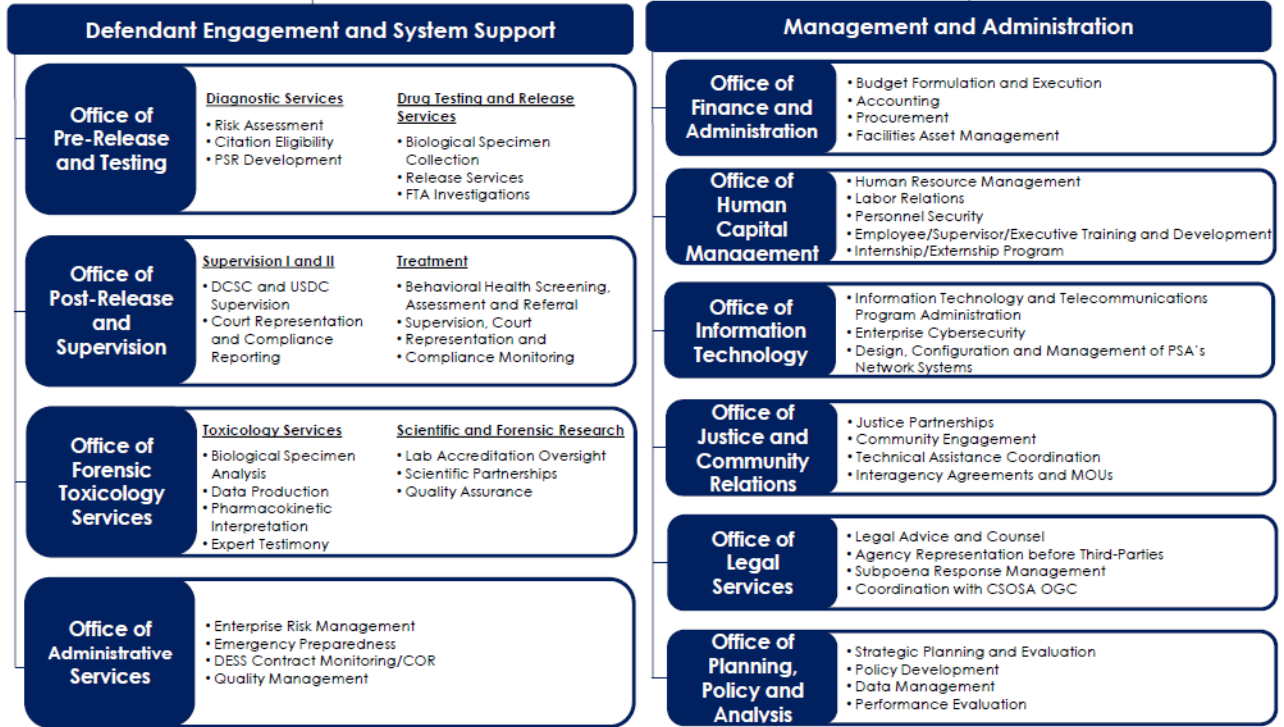
PRETRIAL SERVICES AGENCY for the DISTRICT of COLUMBIA

Pretrial Executive Committee

Established pursuant to DC Code § 23-1304, the Executive Committee is comprised of the Chief Judges of the US Court of Appeals for the DC Circuit, US District Court for DC, DC Court of Appeals and DC Superior Court; the US Attorney for DC, the Director of the DC Public Defender Service and the Director of CSOSA.

Office of the Director

Strategic Direction - Records Management - Employee Engagement - Case Sealing and Expungement



Last Updated: December 2021

DEFENDANT ENGAGEMENT AND SYSTEM SUPPORT

DESS provides supervision and treatment services and support to persons awaiting trial in DC Superior Court and US District Court. 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 Services and Drug Testing and Release Services.

The **Diagnostic Services Unit** interviews and reviews the criminal history of defendants arrested and charged with certain DC Code offenses and US Code offenses in the DC Superior Court. 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 and Release Services Unit consists of two teams: Drug Testing Services and Release Services.

The **Drug Testing Services Team** collects urine and oral fluid specimens from defendants during the diagnostic process, once cases are assigned to PSA for supervision. The team 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 most defendants awaiting trial or sentencing in DC Superior Court and US District Court. This includes monitoring defendants’ compliance with release conditions and reporting this information to the courts.

Common supervision requirements include reporting to a 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 Teams, 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 teams: Social Services and Assessment, Drug Court, and Specialized Supervision.

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

The Drug Court Team administers the Superior Court Drug Intervention Program, better known as 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 among the DC Superior Court, 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 attorneys, 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. 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 Team provides 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 DC Superior Court, OAG, USAO, the local defense bar, and PSA, and 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 substance testing program for pretrial defendants, as well as individuals supervised by the Community Supervision Program (CSP) and certain juveniles and respondents with cases in DC Superior Court Family Court.

OFTS screens urine and oral fluid specimens collected from offenders, defendants and respondents for up to 37 illicit substances: marijuana, phencyclidine (PCP), opiates (codeine/morphine; oxycodone/oxymorphone; hydrocodone/hydromorphone), methadone, cocaine, alcohol, heroin, amphetamines (methamphetamine/amphetamine; MDMA/MDA), fentanyl, 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 and 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, develops 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 (MA) 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.⁸

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. 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 controls, 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,

⁸ 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.

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 designs, develops and manages programmatic, systems and management training; performs training needs assessments; develops curricula; and designs, develops, 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's 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 major hardware, software, and information technology contracts for PSA.

Planning, Policy and Analysis

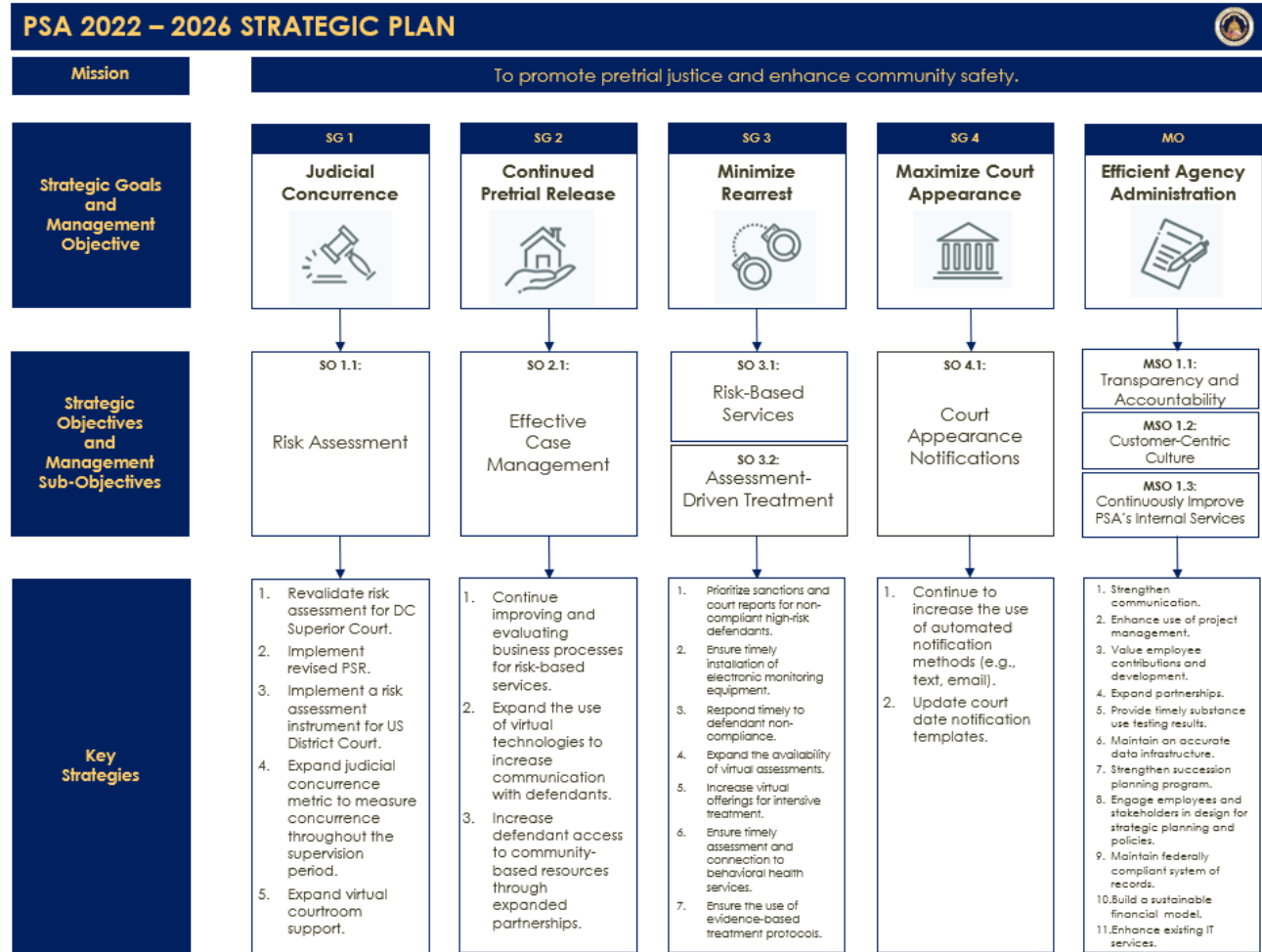
The Office of Planning, Policy and Analysis (OPPA) uses evidence-based approaches to inform planning, policy and operations. OPPA, in close partnership with other PSA offices, supports the achievement of the Agency's mission by administering a range of functions, including strategic planning, budget 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 and Chief Data Officer.

PSA STRATEGIC FRAMEWORK

PSA's strategic plan sets forth a framework of priorities and objectives that cascade throughout all levels of the Agency to guide our work in meeting our mission of promoting pretrial justice and enhancing community safety while striving for efficient Agency administration (refer to figure on next page). Agency leaders and employees will use this plan to drive resource allocations and transform strategies into actions and measurable results. Progress will be measured routinely and collaboratively reviewed at all Agency levels. This review process facilitates thoughtful discussion on our progress and identifies opportunities for improvements and adjustments.

PSA's FY 2022-FY 2026 strategic plan is comprised of four strategic goals and one management objective that outline the long-term outcomes we plan to achieve. Four strategic goals focus on effective mission accomplishment, and one management objective focuses on efficient Agency administration. The four strategic goals are supported by specific objectives that target our progress. Key strategies outline how we will achieve our objectives and the performance indicators measure the impact of progress toward our 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.







PROGRAM PERFORMANCE

In response to COVID-19, and in accordance with 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 initially suspended defendant lockup interviews, drug testing, treatment assessments and referrals to treatment programs, all of which require close in-person contact and increased virtual support to court operations. To safely resume these mission critical tasks, PSA implemented a phased reopening plan that maximizes virtual supervision for defendants and telework for most of its workforce whose duties can be performed remotely. PSA conducts telephonic diagnostic interviews, provides virtual treatment services using platforms such as Zoom, and administers virtual substance use disorder assessments and mental health screenings.

To protect high-risk defendants required to report in person and mission-essential employees required to work onsite, PSA purchased PPE and disinfecting supplies, adopted rigorous cleaning protocols, completed facilities modifications, and leveraged technology to support its workforce.

Also, in FY 2021, most DC Superior Court hearings were held virtually. Despite the impact of COVID-19 on Agency operations, PSA continued to meet or exceed the performance targets for all strategic goals during FY 2021.

Performance Indicator Area	Indicator Description	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022-2026 Target
Strategic Goal 1	Judicial Concurrence with PSA Recommendation	76%	81%	78%	79%	84% 	70%
Strategic Goal 2	Continued Pretrial Release	87%	85%	87%	85%	89% 	85%
Strategic Goal 3	Arrest Free Rate	86%	87%	87%	88%	90% 	88%
	(Violent Crimes)	99%	99%	99%	99%	98%	97%
Strategic Goal 4	Court Appearance Rate	88%	89%	88%	91%	92% 	87%

FY 2021 KEY AGENCY ACCOMPLISHMENTS

In FY 2021, PSA continued to advance its mission of promoting pretrial justice and enhancing community safety, despite the ongoing challenges associated with the COVID-19 pandemic. PSA focused on innovative approaches to meeting its mission and a gradual resumption of normal operations.

PSA successfully implemented fentanyl testing, despite the disruption of normal laboratory operations. Starting in May 2021, all urine specimens submitted by pretrial defendants are routinely screened for fentanyl. As a result, information on fentanyl use has now been incorporated into judicial decision-making, supporting the nationwide response to the opioid crisis.

In March 2021, PSA expanded its oral fluid drug testing services and began screening all CSP oral fluid specimens. Oral fluid testing is an alternative for individuals who are unable to provide urine specimens for testing due to medical conditions or other factors. The oral fluid kit tests for a total of nine substances: alcohol, methadone, methamphetamine, oxycodone, amphetamines, cocaine/cocaine metabolites, marijuana, opiates, and PCP. This expansion paved the way to provide expanded drug testing services to our stakeholders.

PSA also ensured continued treatment access during the COVID-19 pandemic. PSA worked with its contract-funded treatment vendors to develop virtual services using remote platforms such as Zoom.

In March 2021, PSA's substance use disorder treatment vendors began offering virtual group services at the same level as pre-pandemic in-person offerings to defendants participating in Drug Court and sanction-based treatment. In September 2021, PSA expanded offering substance use disorder assessments to high risk defendants under PSA supervision and plans to continue expanding these services to identify other defendants under supervision with substance use disorder treatment needs and to assist PSOs in making appropriate referrals for treatment services. As a result, PSA will continue to successfully discharge its law enforcement mission while protecting the safety of defendants and its employees.

KEY AGENCY STRATEGIES

In FY 2021, PSA finalized staff instructions and developed training modules for implementing RBS. Throughout the year, to fulfill labor obligations pertaining to the implementation of RBS, PSA worked collaboratively with its labor union to finalize implementation plans and will continue to actively engage its union to adjust the plan in response to COVID-19.

While PSA planned to have RBS fully implemented by the end of FY 2021, the impacts of COVID-19 made that impossible. PSA experienced sharp increases in demands for supervision and other defendant services, specifically GPS monitoring, and PSA's FY 2021 funding level was insufficient to meet these surge demands. After enacting a hiring-freeze and making significant programmatic reductions agencywide, PSA remained unable to meet the demand for GPS services. Thus, after pursuing all options to secure an emergency supplemental appropriation for FY 2021 and exhausting all possible avenues of relief, the Agency made the difficult decision to cease work on its replacement CMS to ensure the availability of GPS services for defendants through the remainder of the year.

PSA will now work towards securing and reinforcing PRISM, our legacy CMS, to bring it into compliance with modern IT security standards and to ensure it can support RBS. To fully implement RBS by the end of FY 2022, PSA will conduct an independent assessment of our legacy system and work with a private systems integrator to address any security and privacy assessment findings. Necessary changes will be implemented to ensure the system supports basic operational processes associated with the move to RBS and to move it to the cloud. Moving the CMS to the cloud improves its security posture significantly including built-in security features, such as data at rest encryption, dual-factor authentication, least privilege access control, and retention rules, will greatly enhance PRISM's security.

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 (PSR), which contains a summary of each defendant's criminal history and demographic information. In this report, PSA recommends – as appropriate – release conditions designed to mitigate the risk of failure to appear and rearrest during the pretrial period. Our release condition recommendations, which are based on a scientifically validated risk assessment, include pro-social interventions, such as substance use testing, behavioral health assessment and treatment, global positioning system (GPS) electronic monitoring, and regular contact with a PSO. To gauge how often judges concur with our initial release condition


recommendations, we implemented a measure of judicial concurrence. During this strategic period, we will expand the measure to assess concurrence with our recommendations throughout the supervision period.

Strategic Objective 1.1 Risk Assessment

The PSR provides much of the information judges use to determine a defendant’s risk to the community and the level of supervision, if applicable. Risk assessment is a core component of the PSR. We conduct a risk assessment to determine each defendant’s risk of pretrial misconduct.⁹ The instrument used for defendants awaiting trial in DC Superior Court was developed specifically for the adult defendant population within Washington, DC, and has been validated to ensure its predictive validity and evaluated to ensure that it is not biased with respect to race. We will introduce use of a new instrument for defendants awaiting trial in US District Court. The new instrument will mirror a model developed by the federal judiciary to ensure synchronization of our efforts with those of other federal judicial districts nationwide. Use of these instruments enhances our ability to provide a comprehensive summary to the court of each defendant’s demographic information, criminal history and recommended release conditions.

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

Performance Indicators

Performance Indicator Area	Indicator Description	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2018-2022 Target
Strategic Goal 1	Judicial Concurrence with PSA Recommendation	76%	81%	78%	79%	84% 	70%
Strategic Objective 1.1 ¹⁰	Risk Assessment (Complete PSRs)	73%	80%	72%	73%	N/A ¹¹	73%

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

⁹ 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>.

¹⁰ Strategic Objective 1.1 does not include CDC and CTF because not all these defendants receive a diagnostic interview; a key component of the Complete PSR measure.

¹¹ Lock-Up drug testing remained suspended in FY2021. Therefore, this metric was not calculated.

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 instrument. 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 firearms offenses, which will allow PSA to specifically assess firearms-related offense risk during the next revalidation.

2. Revise the PSR to effectively inform judicial officer decisions

During FY 2019, PSA launched the first revision to the PSR for US District Court. 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 US District Court 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 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 ensures due process for defendants while minimizing the risk to public safety. 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, we 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 risk-based services necessary to help each defendant successfully comply with release conditions. 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 arrest-free behavior while on pretrial release. To gauge the effectiveness of risk-based services, we implemented a measure of defendant compliance at case disposition.

Performance Indicators

Performance Indicator Area	Indicator Description	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022-2026 Target
Strategic Goal 2	Continued Pretrial Release	87%	85%	87%	85%	89% 	85%
Strategic Objective 2.1	Compliance with Release Conditions (Closeout Assessment)	71%	75%	77%	74%	68% 	77%

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

- Strategic Objective 2.1 *Compliance with Release Conditions*, for which the Agency was below performance target by 9 percentage points.

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 account for 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(s).

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

3. Update legacy client management system to meet new cyber security standards and 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. As discussed

above, the agency's original plan is being modified considering fiscally driven decisions regarding the future of CMS.

STRATEGIC GOAL 3: MINIMIZE REARREST

PSA supervision is designed to minimize risk to the community. We use risk-based services to provide appropriate levels of supervision to each defendant. We also provide pro-social interventions, such as substance use and/or mental health disorder treatment, to mitigate risk and help defendants remain arrest-free. To gauge our effectiveness in minimizing rearrests, we implemented a measure of the arrest-free rate.

Strategic Objective 3.1 Risk-Based Services






PSA focus supervision resources on defendants most at risk of violating their release conditions and use graduated levels of supervision and interventions to promote compliance. Persons awaiting trial released on personal recognizance without PSA supervision receive only notification/reminders of their court dates. Lower and medium risk defendants require more direct contact with PSA, which may include a combination of telephone, virtual, and in-person supervision meetings with a PSO. Higher risk defendants are subject to more frequent and primarily in-person contact with assigned PSOs.

PSA's supervision strategy includes imposing swift and consistent responses for non-compliance with release conditions and providing appropriate incentives for defendants who consistently comply. PSA uses graduated sanctions to modify defendant behaviors considered precursors to criminal activity and/or failure to appear for court. Examples of such behaviors include failing to provide current contact information or report for supervision meetings. Responding promptly to non-compliance is directly related to achieving our mission. When infractions and/or violations of conditions are detected, PSA use all available administrative sanctions, inform the court and, when warranted, seek judicial sanctions, including revocation of release.

PSA also harnesses the power of incentives to encourage changes in defendant behavior. Common incentives PSA uses include reduction in the method and/or frequency of contacts required and reduction in the frequency of substance use testing.

To gauge the effectiveness of our supervision strategies, we implemented measures to evaluate the rate of our response to a defendant's misconduct as well as defendant satisfaction with our services.

Performance Indicators

Performance Indicator Area	Indicator Description	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022-2026 Target
Strategic Goal 3	Arrest-Free Rate	86%	87%	87%	88%	90% 	88%
	Violent Crimes	99%	99%	99%	99%	98% 	97%
Strategic Objective 3.1.1	Response to Defendant Conduct ¹²	91%	90%	89%	91%*	93% 	Drug Infractions 80%
		89%	89%	89%	93%	88% 	Contact Infractions 70%
		88%	92% ¹³	95%	94%	98% 	Electronic Monitoring Infractions 92%
		88%	89%	80%	78%	N/A ¹⁴	Group Session Infractions 80%
Strategic Objective 3.2.1	Substance Use Disorder Assessments	93%	91%	96%	95%	N/A	90%
Strategic Objective 3.2.2	Placement into Substance Use Disorder Treatment	53%	55%	50%	33%	N/A	50%
Strategic Objective 3.2.3	Reduction in Drug Use	85%	82%	85%	85%	N/A	74%
Strategic Objective 3.2.4	Mental Health Assessments	95%	95%	93%	84%	N/A	90%
Strategic Objective 3.2.5	Connection to Mental Health Services	88%	89%	86%	92%	N/A	80%

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

Key Strategies Supporting Strategic Direction

1. Prioritize sanctions and court reporting of non-compliance

To assist judicial officers in identifying court reports that require immediate action, PSA implemented a priority reporting system to assist with expediting judicial 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 defendant (irrespective of risk level) threatens or assaults someone, or tampers with GPS equipment.

¹² 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.

¹³ Data captured between February 14th and May 12th, 2018 were excluded due to PSA’s transition from manual to automation collection.

¹⁴ Due to COVID-19, PSA has not resumed full activity and rates for this performance measure are not reported.

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

Consistent with the shift to risk-based services, PSA is refining its process for recommending electronic monitoring to limit its use for defendants who are at greatest risk of pretrial misconduct. 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 for minimizing rearrests during the pretrial period is addressing underlying issues, such as substance use disorder and mental health treatment needs. After an appropriate assessment, PSA provides, either through contracted services or referral, appropriate behavioral health services to enhance supervision compliance. In addition to public safety benefits, the community also benefits from the cost savings of providing supervision with the appropriate treatment services in lieu of incarceration.

Treatment for substance use and/or mental health disorders is provided as a component of, and as a substitute for, PSA's robust supervision protocols. Just as all defendants are assigned to supervision levels based on risk, defendants with behavioral health treatment needs are assigned to supervision units that provide services based on both risk and need. In addition to appropriate treatment, defendants placed in these programs have release conditions to support compliance, including substance use testing, regular supervision contact, and treatment program participation. To gauge effectiveness of these interventions, we measure 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 COVID-19, PSA conducted in person, same-day mental health and substance use disorder assessments for referred defendants under pretrial supervision. Following a temporary suspension at the onset of the pandemic, PSA has resumed mental health screenings and 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 programs. National standards identify minimizing failures to appear as a central function for pretrial services agencies. Within PSA, 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, we notify defendants of future court dates. During the last strategic period, we expanded our 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 letters mailed to the defendant’s residence.

During the initial contact, we ask defendants about their preferred method of notification. An automatic hierarchy then is generated for notifications to the defendant (e.g., email, text messages, and letters) based on the defendant’s preference. An analysis of court appearance notification methods suggests that text messages are the most effective in yielding the highest court appearance rates. To gauge the effectiveness of the notification for court appearance, we implemented a measure to determine the rate of court appearance according to the preferred notification method.

Performance Indicators

Table 4 -Performance Indicators for Strategic Goal 4: Maximize Court Appearance							
Performance Indicator Area	Indicator Description	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2018-2022 Target
Strategic Goal 4	Court Appearance Rate ¹⁵	88%	89%	88%	91%	92% 	87%
Strategic Objective 4.1.1	Court Notification Automation						25%

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 discontinued. Upon resumption of normal Agency operations, PSA will conduct an internal evaluation using the revised reminders with defendants evaluating their effectiveness and will continue to use insights from behavioral science to improve defendant communications about their future court dates.

¹⁵ 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.

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.

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 2021, 2022 and 2023.

FUNDING BY STRATEGIC GOAL

	FY 2021 Actual	FY 2022 PB	FY 2023 Request	Change from FY 2022
Strategic Goal 1: <i>Judicial Concurrence With PSA Recommendations</i>				
<i>\$ in thousands</i>	16,125	17,057	18,493	1,436
FTE	78	79	85	6
Strategic Goal 2: <i>Continued Pretrial Release</i>				
<i>\$ in thousands</i>	15,721	16,630	18,014	1,384
FTE	75	76	81	5
Strategic Goal 3: <i>Minimize Rearrest</i>				
<i>\$ in thousands</i>	17,050	18,035	19,524	1,489
FTE	81	82	88	6
Strategic Goal 4: <i>Maximize Court Appearance</i>				
<i>\$ in thousands</i>	17,388	18,393	19,908	1,515
FTE	83	84	90	6
Total Base Funding <i>\$ in thousands</i>	66,284	70,115	75,939	5,824
Total FTE	317	321	344	23
<i>Lease Replacement Prospectus</i>				
<i>\$ in thousands</i>	0	7,304	998	(6,306)
Total Budget	66,284	77,419	76,937	(482)

SUPPORTING MATERIALS

MANAGEMENT AND ADMINISTRATION

Strategic Human Capital Management

- ✓ Supported achievement of the Agency’s Priority Goal by working to ensure that all labor/ bargaining obligations were met. Continued working 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.

- ✓ Revised the Agency's Employee Awards and Recognition Policy Statement, streamlining procedures to allow for faster and more efficient recognition of employees who have made significant contributions to the Agency's mission.
With CSP, PSA revised the Reasonable Accommodation Joint Policy Statement and associated procedures, improving the Agency's responsiveness to requests for accommodation. In addition, worked closely with CSOSA to establish a process that allows for stronger advocacy for employees with disabilities.
- ✓ Supported Agency-wide maximum telework during the pandemic by moving to an almost all virtual on-boarding system for new employees. Worked with the Office of the Director to develop and launch a virtual Honorary Awards Ceremony while still allowing for recognition of our most stellar employees.
- ✓ Improved efficiency in and accountability of the performance management system by utilizing USA Performance. The new automated system eases the paperwork burden for supervisors and employees, supports real-time tracking of progress throughout the performance cycle, allows quick and easy review of files to ensure that all performance management steps are being followed, and provides a robust method of ensuring that employees are consistently aware of and held accountable for results.
- ✓ Increased ability to accurately and easily assess applicant qualifications, and hire the most qualified candidates, using USA Hire, which provides access to a library of validated competency-based tools.
- ✓ Managed 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 340 hours of training to include on-line courses, instructor-led courses, forums, shadowing and on-the-job instruction.
 - Hosted five undergraduate student interns.
 - Piloted the Risk Based Services' training program for senior leadership. This curriculum was comprised of 4 instructor-led classes and 3 online modules. The curriculum and content for this program were developed in support of the Agency's Priority Goal.
 - Developed multiple training programs in the following areas: Diversity (updated content to reflect Executive Order, Leadership, Records Management, Emotional Intelligence, Self-Care and Professional Growth).
 - Conducted DESS refresher trainings using virtual platforms such as MS Teams and Zoom.
 - Successfully onboarded 4 new PSA employees (virtually).
 - Upgraded the LMS to meet new security requirements.
 - Developed and deployed the agency's first virtual award ceremony.

Records Management Infrastructure Development

- ✓ Conducted individual office assessments for record maintenance compliance and timely disposal of records that reached or surpassed disposition dates.
- ✓ Identified approximately 4,300 closed cases for transfer to the Federal Records Center for storage.

- ✓ Disposed of approximately 9,100 closed cases, supporting National Archives Records Administration (NARA) retention requirements.
- ✓ Updated and deployed a new Records Management annual training course.
- ✓ Ensured Agency-wide compliance with the annually mandated records management training.
- ✓ Developed life-cycle management requirements for Agency mission-critical operating system.
- ✓ Established centralized workspaces and identified relevant metadata for managing temporary electronic records.
- ✓ Leading the efforts of migrating legacy and current records and information from the network to SharePoint On-line (cloud based).
- ✓ Initiated the efforts to identify Control Unclassified Information.
- ✓ Submitted seven new record schedules to NARA.
- ✓ Developed and leads Records Management Steering Committee, which is composed of senior executive leadership.
- ✓ Conducted an Electronic Systems Inventory to determine which systems will require updating to perform life-cycle management.
- ✓ On-track to meet the requirements of M-19-21 regarding the transition to electronic records.

Financial Statement Audit

- ✓ Achieved an *unmodified* (clean) opinion on the FY 2020 financial statements.
- ✓ Supported the Management Internal Control and Enterprise Risk Management Programs by assisting with the identification of material business risks with corresponding mitigating controls.

Information Technology

Accelerated the infrastructure modernization in support of an expanded remote workforce:

- Deployed 240 new mobile smartphones to enable productivity and collaboration outside of the traditional workplace.
- Operationalized Microsoft Azure cloud to modernize device management; simplify application deployment and create a more secure digital operating environment.
- Increased the number of video conference options in support of new virtual business models.
- ✓ Implemented IT security measures in response to the increase in phishing and ransomware attacks.
 - Trained 95 percent of staff with significant privacy and security functions on role-based security.
 - Instituted new account management protocols for administrators and privileged users.
 - Increased use of monitoring tools to maintain situational awareness and enhance responsiveness to security risk.

Tailored monthly cybersecurity newsletters to increase awareness and education on identifying and avoiding phishing scams.

BUDGET DISPLAYS

SALARIES AND EXPENSES (BASE FUNDING)								
SUMMARY OF REQUIREMENTS BY GRADE AND OBJECT CLASS								
<i>(Dollars in Thousands)</i>								
Grade	FY 2021 Actual		FY 2022 CR		FY 2023 PB		FY 2022 to FY 2023 Variance	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
SES	2	377	2	387	2	387	0	0
GS-15	8	1,490	9	1,528	9	1,528	0	0
GS-14	33	4,633	35	5,193	37	5,486	2	293
GS-13	57	6,823	60	7,120	62	7,844	2	724
GS-12	160	17,592	163	17,598	163	17,598	0	0
GS-11	11	532	7	546	14	1,139	7	593
GS-09	13	1,099	19	1,426	19	1,426	0	0
GS-08	4	409	6	419	6	419	0	0
GS-07	15	919	15	942	15	942	0	0
GS-06	5	483	9	495	9	495	0	0
GS-05	0	0	0	0	8	336	8	336
Total Appropriated FTE	308	34,357	325	35,654	344	37,600	19	1,946
Object Class								
11.1 Full-time Permanent	308	34,357	325	35,654	344	37,600	19	1,946
11.3 Other than Full-time Permanent	0	0	0	0	0	0	0	0
11.5 Other Personnel Compensation - Awards	0	20	0	0	0	0	0	0
11.5 Other Personnel Compensation - Other	0	598	0	283	0	2,180	0	1,897
12.0 Personnel Benefits	0	17,125	0	18,910	0	19,893	0	983
Personnel Costs	308	52,100	325	54,847	344	59,673	19	4,826
21.0 Travel and Transportation of Persons	0	0	0	0	0	0	0	0
22.0 Transportation of Things	0	0	0	0	0	0	0	0
23.1 Rental Payments to GSA	3,281	3,308	3,308	3,308	3,308	3,308	0	0
23.2 Rental Payments to Others	2,071	2,119	2,119	2,119	2,119	2,119	0	0
23.3 Communications, Utilities & Misc. Charges	753	713	713	713	713	713	0	0
24.0 Printing and Reproduction	9	18	18	18	18	18	0	0
25.1 Advisory and Assistance Services	186	200	200	200	614	614	414	414
25.2 Other Services from non-Federal Sources	3,908	5,915	5,915	5,915	6,415	6,415	500	500
25.3 Other Goods/Services from Federal Sources	1,493	1,265	1,265	1,265	1,349	1,349	84	84
25.4 Operation and Maintenance of Facilities	6	20	20	20	20	20	0	0
25.7 Operation and Maintenance of Equipment	176	931	931	931	931	931	0	0
26.0 Supplies and Materials	605	544	544	544	544	544	0	0
31.0 Equipment (& Furniture)	622	235	235	235	235	235	0	0
32.0 Land and Structures	0	0	0	0	0	0	0	0
43.0 Interest	0	0	0	0	0	0	0	0
Non-Personnel Costs	13,110	15,268	15,268	15,268	16,266	16,266	998	998
TOTAL	308	65,210	325	70,115	344	75,939	19	5,824

SALARIES AND EXPENSES (NON-RECURRING FUNDING)
SUMMARY OF REQUIREMENTS BY GRADE AND OBJECT CLASS

(Dollars in Thousands)

Object Class	FY 2021 ^E		FY 2022 ^F		FY 2023 ^G	
	Actual		CR		PB	
	3-year 21/23		3-year 22/24		3-year 23/25	
	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		4,283		0
23.2 Rental Payments to Others		0		0		0
23.3 Communications, Utilities & Misc. Charges		0		0		0
24.0 Printing and Reproduction		0		0		0
25.1 Advisory and Assistance Services		0		507		0
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		295		0
25.7 Operation and Maintenance of Equipment		0		0		0
26.0 Supplies and Materials		0		0		0
31.0 Equipment (& Furniture)		459		2,219		998
32.0 Land and Structures		0		0		0
43.0 Interest		0		0		0
Non-Personnel Costs		459		7,304		998
TOTAL	0	459	0	7,304	0	998

^E Three-year FY 2021/2023 funding was received to fund additional costs associated with the Lease Replacement Prospectus.

^F Three-year FY 2022/2024 funding was requested to fund increase in costs associated with the Lease Replacement

^G Three-year FY 2023/2025 funding is requested to replace any lapsed 2020/2022 funding that is expected to occur due to delays with the GSA procurement process for the Lease Replacement Prospectus.