

# EQUITY ACTION PLAN



Court Services & Offender Supervision Agency  
Equity Action Plan Pursuant to Executive Order 13985  
"Advancing Racial Equity and Support for Underserved  
Communities Through the Federal Government"



# EXECUTIVE SUMMARY

The Court Services and Offender Supervision Agency (CSOSA or “Agency”) provides community supervision to adult offenders (“supervisees”) on probation, parole, and supervised release in the District of Columbia. The Agency’s mission is to increase public safety, prevent crime, reduce recidivism, and support the fair administration of justice in close collaboration with the community.

Supervisees are ordered to engage with CSOSA by the courts or the U.S. Parole Commission as a condition of their probation, parole, or supervised release. Supervisees’ failure to do so may result in consequences up to and including their incarceration.

Supervisees are part of the underserved justice-involved community, and most are members of more than one underserved community. In fiscal year (FY) 2020, 89% of supervisees identified as African American and 5% identified as Hispanic/Latino. Eighty-six (86) percent identified as male and 76% of all supervisees identified as African American males.

CSOSA reports the demographics of its supervision population by race and more traditional gender distinctions (i.e., female and male) in its Congressional Budget Justification documents and analyzes supervision outcomes in its Agency Performance Review. Therefore, CSOSA focused its equity assessment on another vulnerable subgroup of the justice-involved community. CSOSA sought to assess whether supervisees who identify as transgender women or as other members of the lesbian, gay, bi-sexual, transgender, queer, gender non-conforming, and non-binary (LGBTQ+) community have equitable access to and full benefit of CSOSA’s supervision services. This approach was informed by the April 7, 2021, Office of Management and Budget (OMB)-coordinated call with the equity advocacy organization, PolicyLink. During this call, the speakers explained that removing a barrier with a negative impact on a subgroup can inure to the benefit of the whole group.<sup>1</sup> For instance, if an agency removes the requirement of a college degree for a mailroom position because of its negative impact on a subgroup, the removal of that requirement would benefit not only the subgroup, but would benefit all jobseekers without college degrees. CSOSA selected the subgroup of LGBTQ+ supervisees, and particularly transgender women supervisees, as a result of the nationwide upward trend in violence against transgender women.<sup>2</sup>

## Summary of Action Plan

The Agency will (1) provide staff training on working with supervisees who self-identify as members of the LGBTQ+ community; (2) explore methods to update its electronic case management system and relevant forms to allow LGBTQ+ supervisees who want to self-identify the opportunity to do so; (3) implement a campaign to solicit feedback from former LGBTQ+ supervisees about their supervision experiences; and (4) continue to monitor the contract dollars obligated to socioeconomic small businesses and sustain the Agency’s current level of contract dollar obligations to these businesses, which far exceeds the benchmarks set forth in the OMB-issued December 2, 2021, *Memorandum on Advancing Equity in Federal Procurement*.

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<sup>1</sup> See <https://www.policylink.org/resources-tools/curb-cut-effect>.

<sup>2</sup> See <https://www.hrc.org/resources/fatal-violence-against-the-transgender-and-gender-non-conforming-community-in-2021>.

## Summary of Early Accomplishments

On October 29, 2021, CSOSA's Director issued an agency-wide equity statement, explaining the Agency's approach to assessing equity in its supervision process. The Director reiterated that CSOSA's mission requires it to continuously focus on advancing equity and eliminating administrative barriers to increase each supervisee's opportunities to successfully complete supervision. The Director explained that Executive Order 13985 provided another opportunity to assess how the Agency may better serve the supervision community at large by examining the supervision experiences of transgender women and other members of the LGBTQ+ community.

CSOSA continues its equity-centered stakeholder engagement efforts with the Mayor's Office of Lesbian, Gay, Bisexual, Transgender and Questioning Affairs and community-based organizations, e.g., Helping Individual Prostitutes (HIPS), Casa Ruby (which is a bilingual and multicultural organization serving the LGBTQ+ community), and the DC Center for the LGBTQ Community. Most recently, the Agency invited these stakeholders to share CSOSA's exit interview invitations with the people they serve.

To date, CSOSA's assessment efforts have revealed and addressed seemingly minor, yet important issues that could create barriers to a successful supervision experience for all supervisees. For example, a review of the Agency's intake process revealed that supervisees, many of whom struggle with organization, frequently arrive at the intake office with loose case-related documents. The Agency realized that providing supervisees with an unbranded folder in which they could store and organize their documents could better position them for supervision success. Moreover, the Agency recognized that the folders provided the opportunity to include other information unrelated to supervision, but nonetheless important to their lives, e.g., voting rights information, Selective Service registration information, and resource materials for housing, employment, etc., as appropriate.

During a review of the close-out procedures for supervisees, the Agency realized that it did not regularly provide supervisees with documentation showing that they had completed supervision. Instead, when and if supervisees needed proof that they had completed supervision, the burden was on the supervisees to ask their Community Supervision Officers (CSOs) to obtain the necessary documentation. The Agency is now working on revising its close-out procedures, to include providing a letter of completion at the end of supervision for each supervisee.

Spurred by its equity assessment as well as the lessons learned during the COVID-19 pandemic, CSOSA is retooling its drug-testing protocol. Previously, the Agency observed urine collection except in limited circumstances in which oral swabbing was permitted. Supervisees who self-identified as transgender women were among the group of supervisees who were permitted oral swabbing. Going forward, urine collection will no longer be observed. Temperature readings will replace the observation of urine collection. This change in the general protocol will inure to the benefit of most supervisees, including transgender women who are uncomfortable self-identifying.

# Equity Action Plan

## ACTION NO. 1 REGARDING THE SUPERVISION PROCESS

### A. Barrier to Equitable Outcome(s)

The Agency hypothesizes that supervisees who identify as transgender female or as other members of the LGBTQ+ community may face barriers that prevent them from fully engaging in the supervision process. Although CSOSA's data gathering is in its infancy stage, early anecdotal evidence suggests the hypothesis is valid. From the one unstructured exit interview the Agency has conducted to date, the Agency better understood how the use of a former male name in CSOSA's case management system and paperwork can prove problematic for a supervisee. The Agency also was reminded that compassionate support from a CSO can be life-saving. Organizations that have worked with the local D.C. courts to support the LGBTQ+ community have heralded the importance of recognizing and providing respect and support to criminal defendants who identify as members of the LGBTQ+ community. Failing to do so has long been cited by these organizations as a barrier to the success of LGBTQ+ defendants.<sup>3</sup>

### B. Action and Intended Impact on Barrier

The Agency has already begun working with the Mayor's Office of Lesbian, Gay, Bisexual, Transgender and Questioning Affairs on developing training for CSOSA staff. The Agency intends to implement a robust training curriculum informed by organizations that support the LGBTQ+ community.

The Agency is updating its electronic case management system to include a field for preferred name as well as additional options in both the gender field and the sexual orientation field so that LGBTQ+ supervisees who want to self-identify as a member of the LGBTQ+ community can do so. Updating this system is important because the gender information recorded in the system is one of the key data points used to determine the supervision unit to which a supervisee is assigned and the supervision and treatment protocols that will be followed.

The Agency also plans to include a field for preferred name as well as update the gender and sexual orientation fields on the forms it uses to collect demographic data from supervisees. Updating these forms is important as the forms are used by the CSOs to verify that the information the Agency has about the supervisees in its electronic case management system is accurate and current.

To make these important updates, CSOSA contacted OMB to determine the necessary steps to obtain the appropriate language to use for its gender and sexual orientation fields. As an initial step,

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<sup>3</sup> See <https://www.lgbtmap.org/file/lgbt-criminal-justice-poc.pdf>.

the Agency Equity Team began identifying and gathering all of its data collection forms for review by OMB's Office of Information and Regulatory Affairs (OIRA).

Through the above actions, the Agency hopes to create a more supportive environment for all supervisees, including LGBTQ+ supervisees. These actions will allow the Agency to gain insight into whether LGBTQ+ supervisees equitably access Agency programs and services and assess whether those programs and services are meeting the needs of the Agency's LGBTQ+ supervisees. These actions are an essential first step to showing supervisees the Agency's commitment to recognizing all the dimensions of a supervisee's personhood that can impact the supervisee's ability to successfully complete supervision and reach the supervisee's full potential.

### C. Tracking Progress

Within the next two to four years, the Agency will have implemented a robust training program for staff on issues facing LGBTQ+ supervisees. The Agency will have an electronic case management system that will assist CSOSA in assessing whether LGBTQ+ supervisees equitably access Agency programs and services and assessing whether those programs and services are meeting the needs of the Agency's LGBTQ+ supervisees. The Agency will have updated the relevant data collection forms to allow for appropriate self-identification. The Agency also will have revised its supervision procedures and provided training on those procedures as appropriate.

Success in the next five to eight years may be demonstrated by an increasing number of supervisees who feel comfortable self-identifying as members of the LGBTQ+ community.

### D. Accountability

The Agency will hold itself accountable in several ways. The Agency will post the Equity Action Plan on the Agency's internal and external websites. CSOSA will invite stakeholders to yearly town halls to provide briefings about its progress on the Plan. Additionally, the Agency will post an annual summary of its progress on the internal and external websites.

## **ACTION NO. 2 REGARDING THE SUPERVISION PROCESS**

### **A. Barrier to Equitable Outcome(s)**

See Section A of Action No. 1.

### **B. Action and Intended Impact on Barrier**

CSOSA is inviting all supervisees who have completed their period of supervision to tell the Agency about their supervision experiences and the ways the Agency can improve the supervision experience. (CSOSA is extending this invitation to former supervisees only to avoid the appearance of any conflict of interest.) Specifically, the CSOs are providing departing supervisees with written notice of the exit interview opportunity. Going forward, the notices will be provided in Spanish, as appropriate. Written notice of the opportunity has also been posted throughout the supervision facilities. Despite these efforts, only one person has participated to date.

To overcome what appears to be supervisees' lack of interest or willingness to participate in exit interviews, the Agency plans to take decisive action. First, the Agency is currently revising the interview disclaimer to former supervisees to make it clear that the interviews will not be conducted by CSOs or other members of the supervision staff, that the participants' responses will be aggregated, that no personal identifying information such as name, case number, police department identification number, or address will be collected during the interview, that an individual supervisee's participation or lack thereof will not be shared with and/or considered by the Community Supervision Program staff in any case, and that the interviews can be conducted by phone, by various video-telephone platforms including Zoom and FaceTime, or in writing via a weblink.

Second, the Agency is using social media platforms including Facebook, LinkedIn, Twitter, and Instagram to publicize the exit interview invitation to former supervisees. CSOSA also shared this invitation with groups that serve the LGBTQ+ community, including Casa Ruby (a bilingual LGBTQ+ organization) as well as groups that serve justice-involved individuals at large, including the Reentry Action Network (RAN), the Mayor's Office on Returning Citizens Affairs (MORCA), and the Community Family Life Services (CFLS), which serves justice-involved women. Recognizing the sad reality that a significant number of supervisees are also victims of crime, the Agency has reached out to organizations that serve victims to publicize this opportunity.

If the Agency can conduct exit interviews with at least a minimal number of former supervisees, the Agency plans to use what it learns to conduct focus groups with organizations that serve members of the LGBTQ+ community and members of the justice-involved community at large to examine significant issues that emerge in those exit interviews. If the Agency is unable to conduct a minimal number of exit interviews with former supervisees, CSOSA will conduct unstructured interviews about the supervision experience with representatives of the above-listed organizations. The Agency will consider using one or more of these organizations to conduct unstructured interviews with former supervisees.

## C. Tracking Progress

Within the next two to four years, the Agency will have obtained feedback about the supervision experiences of LGBTQ+ supervisees as well as other supervisees from a number of sources, including former supervisees, organizations that serve the LGBTQ+ community and members of the justice-involved community at large, and its law enforcement partners and peers. CSOSA will use that feedback to assess whether LGBTQ+ supervisees equitably access Agency programs and services and assess whether those programs and services are meeting the needs of the Agency's LGBTQ+ supervisees. CSOSA will seek to eliminate any inequities or deficiencies by addressing any aspects of the supervision process where those inequities or deficiencies are found.

Success in the next five to eight years may be demonstrated by supervisees feeling that the Agency is recognizing all the dimensions of a supervisee's personhood that can impact the supervisee's ability to successfully complete supervision and reach the supervisee's full potential.

## D. Accountability

The Agency will hold itself accountable in several ways. The Agency will post the Equity Action Plan on the Agency's internal and external websites. CSOSA will invite stakeholders to yearly town halls to provide briefings about its progress on the Plan. Additionally, the Agency will post an annual summary of its progress on the internal and external websites.

## ACTION NO. 3 REGARDING PROCUREMENT

### A. Barrier to Equitable Outcome(s)

The Agency reviewed its contract spending in the Federal Procurement Data System (FPDS), available at [SAM.gov | Contract Data](https://sam.gov), and determined that the contract dollars obligated to socioeconomic small businesses, as defined by OMB's December 2, 2021, *Memorandum on Advancing Equity in Federal Procurement*, decreased by 15% from FY 2020 to FY 2021. (The contract spending in FPDS does not include expenditures related to facility leases, purchase cards, or interagency agreements.) The review revealed that, in FY 2020, the Agency obligated 78.4% of its contract dollars to socioeconomic small businesses, including 32.2% to small, disadvantaged businesses (SDBs), 25.4% to women-owned small businesses (WOSBs), 1.6% to service-disabled veteran owned small businesses (SDVOSBs), and 19.2% to small business contractors in Historically Underutilized Business Zones (HUBZones). In FY 2021, the Agency obligated 63.4% of its contract dollars to socioeconomic small businesses, including 26.2% to SDBs, 22.4% to WOSBs, 5.3% to SDVOSBs, and 9.5% to HUBZones businesses.

### B. Action and Intended Impact on Barrier

Most, if not all, of the 15% decrease is attributable to a temporary reduction in operations at certain Agency facilities and the temporary depopulation of the Agency's 24-hour residential facility due to COVID 19. For example, in FY 2021, while the Agency had some fixed costs for operating its residential facility, the Agency suspended contracts that provided certain services (including treatment, medical, security, cleaning, and laundry services) and certain supplies (including medication, food, and toiletries) because no supervisees were housed at the facility.

Nonetheless, the Agency is taking decisive action to ensure that socioeconomic small businesses continue to meaningfully participate in the Agency's contract opportunities. First, the Agency is revising its procurement procedures to strengthen market research requirements that internal program offices consider whether goods and services are obtainable from SDBs, WOSBs, SDVOSBs, and small businesses contractors in HUBZones. CSOSA will require program offices to demonstrate their efforts to find qualified businesses that participate in the above programs before finalizing and determining a procurement strategy for actions above the micro purchase threshold (\$10,000). Second, while the Federal Acquisition Regulations require that contractors provide subcontracting plans that include the use of small businesses for all procurement actions that exceed \$750,000, the Agency will encourage contractors to consider the use of socioeconomic small businesses in those subcontracting plans. Finally, the Agency will continue to train employees who participate in the procurement process about the resources and databases available to assist in identifying SDBs, HUBZones businesses, WOSBs, and SDVOSBs.

### C. Tracking Progress

The Agency will continue to conduct periodic reviews to assess the contract dollars obligated to SDBs, HUBZones businesses, WOSBs, and SDVOSBs. The Agency has far exceeded the goals for



contract spending set forth in the December 2, 2021, *Memorandum on Advancing Equity in Federal Procurement*. The Agency expects to sustain this level of success in the long-term.

## **D. Accountability**

The Agency will hold itself accountable in several ways. The Agency will post the Equity Action Plan on the Agency's internal and external websites. CSOSA will invite stakeholders to yearly town halls to provide briefings about its progress on the Plan. Additionally, the Agency will post an annual summary of its progress on the internal and external websites.



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