

D.C. Pretrial Services Agency



Strategic Plan

FY 2008 – FY 2013

Stakeholders and Interested Parties:

I am pleased to present the D.C. Pretrial Services Agency's 2008 to 2013 Strategic Plan. This document updates our second strategic plan and provides a blueprint for how our agency will operate in the coming years.

Over the next five years, the D.C. Pretrial Services Agency (PSA) will build on its current successes by continuing to refine and expand supervision and substance abuse treatment services for high risk defendants. A special focus will be the expansion of partnership activities. PSA currently participates in a number of collaborative multi-agency programs. D.C.'s East of the River Community Court is but one example. In order to better serve both defendants and the other agencies in the criminal justice system, PSA will systematically strengthen its partnerships and collaborative programs.

Another key aspect of this plan is expansion of services for substance abusing and mentally ill populations. All too often, these defendants cycle through the system without receiving the attention that their problems require. While PSA has developed in-house substance abuse treatment resources and utilizes contract-funded treatment vendors, PSA's efforts over the next five years will focus on how to maximize existing resources for the drug-involved population.

PSA recognizes that placing a high value on human capital is the most efficient way of improving quality. Because our objectives over the next five years will require that we expand supervision resources to our existing population and expand services to populations not previously served, particular focus will be placed on preparing our staff to effectively respond to the additional demands.

I would like to thank all those who contributed to this effort. In developing this plan, PSA consulted with many agencies in the D.C. criminal justice system and benefited greatly from their insightful comments. I welcome the opportunity to discuss any aspect of this plan with you.

Sincerely,

Susan W. Shaffer
Director

Table of Contents

Introduction.....	1
PSA’s Mission and Values	1
PSA’s Role in the Criminal Justice System and Cross Cutting Programs.....	2
Resource Requirements and External Factors	4
Development of PSA Strategic Plan.....	4
Consultation with Stakeholders	4
PSA’s Strategic and General Goals	5
Overview of Operational Goals	6
Goal 1: Assessments and Release Recommendations	6
Goal 2: Supervision and Monitoring.....	7
Goal 3: Integrate Supervision with Treatment.....	8
Goal 4 Partnerships.....	9
Strategic Enhancements	10
Performance Measures and Relationship with Annual Plans	12
Evaluations.....	13
Appendices	
A: Logic Model.....	15
B: Mission Statement Chart.....	16
C: PSA Organizational Chart.....	17
D: Historical Context	18

Introduction

The D.C. Pretrial Services Agency's (PSA) third strategic plan contains PSA's vision for fiscal years 2008 through 2013 and includes the steps PSA will take to complete its evolution to a performance-based results-oriented organization that can directly link costs and outcomes. PSA has served the District of Columbia for the last 40 years and is a widely recognized national leader in the pretrial field. PSA assists the courts by providing reasonable assurance that defendants on conditional release return to court for trial and do not engage in criminal activity. The National Capital Revitalization and Self-Government Improvement Act of 1997 established PSA as an independent entity within the Court Services and Offender Supervision Agency (CSOSA) in the Executive Branch of the Federal Government. Although CSOSA and PSA have two distinct mandates, they share common strategic goals.

In collaboration with CSOSA, PSA will update its strategic plan every three years. Performance will be monitored throughout the life of this plan and the associated performance measurement data will be reported in each annual budget submission.

PSA's Mission and Guiding Principles

PSA's mission is to assess, supervise, and provide services for defendants, and collaborate with the justice community, to assist the courts in making pretrial release decisions. PSA promotes community safety and return to court while honoring the constitutional presumption of innocence. PSA's vision is to thrive as a leader within the justice system by developing an empowered workforce that embodies integrity, excellence, accountability, and innovation in the delivery of the highest quality services.

PSA follows these *guiding principles* in support of its mission:

- The Constitutional presumption of innocence of each pretrial defendant should lead to:
 - i. The least restrictive release consistent with public safety and return to court; and
 - ii. Preventive detention only as a last resort based on a judicial determination of the risk of non-appearance in court and/or danger to any person or to the community.
- Nonfinancial conditional release, based on the history, characteristics, and reliability of the defendant, is more effective than financial release conditions. Reliance on money bail discriminates against indigent defendants and cannot effectively address the need for release conditions that protect the public.
- Pro-social interventions that address substance abuse, employment, housing, medical, educational, and mental health issues afford defendants the opportunity for personal improvement and decrease the likelihood of criminal behavior.

- Innovation, effective use of technology, and the development of human capital lead to organizational excellence, transparency, high professional and ethical standards, and accountability to the public.

PSA's Role in the Criminal Justice System and Cross Cutting Programs

PSA Functions: PSA performs two critically important tasks that contribute significantly to the effective administration of justice and enhancement of public safety. When PSA performs these tasks effectively, unnecessary pretrial detention is minimized, jail crowding is reduced, public safety is increased and the pretrial release process is administered fairly.

PSA *assembles and presents information* about arrestees and about available release options for use by judicial officers in deciding what, if any, conditions are to be set for released defendants. A judicial officer – a judge or magistrate judge – makes the initial pretrial release decision after taking into account the representations of the prosecutor and the defense attorney, as well as PSA's release recommendation. PSA provides objective, verified data about each defendant to assist in judicial decision-making. PSA recommendations are designed to manage the flight and public safety risks associated with releasing defendants.

PSA *supervises defendants* released from custody during the pretrial period. Depending on the defendant's level of risk, PSA supervision may consist of: contact, drug testing, curfew, electronic monitoring and sanction-based substance abuse treatment. All PSA supervision programs encourage defendants to participate in pro-social interventions that decrease the likelihood of future criminal behavior. Throughout the pretrial release period, PSA notifies the court, prosecution, and defense of noncompliance with release conditions.

Cross-Cutting Programs: Several criminal justice agencies work together to create an efficient initial hearing and release process and to properly supervise defendants during the pretrial period. In the following sections, PSA has identified key collaborating agencies that are critical to PSA's ability to meet its outcome goals.

CSOSA's Community Supervision Program(CSP): There are many similarities between CSP and PSA. Both are involved in assessing, supervising and treating the criminally involved population. Upon close examination, several critical differences emerge. Most importantly, PSA's population consists of defendants who are presumed innocent. CSP works with convicted offenders. Because of the differences in legal status, Community Supervision Officers (CSOs) have greater leverage over their supervisees than do Pretrial Services Officers (PSOs). PSOs must return to court to request changes in judicially imposed release conditions. Some release conditions (e.g. community service) that might be appropriate for convicted offenders are not appropriate for pretrial defendants. Another factor that can affect PSA's ability to achieve certain outcomes is the uncertain and relatively short period of pretrial supervision. Felony cases are typically assigned to

PSA for less than nine months and misdemeanor cases for less than six months. Offenders may be under the supervision of CSP for years. Given these differences, it is more appropriate for CSOs to focus on rehabilitation and reintegration plans.

Despite these critical differences, there are many ways in which supervision officers collaborate to improve outcomes. Because of the overlap in the individuals who are both convicted offenders and pretrial defendants, CSP information can be beneficial during initial hearings on new charges, as it can address patterns of criminal behavior. PSA considers information about a defendant's compliance with community supervision (probation or parole) conditions in assessing flight and public safety risks. This timely exchange of information significantly improves PSA's initial release recommendations.

PSA works with CSP to facilitate a smooth transition for defendants sentenced to probation by the D.C. Superior Court. Compliance and substance abuse treatment information is made available to CSP for each defendant sentenced to probation.

Federal Probation: A similar transition from one type of supervision to another is also in place for defendants convicted of federal crimes. Defendants sentenced to probation by the U.S. District Court are 'handed-off' by PSOs to their federal probation counterparts in the Administrative Office of the U.S. Courts. Seamless transitions maintain strict accountability, enhance public safety, and promote successful reintegration into the community.

D.C. Superior Court and U.S. District Court: At the point of release, PSA relies upon the courts to order release conditions based on PSA risk assessments. During the remainder of the pretrial supervision period, PSA looks to the courts to adjust release conditions and administer sanctions and incentives as needed based on PSA recommendations.

U.S. Attorney's Office: The U.S. Attorney's Office decides whether to "paper" (i.e. process) a case for prosecution. At the initial court hearing, PSA provides an objective assessment of a defendant's likelihood of flight and rearrest, and recommends the least restrictive conditions necessary for each defendant, consistent with public safety. Assistant U.S. Attorneys (AUSAs) may request additional conditions of release or may request detention. PSA provides the AUSAs with information about a defendant's performance during the period of pretrial supervision. The support of the prosecutor is helpful in getting judicial sanctions imposed on noncompliant defendants.

Federal and D.C. Public Defender Services and the Defense Bar: The support of the defense bar has been particularly evident in the success of pretrial programs such as Drug Court, Options (a specialized supervision program for the mentally ill) and the East of the River Community Court.

Criminal Justice Coordinating Council (CJCC): The CJCC is comprised of the relevant local and federal criminal justice agencies and facilitates coordination and collaboration

among these agencies. As a CJCC member agency, PSA participates in systemwide efforts to identify and solve systemic problems.

External Factors

In considering the external factors that impact PSA and its success, it becomes clear that there are two primary types of factors at work. Some factors, such as the crime rate or regional economic strength, cannot be impacted by PSA. Others, chiefly those concerning interagency collaboration, can be impacted by PSA. As a result of this recognition, PSA will be realigning its resources to ensure that adequate attention is paid to those factors that PSA has a reasonable chance of influencing. For example, one of PSA's primary functions in the criminal justice system is to make release recommendations to the court. Only judges can set release conditions, revoke release, or administer judicial sanctions. PSA's success is dependent upon collaboration and effective communication with the court. Similarly, PSA depends on the cooperation of the U.S. Attorney's Office, defense attorneys, and numerous community-based treatment programs to achieve appropriate outcomes. Given these mutual dependencies, PSA will be devoting significant resources to building stronger partnerships and improving internal and external communication.

Development of PSA Strategic Plan

The development of this plan has been guided by a Steering Committee of senior managers within PSA. Draft versions of the mission, goals, and objectives were provided for review and revision. An off-site meeting was held with the Committee and other senior staff to evaluate the Agency's strengths and weaknesses, to assess the external environment and to identify the direction the Agency should take to achieve its mission and to meet existing and future challenges. The strategic enhancements included in this Plan were developed based on this internal expertise and the feedback received from internal and external stakeholders (see section below). This Plan reflects the thoughtful input received from members of the Steering Committee and other senior staff, representatives of CSOSA, and internal and external stakeholders.

Consultations with Stakeholders

In compliance with the Government Performance and Results Act (GPRA) of 1993, PSA consulted with primary stakeholders regarding its mission, goals and objectives. Key external stakeholders include:

- District of Columbia Superior Court;
- United States District Court for the District of Columbia;
- Public Defender Service for the District of Columbia;
- United States Attorney's Office;
- Court Services and Offender Supervision Agency;

- District of Columbia Department of Corrections;
- Criminal Justice Coordinating Council;
- United States Marshals Services;
- District of Columbia Office of the Attorney General;
- District of Columbia Office of Employment Services
- District of Columbia Addiction Prevention Recovery Administration;
- District of Columbia Department of Mental Health;
- District of Columbia Metropolitan Police Department;
- Federal Public Defender for the District of Columbia;
- Superior Court Trial Lawyer’s Association;

Internal stakeholders included groups of PSA staff and substance abuse treatment defendants currently under supervision. Two focus groups were held with line staff and three with defendants to identify environmental changes and the Agency’s strengths, weaknesses and opportunities.

Stakeholders were complimentary of PSA’s mission and reputation in the law enforcement community and also provided critical feedback. Stakeholders identified emerging technology, threats of terrorism, safety issues and the District’s changing demographics as external factors that may impact the law enforcement community. Although these external factors are not expected to significantly affect achievement of PSA’s strategic goals, the Agency will closely monitor these areas throughout the life of this Plan to identify any impact on Agency performance.

When asked to provide recommendations for improvement, many stakeholders referred to the need for stronger partnerships and planning between agencies. Communication, both internal and external, will need to be enhanced, particularly since several stakeholders were unclear as to PSA’s role in the justice community. The continuing need for holistic, wrap-around social, mental health and substance abuse services for defendants was stressed. Emphasis was also placed on expanding the range of release options and the population for whom PSA provides supervision.

PSA’s Strategic and General Goals

PSA has adopted the Strategic Goals set forth in the CSOSA Strategic Plan. These goals are:

- Establish strict accountability and prevent the population supervised by CSOSA from engaging in criminal activity, and
- Support the fair administration of justice by providing accurate and meaningful recommendations to criminal justice decision makers.

Despite the common strategic goals, PSA and CSP outcome goals differ somewhat. CSP is focused on reducing recidivism and rehabilitating convicted offenders. Given the legal status of

pretrial defendants as well as the comparatively short and unpredictable pretrial period, PSA's focus is:

- Reducing the rearrest rate for violent and drug crimes during the period of pretrial release, and
- Reducing the failure to appear rate during the period of pretrial release.

Overview of Secondary (Operational) Goals and Objectives

PSA's operational goals span the major functions and operations of the Agency and are linked to the strategic goals of reducing rearrest and failure to appear for court. The operational goals and objectives capture PSA's key activities. PSA has developed a Logic Model that depicts the links among the operational goals and objectives and PSA's general goals (outcomes). The Logic Model is contained in Appendix A.

Operational Goal 1: Assessments and Release Recommendations

PSA's goal is to: Promote informed and effective nonfinancial release determinations by formulating and recommending the least restrictive release conditions to reasonably assure that the defendant will:

1. Appear for scheduled court dates; and
2. Not pose a threat to any person or to the community while on release.

Objectives:

- Conduct a risk assessment for each defendant to determine the probability of the risk of flight and the potential for criminal behavior.
- Provide to the courts current, verified, and complete information about the history, relevant characteristics, and reliability of each pretrial defendant.
- Recommend for each defendant the least restrictive nonfinancial release conditions needed to protect the community and reasonably assure the defendant's return to court.

Means and Strategies followed to meet this Goal

PSA's first operational goal focuses on the prerelease process. In keeping with its mission, PSA strives to provide timely, accurate information to judicial officers in both the D.C. Superior Court and the U.S. District Court for their use during the release decision-making process. Judicial officers use PSA's information to make well-informed decisions.

Prerelease investigation: Gathering and verifying relevant information about each defendant is one of the primary activities conducted by PSA during the prerelease investigation. Pretrial Services Officers (PSOs) interview defendants scheduled for criminal bail hearings and document the information. No questions concerning the circumstances of the current arrest are asked. The PSO reviews the defendant's criminal history at both the local and national levels. Other information obtained by the PSO

includes: probation and parole information, lock-up drug test results, and compliance reports from PSA supervision units.

Release recommendations: PSA makes release condition recommendations based on an assessment of a defendant's risk of flight and rearrest and incorporates the least restrictive conditions needed to reasonably assure appearance in court and protection of the community. The defendant's criminal history sometimes establishes a pattern of behavior upon which judicial officers base their decisions. PSA provides this information to the courts in a "Pretrial Services Report" or PSR.

Operational Goal 2: Monitoring and Supervision of Released Defendants

PSA's goal is to: Provide effective monitoring or supervision of pretrial defendants, consistent with release conditions, to promote appearance in court and reduce the risk of criminal activity while under pretrial supervision.

Objectives:

- Provide a continuum of release conditions – ranging from monitoring to intensive supervision.
- Promote swift and effective consequences for violations of release conditions.
- Promote incentives for defendants who are consistently in compliance with their release conditions.

Means and Strategies followed to meet this Goal

PSA's second goal addresses the Agency's statutory responsibility to monitor and supervise defendants in the community prior to trial, consistent with release conditions ordered by the court. As the sole pretrial services agency serving both the D.C. Superior Court and the U.S. District Court for the District of Columbia, PSA comes into contact with thousands of defendants each year.

Provide a continuum of release conditions – ranging from monitoring to intensive supervision: The purpose of providing monitoring and supervision is to protect the public and promote return to court. PSA recognizes that a continuum of monitoring and supervision is needed for the defendant population. Using information gathered during the prerelease investigation, PSA recommends appropriate levels of monitoring and/or supervision for each defendant. PSA focuses its supervision resources on the defendants most at risk of violating their release conditions. Very low risk defendants (those released without conditions) receive only notification of court dates. Fairly low risk defendants are placed in monitoring programs that require limited contact with PSA. As the risk level of the defendant increases, the intensity of supervision is increased. High risk defendants may be subject to frequent contact with an assigned case manager and drug testing, curfew, electronic monitoring, treatment or other conditions.

Promote swift and effective consequences for violations of release conditions: One of the challenges facing PSA is the need for swift responses to noncompliance. Failure to

appear for a supervisory contact, a resumption of drug use, absconding from a drug treatment program, and other condition violations can be precursors to serious criminal activity. Responding quickly to noncompliance is directly related to meeting the goals of reducing failures to appear and protecting the public. Graduated sanctions are used to modify a defendant's behavior, and PSA focuses on modifying the behaviors most closely associated with a return to criminal activity or with absconding.

Promote incentives for defendants who are consistently in compliance with their release conditions: Numerous studies have documented the power of incentives to change behavior.¹ Common incentives recommended by PSA include: reduction in the number of contacts required; reduction in the frequency of drug testing; and placement in less intensive treatment or supervision programs.

Operational Goal 3: Integrate Treatment with Supervision

PSA's goal is to: Provide for, or refer defendants to, effective substance abuse, mental health, and social services that will assist in reasonably assuring that defendants return to court and not pose a danger to the community.

Objectives:

- Coordinate and provide for substance abuse and mental health interventions, including evaluation and referral to appropriate community-based treatment services.
- Coordinate with community and social services organizations to provide for medical, educational, housing, and employment services.

Means and Strategies followed to achieve this Goal

PSA's third goal addresses the links between drug use, mental health issues, and risk of rearrest and flight from prosecution. Because drug use and mental health problems can both contribute to public safety and flight risks, PSA has developed specialized supervision programs, with treatment as an added component, for defendants with substance abuse problems, mental health problems, or both. The provision of treatment for these defendants is a strategy that PSA has adopted to facilitate meeting its outcome goals. Treatment, either for substance abuse or mental health, is never provided in lieu of supervision. Just as defendants are assigned to supervision levels based on risk, they are assigned to supervision units that provide treatment based both on risk and need. Defendants placed in these programs have drug testing, contact, and other release conditions.

Provision of, or referral to, substance abuse and mental health interventions: PSA's specialized treatment and supervision programs offer defendants access to various treatment modalities. Each program provides centralized case management of defendants. This organizational structure facilitates consistent sanctioning and

¹ Marlow, Douglas B. and Kimberly C. Kirby, "Effective Use of Sanctions in Drug Courts: Lessons from Behavioral Research," National Drug Court Institute Review, Vol. 2, No. 1, National Drug Court Institute, Alexandria, VA, 2000.

supervision practices, and leads to better interim outcomes for defendants. PSA also uses a combination of in-house, contract funded and community-based drug intervention programs. Defendants who have mental health issues and special needs are referred to appropriate community-based programs and continue to be supervised by PSA.

Referral to social services: Defendants placed under the supervision of PSA have a variety of needs. PSA works with defendants to identify their social service needs and refer them to services. PSA identifies appropriate community-based resources to address all defendant needs, including: medical, educational/employment services, family services and other social services. PSA clearly benefits from its unique relationship with CSP, since CSP has developed partnerships with many providers in the community.

Operational Goal 4: Partnerships

PSA's goal is to: Establish and maintain effective partnerships with the judicial system, law enforcement 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 and pretrial diversion.

Objectives:

- Establish and maintain agreements with organizations and/or agencies through which defendants can fulfill community service requirements.
- Establish and maintain agreements with organizations and/or agencies to provide defendants with education, employment training and job opportunities.

Means and Strategies followed to achieve this Goal

Effective partnering with other justice agencies and community organizations is a major strategy through which PSA enhances public safety in the District's neighborhoods and builds capacity for support services for defendants under pretrial supervision. It is through these partnerships with the courts, the United States Attorney's Office, various District government agencies and non-profit community-based organizations that PSA can effectuate close supervision to reasonably assure that defendants will return to court and not be a danger to 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. In order for partnerships to be viable, PSA proactively identifies initiatives, seeks partnering entities and collaborates with stakeholders to develop goals, objectives and implementation plans. PSA's partnerships are focused in three general areas.

Community service partnerships: PSA has developed a partnership with the United States Attorney's Office to provide community service opportunities for defendants who are participating in pretrial diversion programs. PSA proactively has identified community-based non-profit organizations through which to expand community service opportunities for defendants with community service requirements.

Social service partnerships: PSA has partnered with the District of Columbia Department of Employment Services to facilitate employment readiness referral, assessment, training and placement.

Substance abuse and mental health treatment partnerships: PSA has provided for the treatment needs of many defendants under pretrial supervision since the establishment of the District of Columbia “Drug Court” in 1993. A wide range of contractual and in-house substance abuse treatment options has since been developed for drug-using defendants. PSA has also established the Specialized Supervision Unit to address the specialized needs of the mentally ill, mentally retarded and dually-diagnosed defendants (those in need of both mental health and substance abuse treatment). The need for these services is great, and through partnerships with community-based substance abuse, mental health, and dual diagnosis treatment providers, PSA can maximize its treatment capability while enhancing its ability to access the services needed to treat these populations.

Strategic Enhancements

PSA has identified the following mission-related enhancements that will be prioritized over the course of the next five years:

Review the release recommendation process: During the last strategic planning cycle, PSA developed a new risk assessment instrument to link the defendant’s risk level to the level of supervision recommended by PSA. Following the prerelease investigation, the risk assessment is completed for each defendant to identify where the defendant ranks on a risk continuum. A recommendation with specific release conditions is presented to the court at the time of the initial hearing. PSA will validate this risk assessment and refine the instrument to ensure that high risk defendants are correctly identified and that appropriate release conditions are recommended to the court.

PSA will also examine the efficacy of the assessment process to determine the need for additional tools to enhance on-going supervision practices. Federal pretrial programs conduct a post-release assessment to determine the likelihood of compliance with release conditions. This assessment provides the foundation for supervision, which is tailored to respond to the individual needs of and risks posed by each defendant. If such a post-release assessment process is adopted, the tool will be validated on the District of Columbia’s pretrial population.

Serious traffic offenses: District of Columbia Code 23-1303(a) and 23-1303(h) mandate that PSA conduct an interview, prepare an investigation report, and provide community supervision services to “any person charged with intoxication or traffic violation” when requested by a judicial officer. These offenses typically include charges such as driving while intoxicated and driving under the influence, crimes that can have serious public safety consequences.

Expansion of supervision resources for high risk defendants: Properly supervising high risk defendants is resource intensive, and PSA supervises thousands of high risk defendants each year. In order to be effective and influence defendant outcomes, PSA must focus resources to high risk defendants. PSA has strategically re-aligned resources in the largest supervision unit to permit more resources to be focused on riskier defendants. During the last strategic planning cycle, PSA successfully implemented electronic monitoring and is currently in the process of implementing Global Positioning System. Other tools for improving supervision are constantly emerging. This developing technology includes location verification systems that apply voice recognition, programmed contact systems to automate defendant check-ins, and remote alcohol testing. Over the course of the next five years, PSA will determine the utility and feasibility of these cutting edge technologies to support the supervision of high risk defendants. Particular attention will be given to evidence-based programs and practices.

Expansion of diversion opportunities: In partnership with the United States Attorney's Office, PSA administers a pretrial diversion program for defendants arrested for misdemeanors (excluding domestic violence) and arraigned in the East of the River Community Court. As part of this program, PSA monitors defendants' release conditions, monitors community service requirements, and screens defendants for placement in other PSA supervision programs, including substance abuse testing and treatment. However, many defendants arrested in districts other than the Sixth and Seventh and processed through the D.C. Superior Court and federal District Court each year are likely also eligible for pretrial diversion. Over the course of the next five years, PSA will explore options for expanding diversion opportunities beyond the East of the River Community Court.

Expansion of substance abuse treatment resources: PSA has developed in-house sanction-based substance abuse treatment programs and contract-funded sanction-based treatment programs. PSA lock-up drug testing data shows that at least half of all defendants are drug-involved at the time of arrest. Evaluations conducted in D.C. and other jurisdictions have demonstrated that better outcomes can be achieved using sanction-based treatment programs that include extensive judicial oversight and close supervision coupled with immediate sanctions for continuing drug use. In order to influence outcomes, PSA will continue to leverage existing resources to maximize the impact of substance abuse treatment. PSA will also work closely with the city's substance abuse and mental health treatment agencies to better respond to the treatment needs of mentally ill and dually-diagnosed individuals who are criminally involved.

Expansion of partnerships with criminal justice and community service agencies: Effective communication and close partnerships allow agencies to meet common objectives. PSA currently participates in a number of collaborative interagency partnerships that can serve as models for expansion of these efforts. Among the successful partnerships are those that direct Drug Court, Options, and the East of the River Community Court. Each of these programs is successful because the relevant agencies have come together to improve supervision, adjudication and service delivery.

PSA recognizes the importance of the D.C. Criminal Justice Coordinating Council (CJCC) as a forum for building partnerships. As an active participant in the CJCC, PSA has witnessed substantial improvements in interagency collaboration and resource allocation. The CJCC has implemented annual jurisdiction-wide strategic planning and ongoing community outreach efforts. PSA will build upon this important foundation. The collaborations developed and supported by the CJCC are not a replacement for individual agency partnerships, however. Interviews with stakeholders identified a need for a more effective and productive communication strategy in order to inform agencies outside of the CJCC about PSA's mission and the services that PSA provides.

PSA has a wide range of options available for responding to the supervision and treatment needs of the core defendant population. PSA will seek to improve its partnerships and enhance collaboration with community service agencies in order to better connect vulnerable defendants to needed mental health and social services. In addition, PSA will continue to work with the CJCC's Substance Abuse Treatment and Mental Health Services Integration Taskforce to identify the critical challenges and gaps that hinder access to services for mentally ill and dually-diagnosed individuals who are criminally involved, and to find solutions to keep this population out of the justice system and get them better connected with the services they need.

Development of human capital: PSA has long recognized that the development of its workforce is critical to achieving its mission and accomplishing its strategic goals. In September, 2005, PSA began to implement a comprehensive career development system that includes a mandatory annual professional development requirement, mentoring, and leadership potential programs. As part of this continuing effort, assistance and guidance will be provided to employees interested in developing formal Employee Development Action Plans (EDAPs). Although EDAPs are voluntary, employees must have them to participate in any career management system programs.

PSA will complete the development and implementation of a comprehensive supervisory development program (SDP) to identify the requisite training needs of new supervisory employees. PSA will also complete the development and implementation of a management development program (MDP). Both the SDP and MDP will be designed using best-practices identified in the public and private sectors. Although the agency currently has a comprehensive new employee training program, the requirements will be reevaluated to ensure that new employees are receiving the training needed to enhance performance of required duties.

Performance Measures and the Relationship Between the Strategic and Annual Plans

The Government Performance and Results Act (GPRA) requires federal agencies to evaluate performance in terms of program results (outcomes) rather than in terms of inputs, throughputs and outputs. This statutory mandate has led PSA to make an investment in support staff dedicated to measuring costs, outcomes, effectiveness, and program performance. PSA is moving to strengthen its current evaluation efforts while making long range plans to enhance evaluation capacity.

A key requirement of GPRA is that an explicit link exists between the Strategic and Annual Plans. PSA has developed specific annual targets to gauge progress for each of PSA's general goals. In accordance with OMB direction, PSA merged the budget and performance plan in FY 2005 to illustrate how specific enhancements will contribute to better outcomes. PSA will continue to work to strengthen these linkages and to develop more sophisticated analytical models.

Evaluations

Planned Evaluations

Over the last several years, PSA has worked to develop a comprehensive baseline dataset against which to measure improvement. PSA's recently developed data warehouse serves as a platform for expanding internal evaluation capacity. The need exists, however, for more comprehensive and scientifically rigorous independent evaluation to determine the impact of the range of PSA's services. As a result, PSA intends to prioritize resources in order to validate the risk assessment instrument and to evaluate the efficiency and effectiveness of PSA's treatment screening, assessment and placement protocol, the impact of supervision strategies on defendant outcomes and the association between treatment and supervision.

Completed or On-going Evaluations

*Evaluation of the D.C. Superior Court Drug Intervention Programs:*² The D.C. Superior Court Drug Intervention Program (Drug Court), which is administered by PSA, participated in an independent experimental evaluation designed to compare the impact of sanction-based contingency contracts with an intensive drug treatment program. Both the sanction-based and treatment programs were compared with traditional case processing. PSA used drug test results to identify defendants in need of drug treatment. Drug testing was found to be an inexpensive and efficient way of identifying habitual drug users, and test results helped PSA focus its resources on known users.

The evaluation established that defendants participating in the intensive drug treatment program had greater reductions in drug use and reported significantly fewer drug-related social problems in the year following sentencing than did those defendants whose cases were traditionally processed through the D.C. Superior Court. Defendants participating in the sanction-based contingency contract program, which did not require mandatory treatment, received graduated sanctions for failing compulsory drug tests. Participants in this program were significantly less likely than traditionally processed defendants to be arrested in the year following sentencing. In response to the evaluation findings, PSA has combined intensive drug treatment with graduated sanctions for all defendants participating in the Drug Court. The synergistic impact of treatment and graduated sanctions is expected to produce better results than would either approach

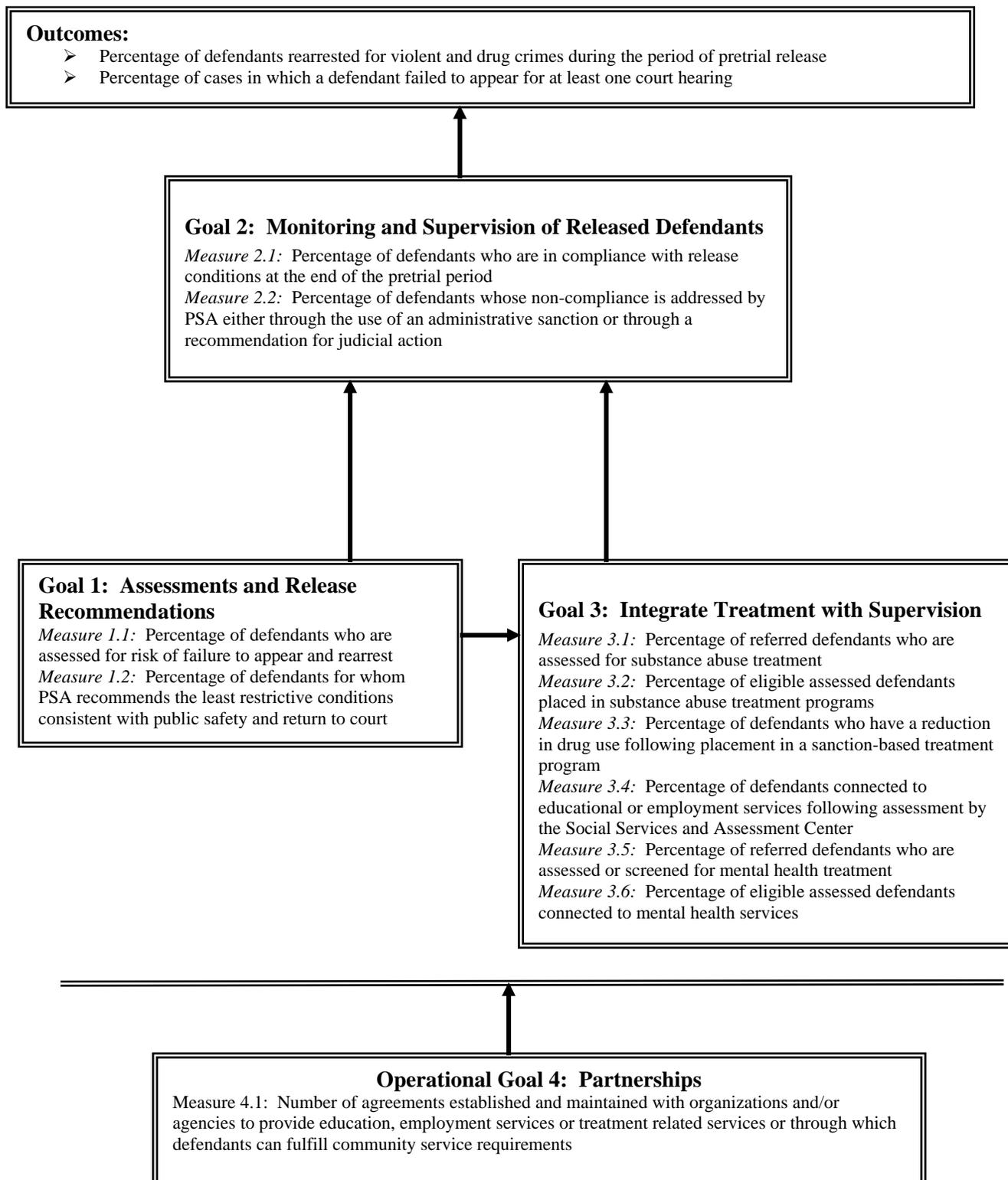
² Harrell, A., Cavanagh, S., and John Roman, "Evaluation of the D.C. Superior Court Drug Intervention Programs," Research in Brief, National Institute of Justice, U.S. Department of Justice, 2000.

individually. Further, PSA is in the process of expanding the use of sanction-based contingency contracts with higher risk and drug using defendants in other supervision programs.

Research performed by the Washington/Baltimore High Intensity Drug Trafficking Area project has found that the length of time in treatment contributes to reductions in arrest, drug use and technical violations. This study found that involvement in drug treatment programs with regular drug testing and immediate sanctions for violations resulted in a 70 percent reduction in recidivism in the 12 months following completion of the programs.³

³ Certification Report, Court Services and Offender Supervision Agency, 2000.

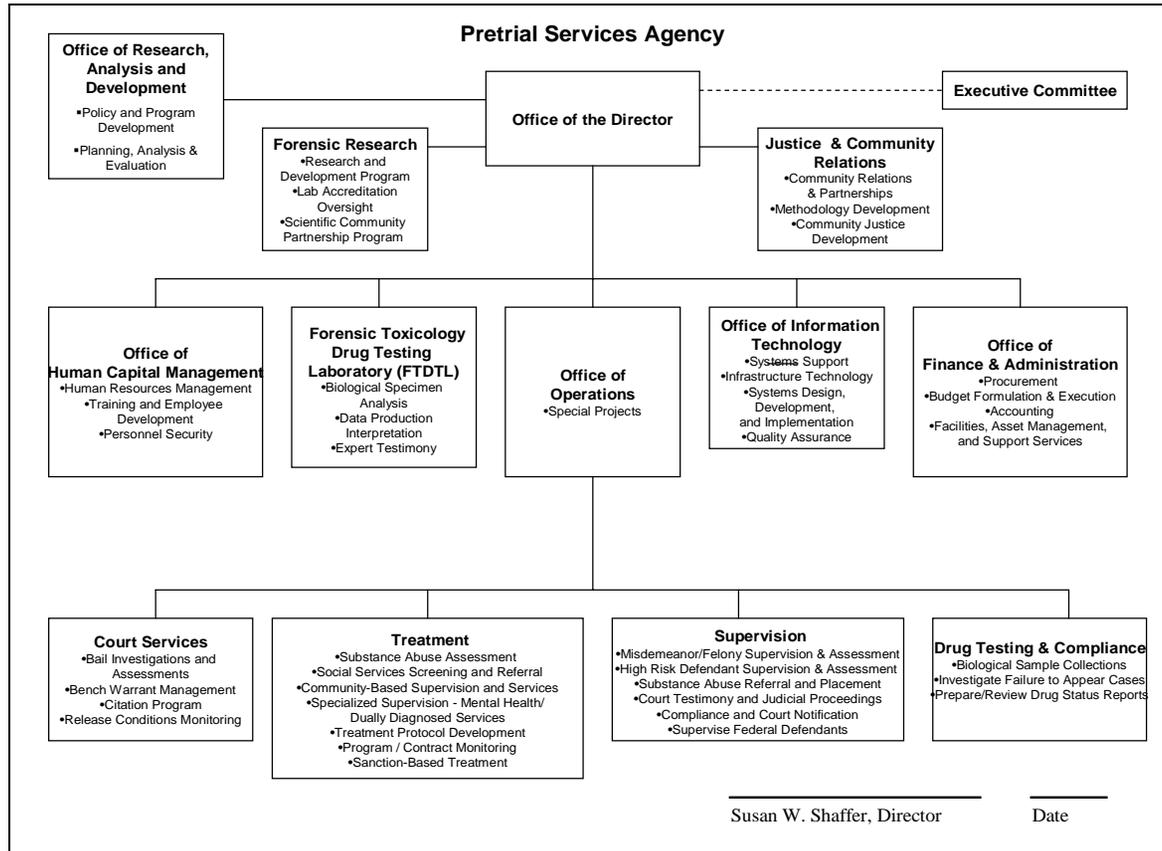
Appendix A: Logic Model



Appendix B: Mission Statement Chart

D.C. Pretrial Services Agency		
<p>Mission</p> <p>To assess, supervise, and provide services for defendants, and collaborate with the justice community, to assist the courts in making pretrial release decisions. We promote community safety and return to court while honoring the constitutional presumption of innocence.</p>		
<p>Operational Goal 1</p> <p>Promote informed and effective nonfinancial release by formulating and the least restrictive release conditions to reasonably assure that the defendant will:</p> <ul style="list-style-type: none"> i. Appear for scheduled court dates; and ii. Not pose a threat to any person or to the community while on release. 	<p>Operational Goal 2</p> <p>Provide effective monitoring or supervision of pretrial defendants, consistent with release conditions to promote appearance in court and to reduce the risk of criminal activity while under pretrial supervision.</p>	<p>Operational Goal 3</p> <p>Provide for, or refer defendants to, effective substance abuse, mental health, and social services that will assist in reasonably assuring that defendants return to court and do not pose a danger to the community.</p>
<p>OPERATIONAL GOAL 1 MEASURES</p> <p>1.1: Percentage of defendants who are assessed for risk of failure to appear and rearrest.</p> <p>1.2: Percentage of defendants for whom PSA recommends the least restrictive conditions consistent with public safety and return to court.</p>	<p>OPERATIONAL GOAL 2 MEASURES</p> <p>2.1: Percentage of defendants who are in compliance with release conditions at the end of the pretrial period.</p> <p>2.2: Percentage of defendants whose noncompliance is addressed by PSA either through the use of an administrative sanction or through a recommendation for judicial action.</p>	<p>OPERATIONAL GOAL 3 MEASURES</p> <p>3.1: Percentage of referred defendants who are assessed for substance abuse treatment.</p> <p>3.2: Percentage of assessed eligible defendants placed in substance abuse treatment programs.</p> <p>3.3: Percentage of defendants who have a reduction in drug use following placement in a sanction-based treatment program.</p> <p>3.4: Percentage of defendants connected to educational or employment services following assessment by the Social Services and Assessment Center.</p> <p>3.5: Percentage of referred defendants who are assessed or screened for mental health treatment.</p> <p>3.6: Percentage of assessed eligible defendants connected to mental health services.</p>
<p>Operational Goal 4</p> <p>Establish and maintain effective partnerships with the judicial system, law enforcement 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, and pretrial diversion.</p>		
<p>OPERATIONAL GOAL 4 MEASURE</p> <p>4.1: Number of agreements established and maintained with organizations and/or agencies to provide education, employment or treatment-related services or through which defendants can fulfill community service requirements.</p>		

Appendix C: PSA Organizational Chart



Appendix D: Historical context for the D.C. Pretrial Services Agency

The pretrial release decision addresses a basic right to freedom. The majority of states and the federal government have adopted laws requiring judicial officers to start with the presumption that a person should be released pending trial due to the presumption of innocence. The U.S. Supreme Court has stated: ‘In our society liberty is the norm and detention prior to trial or without trial is the carefully limited exception.’⁴ The pretrial release decision must balance conflicting goals: 1) to allow, to the maximum extent possible, pretrial release for persons who have been accused of criminal offenses pending adjudication; but also 2) to ensure that accused persons appear in court to face charges and that they do not pose a threat to the public or to any specific individual. In order to release defendants back into the community while awaiting trial, courts need assurance that the pretrial defendant will:

1. Appear for scheduled court dates, and
2. Not pose a threat to any person or to the community while on release by engaging in criminal activity.

Over time, a system of financial bail developed to address these issues. The relationship between the defendant and the bail bondsman was purely pecuniary. This financial relationship did not address the relevant history, characteristics and reliability of the defendant. Therefore, the commercial bail bond system did not provide the assurance the courts needed to make an informed release decision or to adequately set the conditions of release. The commercial bail bond system is also inherently discriminatory against those who cannot post money bonds. Historically, the purpose of bail was to ensure court appearance. In 1970, the District of Columbia was the first jurisdiction to require that threat to community safety be weighed in the pretrial release decision along with the risk of flight.

The pretrial release decision is crucial if one considers the research that shows that the decisions made when an individual first enters the criminal justice system have long lasting implications. Defendants who are detained pretrial are more likely to both plead guilty and serve longer sentences than are defendants who are released pretrial.⁵

Recognizing the challenges inherent in the pretrial release decision, Congress has passed a series of laws that favor non-financial conditional release of pretrial defendants over the commercial bail bond system. The D.C. Pretrial Services Agency has benefited from the bulk of these reforms.

The Federal Bail Reform Act of 1966, which affects the Federal and D.C. Courts, required that all release decisions be based on information about the accused and it provided the court with a variety of release options. Most importantly, the act created a presumption of release on personal recognizance. For the court to impose any condition (financial or otherwise), it had to first find that release on personal recognizance would not ‘reasonably assure the appearance of the person as required.’

⁴ U.S. v. Salerno, 481 U.S. 739 (1987)

⁵ Clarke, Stevens H., “Pretrial Release: Concepts, Issues and Strategies for Improvement,” Research in Corrections, Vol. 1, Issue 3, National Institute of Corrections, U.S. Department of Justice, Washington, D.C., 1988.

In 1970, the D.C. Superior Court was created and the role of the Pretrial Services Agency was expanded. For the first time, judges were directed to consider community safety when making pretrial release decisions. Along with several other changes, the concept of preventive detention was born. If the court determined a defendant was likely to be a risk to community safety, the defendant could be held without bond while awaiting trial. The Bail Reform Act of 1984 brought preventive detention to all federal courts. The constitutionality of this statute was upheld by the Supreme Court in 1987 in the case of United States v. Salerno. The Bail Reform Act also mandated that financial bonds could not result in the detention of defendants.

In 1992, new legislation was passed in the District of Columbia that greatly expanded the eligibility requirements for preventive detention. The legislation adopted the language of the Bail Reform Act of 1984, which prohibits judges from setting money bonds that result in the detention of the defendant.

In 1994, additional changes were made to the District of Columbia statute governing pretrial release in the District of Columbia. One critical change was the expansion of preventive detention to persons found to be a ‘serious risk to flee.’