



**SUPERIOR COURT OF THE  
DISTRICT OF COLUMBIA**

**EAST OF THE RIVER  
COMMUNITY COURT**

**PROGRAM MANUAL OF  
POLICIES AND PROCEDURES**

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East of the River Community Court Policies and Procedures Work Group

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## **FOREWORD**

This manual of the East of the River Community Court's (ERCC) policies and procedures seeks to introduce the overall philosophy, direction and operations of the ERCC. This manual is not intended to be an exhaustive, step-by-step, how-to, instruction manuscript. In addition, it generally describes, through its various sections, the alliances and collaboration between stakeholder agencies that are vital to realizing the mission of the ERCC. It is our hope that this manual will serve as a tool to assist the reader in understanding the basic operations of the ERCC. More detailed information, regarding the operations and systems of the other partnering agencies, may be obtained by contacting those agencies enumerated in the narrative that follows.

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# EAST OF THE RIVER COMMUNITY COURT PROGRAM MANUAL OF POLICIES AND PROCEDURES

## I. INTRODUCTION

Traditional courts find it difficult to address the underlying problems that may lead individuals to commit crimes, due, in many cases, to larger case loads and an emphasis on processing cases. Furthermore, in traditional courts, the handling of cases involving offenses such as prostitution and drugs has done little to change the behavior of offenders, make streets safer, or enhance the quality of life in communities. This leads communities to conclude that the courts do little to reduce recidivism and that the criminal justice system is little more than a revolving door for offenders.

Community courts seek to build stronger and safer neighborhoods, reduce recidivism and improve defendants' lives by addressing the underlying problems that may lead them to commit crimes, and increase the public's trust and confidence in the criminal justice system. Community courts strive to achieve these goals by utilizing a problem solving approach with a strong emphasis on building partnerships among government agencies, social service providers, and community groups. In addition, community courts recognize that quality of life crime impacts the whole community as well as individuals. If not addressed, quality of life crime can erode community order, lead to neighborhood decay and create an atmosphere where more serious crime can flourish.

The Superior Court of the District of Columbia (Superior Court) established the East of the River Community Court (ERCC) in September 2002. This problem-solving court was a response to the challenges faced by many of the East of the River communities of Washington, DC, including increasing rates of poverty, crime and disorder that were higher than many other communities of the city.<sup>1</sup> In addition, the Superior Court sought to achieve time-efficient misdemeanor case processing and reduce police overtime. Initially, the ERCC handled only U.S. misdemeanor cases<sup>2</sup> that originated in the District of Columbia's Sixth Police District (6D) but did not involve domestic violence. In June of 2003, the ERCC expanded to include the same kinds of cases originating in the Seventh Police District (7D).

Currently, the ERCC serves as a calendar court that adjudicates all U.S. misdemeanor cases not involving domestic violence<sup>3</sup> (*e.g.*, drug possession, sexual solicitation, unlawful entry, simple assault, and illegal dumping) that occur in the East of the River community. One judge presides over the ERCC and hears all phases of a case from

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<sup>1</sup> The East of the River community refers to the neighborhood east of the Anacostia River in the District of Columbia. It is comprised of Police Districts 6D and 7D and approximates Wards 7 and 8 of the city.

<sup>2</sup> U.S. misdemeanor cases are those cases prosecuted by the United States Attorney's Office in contrast to other lesser misdemeanor cases (traffic and municipal) prosecuted by the DC Office of the Attorney General.

<sup>3</sup> All misdemeanor domestic violence cases are consolidated in Superior Court's Domestic Violence Unit.

arraignment until final disposition. (However, if a defendant decides to go to trial on a case, the case is then certified to another court for trial and if the defendant is convicted, the sentencing.) Such continuity allows for more informed judicial decision-making. The ERCC involves the partnership and collaboration of several agencies and organizations and works to identify social services needs of the defendant that may be driving his/her criminal behavior. After fully assessing an individual's profile, including strengths and challenges, the ERCC explores diversion or plea alternatives geared towards addressing the identified social services needs. Another important aspect of the ERCC is the use of community service as an essential component of diversion or sentencing. The ERCC holds firmly to the notion that defendants who are adversely affecting the quality of life of a community should engage in restorative justice measures by providing service to that community.

Since ERCC's inception, the calendar's Presiding Judge and DCSC staff (as part of ERCC's community engagement activities) and representative stakeholders have regularly participated in and addressed community meetings and events held in East of the River neighborhoods. As a result, the ERCC has obtained information regarding communities' priorities involving public safety, views on their neighborhoods' strengths and resources and attitudes toward government generally, the court system and community court in particular. This information is critical to ERCC's efforts to help solve community problems and involve community members and institutions in problem-solving justice.

In July of 2003, the Superior Court engaged the Center for Court Innovation (CCI) to assist in the development of a strategy to enhance the ERCC's operations in a number of key areas.<sup>4</sup> As part of the strategy development, the Superior Court conducted a needs assessment of the East of the River community. The community needs assessment included data analysis, stakeholder interviews, focus groups, public forums and participation in numerous community meetings. The results of the needs assessment are summarized in a report, dated June 2005, entitled "Superior Court of the District of Columbia, East of the River Community Court, Needs Assessment." Another June 2005 report, entitled "Superior Court of the District of Columbia, Recommendations for the East of the River Community Court," provides CCI's final recommendations regarding how to enhance ERCC's efficiency, efficacy, and overall operations.<sup>5</sup>

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<sup>4</sup> CCI, an independent think tank and leader in the field of problem solving justice, founded and operates the nation's first community court, the Midtown Community Court in Manhattan, New York, as well as the highly acclaimed Red Hook Community Justice Center in Brooklyn, New York.

<sup>5</sup> Copies of the reports can be obtained from Michael O. Francis, Community Court Coordinator at 202-879-1950 or email to [Francismo@dcsc.gov](mailto:Francismo@dcsc.gov) or write to: Michael O. Francis, Community Court Coordinator, Criminal Division, Superior Court, 500 Indiana Avenue, NW, Washington, DC 20001.

## **II. MISSION STATEMENT AND GOALS**

The Superior Court's ERCC seeks to reduce low-level and quality-of-life offenses in East of the River neighborhoods by utilizing a collaborative, problem-solving approach to crime. Partnering with government agencies, East of the River residents, community organizations, faith-based groups, social services providers, and businesses, the ERCC endeavors to hold defendants accountable, address the factors that often underlie defendants' criminal behavior, improve the quality of life in East of the River neighborhoods, and increase the public's confidence in the court system.

The goals of the ERCC are to:

- Enhance the quality of life in East of the River neighborhoods through recidivism reduction and the performance of community service by offenders;
- Improve defendants' lives and accountability by linking defendants with social services to change antisocial and personally debilitating behavior and requiring community service;
- Increase public trust and confidence in the court system;
- Forge and strengthen partnerships to solve neighborhood problems; and
- Continue to enhance the operations and management of the ERCC.

## **III. PARTICIPATING AGENCY ROLES AND RESPONSIBILITIES**

### ***The Superior Court's East of the River Community Court***

The DCSC is the court of general jurisdiction over virtually all local legal matters in Washington, DC. The court consists of divisions that provide for all local litigation functions including criminal, civil, probate, tax, landlord and tenant, and traffic. Since 2002, a separate Family Court has also been instituted to handle neglect, juvenile and domestic relations matters

The DCSC's Criminal Division hears all local criminal matters including felony, misdemeanor, and traffic cases. The Criminal Division also provides administrative, clerical, and support services necessary to process the cases of defendants who are charged with criminal offenses in the District of Columbia.

The DCSC Criminal Division directs the operations of the ERCC. The Presiding Judge of the ERCC handles all the U.S. misdemeanor cases not involving domestic violence that occur in 6D and 7D.

The ERCC Judge sets the conditions under which all defendants are released prior to disposition of the case, supervises and monitors the defendants who are in diversion programs, and sentences those who plead guilty.

### ***East of the River Community Court Defense Attorneys***

The defense attorneys who most regularly represent defendants in ERCC are specifically trained so they are familiar with the options available in ERCC. Recognizing the beneficial opportunities to their clients that Community Court might provide, when appropriate, defense attorneys advise on resolutions of cases short of trial, such as diversion, community service and employment programs. When deciding to give such advice, the goal is to identify a resolution that addresses the defendant's challenges including any drug problems, mental health issues and unemployment. However, the defense attorney's constitutional and ethical duty is to represent his/her client. Thus, it might be the case that, despite the defendant's challenges; the attorney will advise his/her client to exercise his/her constitutional right to trial. If the defendant makes such an election, the defendant's case will be certified to a regular criminal division calendar.

### ***The United States Attorney's Office***

The United States Attorney's Office (USAO) is responsible for the prosecution of Superior Court misdemeanors and felonies that occur in the District of Columbia. The USAO is also responsible for prosecuting violations of the United States Code in United States District Court for the District of Columbia.<sup>6</sup> With respect to the ERCC, the USAO reviews cases and identifies those that involve defendants whose criminal histories are not significant, and who are currently charged with offenses that are not of a serious or violent nature. In those cases, the USAO seeks to address, where possible, the root causes of a defendant's illegal behavior and in doing so, to limit that defendant's future interactions with the criminal justice system. The USAO works to achieve this goal by using the twin threats of conviction and incarceration to motivate strict compliance with a set of conditions that are tailored to address the defendant's underlying problem (*e.g.*, drug use, lack of legitimate employment, *etc.*).

### ***The D.C. Pretrial Services Agency***

The District of Columbia Pretrial Services Agency (PSA) performs two critically important tasks that contribute significantly to the effective administration of justice and enhancement of public safety.

PSA gathers information about newly arrested defendants pertaining to eligibility for and risk if released pretrial, as well as available release options. The information is presented to the judicial officers to use in deciding what, if any, conditions are to be set for defendants released (not detained at the jail or in a halfway house) pending trial. 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

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<sup>6</sup> In addition to its main office located near D.C. Superior Court, USAO has satellite offices in police stations in each of the city's 7 police districts. Those offices are staffed by Community Prosecutors and Community Outreach Specialists who work closely with the police and citizens to address crime-related issues in the community.



defendant to assist in judicial decision-making. PSA recommendations address the flight and public safety risks associated with releasing defendants.

PSA also supervises those defendants whom the court orders released during the pretrial period by monitoring their compliance with their conditions of release. Depending on the level of risk posed by the defendant, PSA supervision may include contact with a case manager, drug testing, curfew, electronic monitoring and sanction-based drug treatment. All PSA supervision programs give defendants the opportunity to participate in pro-social interventions that decrease likelihood of future criminal behavior. Throughout the pretrial release period, PSA notifies the court, prosecution, and defense of noncompliance with release conditions.

When PSA performs these tasks well, unnecessary pretrial detention is minimized, jail crowding is reduced, public safety is increased and the pretrial release process is administered fairly.

### ***Court Services and Offender Supervision Agency***

The Court Services and Offender Supervision Agency for the District of Columbia (CSOSA) supervises individuals on probation, parole, or supervised release. In the ERCC, CSOSA supervises probation cases. For individuals who enter a guilty plea and receive probation, the agency monitors compliance with the conditions of probation and provides case management services based on the individual's assessed needs. These services include frequent contact with a Community Supervision Officer, routine drug testing and placement in the agency's substance abuse treatment, when appropriate or court-ordered, mental health evaluation and referral for treatment, education and employment services. The CSOSA officer appears in the ERCC for court-ordered monitoring of the case or when there is a "show cause" hearing because of an allegation that the offender has failed to abide by one or more conditions of probation.<sup>7</sup>

### ***Metropolitan Police Department***

The Metropolitan Police Department (MPD) serves as the primary law enforcement agency for the District of Columbia that patrols, investigates and arrests individuals suspected of committing criminal offenses in the District.

MPD operates out of seven police districts that comprise the entire city of Washington D.C. The East of the River area of the District of Columbia is comprised of 6D and 7D.

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<sup>7</sup> In addition, CSOSA operates two field offices and two learning labs in the East of the River community. Field units, housing Community Supervision Officers, are located at 1418 Good Hope Road, SE, and 3850 South Capitol Street. CSOSA's unit for Vocational Opportunities for Training, Education, and Employment (VOTEE) operates learning labs at St. Luke's Center, 4923 East Capitol Street SE, and the Bellevue Housing and Community Services Cooperative, 4415 South Capitol Street, SW. Community Relations Specialists maintain citizen and stakeholder advisory networks in 6D and 7D as well.

In addition, MPD has Police Service Areas, which are defined geographic boundaries that are the basic foundation of community policing in the District. Every District resident lives in a police service area, and each one of these areas has a team of police officers and officials specifically assigned to it. The purpose of the police service areas is to ensure better police services for District neighborhoods.<sup>8</sup>

#### **IV. CASE PROCESSING COMPONENTS**

##### ***Eligibility Criteria***

Cases on the ERCC calendar involve individuals charged with non-domestic violence U.S. Misdemeanor offenses that originate in Police Districts 6D and 7D. However, if a defendant has pre-existing U.S. Misdemeanor charges pending before another Superior Court judge, the new case is assigned to that same judge.

##### ***Citation Release***

The Citation release program is an agreement between the Court, MPD and the Pretrial Services Agency which allows defendants arrested on specific charges to be released from the police station in lieu of detention and to appear in court on a designated date approximately two or three weeks in the future for arraignment. Citation release is available for DC Code violations, Traffic and U.S. Misdemeanors cases. Defendants are brought to the station house and booked. MPD logs arrest information in the CJIS computer system that PSA continuously monitors. PSA staff conducts criminal history profiles that include FBI and warrant record checks to determine if the person is eligible for release. Citation release is not permitted if the defendant has an outstanding warrant, is on probation or parole supervision, or has an extensive record of failure to appear or escape.

If the PSA staff deems the defendant as eligible for citation release, they note the request for an interview into the computer system. The District Police Station calls PSA and a telephone interview of the defendant is conducted. PSA gathers demographic and community ties information and attempts to verify that information with those persons whom the defendant has named as references. After the information has been verified, PSA advises the defendant of the tentative release and what is required to comply with reporting to court. MPD makes the final decision whether to release the defendant on citation. If the defendant is to be released, PSA provides the officer with the next

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<sup>8</sup> In MPD's effort to prevent crime through problem solving partnerships with the community, each police district station is the host of various community meetings. For instance, the Citizens Advisory Council (CAC) meets monthly at the police station. CAC is an advisory panel in each police district that provides the district commander with information and recommendations from the community on the public's safety problems and police service needs.

available court date and logs the agreed upon date into the CJIS system. This compiled list of defendants and their assigned court dates is distributed to MPD, OAG, USAO, and the Court to show who is expected to appear in court.

### ***Lock-up Cases***

Defendants who are not released within 48 hours on citation are held in custody until arraigned. PSA conducts a pretrial interview for the purpose of assessing the likelihood that the defendant may flee or pose a danger to any other person or the community, gathering identifying information and determining possible social services needs.

### ***Papering Cases***

Upon meeting with law enforcement personnel (the arresting officers) and discussing the facts and circumstances of the alleged offense, the USAO makes a decision about whether and with what offense to charge a defendant. If the charge is a U.S. misdemeanor and the offense occurred in 6D or 7D, USAO annotates the charging document to alert the Criminal Division Clerk's Office to route the case to ERCC.

### ***Arraignment***

At the arraignment, the court formally advises the defendant of the charges filed by the USAO, and the defendant, with the advise of counsel, enters a plea; at this stage, the entered plea is almost always "not guilty". After hearing arguments from the prosecution and defense, the Court sets the date for the next hearing and decides whether to preventively detain the defendant or set conditions for his/her release. If the court releases the defendant, he/she signs notice to reappear. If the defendant fails to appear for the status hearing or any other subsequent court proceeding for which he/she has received notice, the Court can issue a bench warrant for the defendant's arrest.<sup>9</sup>

In light of ERCC's problem-solving approach, significantly more consultation occurs at this stage of proceedings between prosecution and defense than in other courtrooms. This level of consultation, supported by the pretrial services report for each defendant, enables the court to craft better release options for these defendants, including first-day offers of diversion programs or guilty pleas. If the case cannot be resolved on the first day, it is continued for a status hearing.<sup>10</sup>

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<sup>9</sup>The vast majority of citation and lock-up cases originating in the ERCC's target neighborhoods are arraigned in the ERCC. A small portion of cases are arraigned in the general U.S. courtroom (C-10) and set for a status hearing in the ERCC. This occurs for cases papered late in the day Monday through Friday or on Saturday and holidays when the ERCC is not in session. In addition, certain cases originating from the ERCC's target neighborhoods initially charged as felonies and later reduced to U.S. misdemeanors might also be arraigned in C-10 and then transferred to the ERCC.

<sup>10</sup> It is not unusual for more than one status hearing to take place prior to entry into formal diversion. Some cases are resolved after several status hearings, ending with a dismissal/ "nolle prosequi" (an on-the-record declaration that the prosecutor will proceed no further with a case).

### ***Release Non-Compliance***

PSA notifies the Court, USAO, and defense counsel of infractions of release conditions and diversion requirements and recommends sanctions for noncompliance. Upon receiving information of an alleged violation of a condition of release, the USAO considers, among other things, the nature of and reason for the violation in determining whether to move for revocation or modification of the defendant's release status. For example, if the allegation is that the defendant is testing positive for illegal drugs, the government may move the Court to order the defendant placed into a drug treatment program as a condition of release. If, on the other hand, the defendant's release violation stems from a re-arrest (new charge) or an alleged violation of a "stay away" and/or a "no contact" order, the government is more likely to request that the court revoke pretrial release and order preventive detention. Ultimately, the Court, after hearing arguments from the prosecution and the defense, decides whether the defendant has violated his/her release conditions and, if so, what, if any, modifications are to be made to the release order.

### ***Status Hearing***

During the status phase of the case, the defendant may elect to proceed with his/her case in one of three ways: diversion (if deemed eligible by the USAO), guilty plea or trial. If the defendant exercises his/her right to a trial, the case is transferred out of ERCC to a conventional misdemeanor calendar/courtroom.

### ***Disposition***

If a defendant completes his/her diversion program, the USAO will *nolle prosequi* the case. In the court's data system, these cases are entered as "*nolle diversion*" in order to track the outcome of those cases entered into diversion.

Defendants who plead guilty may be sentenced by the judge to a term of incarceration or to a term of probation that may include community service east of the River and social services through CSOSA's community supervision program.

## **V. DIVERSION OPTIONS**

The decision whether or not to divert a criminal case is within the discretion of the USAO. Should a defendant's case be diverted, the diversion agreement is between the defendant and the USAO. Defendants who are testing positive for drugs are ineligible for any diversion option that includes community service.

If the USAO determines that a defendant has breached the agreement by violating one or more of the terms of diversion, it is within the USAO's discretion to terminate the agreement.<sup>11</sup>

Cases in the ERCC may be diverted in a number of ways as described below.

### ***First Time Offender Program***

The USAO staff can offer diversion to those first-time non-violent defendants who admit criminal responsibility. Defendants must agree to perform community service and/or attend education programs and not to incur new charges within a specified period of time (usually six months). If the defendant completes the mandate, the compliance information is provided to the court by the USAO and the case receives a *nolle prosequi* in court on the end date of the agreement.

### ***Deferred Prosecution Agreement (DPA)***

This is an agreement signed by the defendant with the advice of counsel suspending prosecution of the case. Defendants are required to perform community service and may have other mandates that must be completed within a specified time period, such as obtaining verified employment. While under the DPA, defendants must not be re-arrested on new arrests/charges. These defendants are supervised by PSA.

### ***Deferred Sentencing Agreement (DSA)***

Defendants must enter a plea of guilty and sign a DSA agreeing to perform the required community service and any other mandates included in the agreement, and not to incur a new charge while the agreement is in effect. Sentencing is continued for a specified period of time. If the defendant successfully completes the agreement, the government permits the defendant to withdraw his guilty plea and enter a *nolle prosequi* on the sentencing date. If the USAO terminates the agreement because of the defendant's non-compliance, the defendant's case proceeds to sentencing.

### ***John School***

This USAO-sponsored program is a one-day educational program that is made available to male "Johns" who are arrested for soliciting for prostitution, and who have not been convicted of any violent offense within the past ten years, have not served a sentence, or been on probation or parole for a violent offense within the past ten years, and who have not previously been diverted through this, or any other similar program in another jurisdiction. Participants pay \$300 to attend educational sessions on the health risks

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<sup>11</sup> If the defendant's non-compliance with a diversion agreement suggests he/she is better suited for another diversion program, the USAO can elect to approve the defendant for a second program. For instance, if a defendant's positive drug tests violate a Deferred Prosecution Agreement, the defendant may be eligible for Drug Court.

involved (particularly HIV/AIDS) in prostitution and criminal liability. Some of the funds raised by this program are used to support diversion program for prostitutes. The USAO provides compliance information to the Court.

### ***Superior Court Drug Intervention Program (Drug Court)***

This is a specialized court for the treatment of non-violent defendants with verified substance abuse problems. Cases sent to Drug Court are no longer in the ERCC but still are supervised by PSA. However, if they fail in Drug Court, they return to the ERCC.

### ***Stet Docket***

Defendants charged with unlawful entry, who have not previously benefited from a stet/diversion agreement in any jurisdiction and who are not currently on probation or parole in any jurisdiction, may request that their cases be considered for placement on the Stet Docket. The case is held open for a fixed period of time (usually nine months) and the defendant agrees to stay away from the specified location. At the end of the time period, the USAO enters a *nolle prosequi* if the defendant has not been rearrested or otherwise violated the stay away order, and has complied with all other Court orders, including conditions of release.

### ***Mediation***

This program, supervised by the USAO staff, is used to resolve cases (usually limited to simple assault or destruction of property charges) in which the defendant and the victim have an on-going relationship to each other (except intra-family relationships, which are handled by the Court's Domestic Violence Unit). The relationships that might make defendants eligible to participate in this program include landlord/tenant, neighbors, and workplace colleagues. If both are in agreement, the defendant and complaining witness are referred to the Center for Dispute Resolution, which conducts the mediation session and provides information to the USAO regarding its success. In the event of a successful mediation, the USAO will enter a *nolle prosequi*. If the mediation was unsuccessful, the USAO will proceed with the prosecution of the case.

### ***Bridges – Early Intervention Program for Female Prostitutes***

Early Intervention Program for Female Prostitution: Female defendants charged with prostitution who have not previously been convicted of two or more prostitution charges, have not participated in a similar diversion program in any jurisdiction, who do not have a pending case involving a violent felony offense, and are not on probation or parole for a violent felony offense are eligible for this program. Defendants must complete the Early Intervention one-day course that discusses behavior patterns, addictions, destructive lifestyle choices, and abusive relationships that may entrap them into a life of prostitution. Upon the successful completion of the program, the defendant's case remains open for four months with an order to stay away from the area where the crime

occurred. Assuming no re-arrests during the four-month period, the United States enters a *nolle prosequi*.

### ***Diversion Non-Compliance***

In all the diversion programs, the USAO and the defendant enter into the diversion agreement. PSA and the USAO monitor the defendant's performance under the agreement and notify the ERCC judge and USAO of his/her progress. Additionally, PSA provides the USAO with a recommendation to either maintain the agreement or terminate it if the defendant fails to comply with its requirements. If the USAO determines that a defendant has breached the agreement by violating one or more of the terms of diversion, it is within the USAO's discretion to terminate the agreement. If the defendant's non-compliance results in termination of the diversion agreement, the criminal prosecution of the defendant's case resumes. In DPAs, this results in a trial date being set, or a guilty plea being entered. If a DSA is terminated, the case proceeds directly to sentencing, as the defendant already entered a guilty plea as a condition of the DSA diversion option.

## **VI. PRETRIAL SUPERVISION**

### ***Supervision***

When defendants are released after arraignment, they are instructed by the Court to report to the Pretrial Services Agency's office in Room C-301 in the courthouse to review the conditions of release and/or diversion requirements. They are also placed in the drug-testing program, if ordered. PSA's Drug Testing and Compliance Unit operate the on-site drug-testing program.<sup>12</sup> In Room C-301 defendants are instructed to contact their assigned Pretrial Services Officer (PSO) within 48 hours of their release; however, they are encouraged to go directly from the court to meet with their assigned PSO. The Pretrial Officers assigned to handle ERCC defendants are located in 601 Indiana Avenue.

Defendants who are under diversion and required to complete community service are instructed to contact PSA for a community service referral within 48 hours of their release. All defendants must report to review their conditions of release and diversion requirements. PSA provides the defendant with a community service referral form that specifies, among other things, the number of community service hours to be completed. Defendants are then sent to PSA's Social Services and Assessment Center (SSAC) to receive an appointment to a community services host site in the 6D or 7D and/or other community services host site providers. Upon receiving an appointment slip, the defendant is required to perform the community hours at that host site.

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<sup>12</sup> In addition to other requirements, defendants subject to drug testing usually are tested each week for the first 12 weeks and may be considered for less frequent drug testing if they repeatedly test negative for drug use.

## *Social Services*

The SSAC makes social service referrals for defendants who present specific needs such as employment and housing. In addition, the SSAC assesses defendants for substance abuse and mental health issues and makes referrals where necessary. The following services and referrals are available through the SSAC:

- Comprehensive substance abuse assessment
- Medical referrals
- Mental health assessment referrals
- Social services needs assessment and referrals
- Employment services
- Vocational training
- GED preparation
- Community-based skill building groups
- Identification procurement
- Education assistance
- Community service placements
- Housing assistance (subject to availability)

## *Community Service*

PSA established a community service option in response to ERCC's interest in utilizing community service as a component of diversion programs.

The Community Justice Resources Branch staff is responsible for outreach to identify community service opportunities. Relationships with organizations that provide these opportunities are formalized with Letters of Agreement (LOAs) between the PSA and the community organization.

The SSAC staff is responsible for assigning community court defendants to one of several community service host sites identified by the Branch. The SSAC assigns defendants to host sites and receives information concerning the defendant's participation. The process begins with the defendant reporting to his/her case manager for orientation and receipt of a referral packet.

Defendants are required to report to PSA within a specified time frame to provide proof of community service completion. Host sites also maintain a daily log of defendants completing community service at their site. These logs are used to cross-check tracking sheets that individual defendants are required to submit in order to verify compliance. Defendants who fail to maintain contact with PSA or are otherwise non-compliant are reported to the ERCC by PSA. This includes those defendants that fail to complete the community service mandate within the specified time frame outlined in the diversion agreement. In severe cases, the diversion agreement may be terminated. Non-compliance can also involve failing to adhere to other court mandates; these could



include not incurring another criminal charge, staying away from individual victims and remaining drug free (the D.C. Pretrial Services Agency tests defendants as required by the Court).

## **VII. STATISTICAL REPORTING**

In order to develop performance measures and track progress, the participating agencies will collaboratively establish a coordinated data collection and reporting mechanisms that will allow systemic analysis of the data. Additional information regarding statistical reporting will be made available once these mechanisms have been put into place.

## **GLOSSARY OF ACRONYMS**

6D – MPD’s Sixth Police District  
7D – MPD’s Seventh Police District  
CAC – Community Advisory Council  
CCI – Center for Court Innovation  
CSOSA – Court Services and Offender Supervision Agency  
DPA – Deferred Prosecution Agreement  
DSA – Deferred Sentencing Agreement  
ERCC – East of the River Community Court  
LOA – Letter of Agreement  
MPD – D.C. Metropolitan Police Department  
OAG – D.C. Office of the Attorney General  
PSA – D.C. Pretrial Services Agency  
PSO – Pretrial Services Officer  
PSR – Pretrial Services Report  
SSAC – PSA’s Social Services and Assessment Center  
USAO – U.S. Attorney’s Office for the District of Columbia