



PRETRIAL SERVICES AGENCY

for the DISTRICT of COLUMBIA

A Federal agency dedicated to promoting pretrial justice and enhancing community safety in the District of Columbia

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GLOSSARY OF TERMS

Addiction Severity Index (ASI) — The ASI is a treatment assessment instrument. It uses a semi-structured interview designed to address seven potential problem areas in substance using individuals, which are medical status, employment and support, drug use, alcohol use, legal status, family/social status, and psychiatric status. A skilled interviewer can gather information on and rate the severity of recent (past 30 days) and lifetime problems in all of the areas.

Administrative Incentive — A response to a defendant's compliance with release conditions that is imposed by PSA and intended to reward the defendant for current compliance and motivate him/her to continued compliance.

Administrative Response — See "administrative sanction" and "administrative incentive".

Administrative Sanction — A response to a program infraction that is imposed by PSA rather than the Court, thereby avoiding that all parties return to court in order to have the judicial officer impose it.

Amended Sentencing Agreement — A voluntary agreement whereby the defendant enters a guilty plea to a felony charge and sentencing is set for a later date. The defendant has a set period of time to complete certain requirements set forth by the Court. If the defendant is successful in completing all requirements to the Court's satisfaction, the felony plea is vacated and the defendant is sentenced to a misdemeanor offense instead.

Assessment — See "mental health assessment" and "substance abuse assessment"

Case Management — Case management comprises all activities performed by Pretrial Services Officers that support a defendant's compliance with court-ordered conditions of release, appearance at all scheduled court appearances, and crime-free behavior while on PSA supervision. Case management activities are centered on the requirements outlined by court-ordered release conditions.

Case Manager — A Pretrial Services Officer assigned to undertake all activities associated with case management (see "case management").

Citation Release — Release option where a defendant arrested on a misdemeanor charge may be released with a police-issued order on his/her own recognizance to return to court for an arraignment date.

Community Treatment Specialist (CTS) — A Pretrial Services Officer assigned to the PSA Social Services Unit that is responsible for assessment and/or placement of defendants for necessary medical, social and/or treatment services.

Condition Monitoring — see "monitoring".

Condition Violation— A violation of release conditions imposed by the Court, which PSA reports to the Court and for which sanctions may be imposed by the Court or PSA. Violations may include, but are not limited to, positive drug tests, attempting to submit or submitting a bogus sample, failing to report for drug testing, failing to appear for Pretrial Services Officer contacts or to treatment providers, and/or failing to abide by a curfew, stay away or halfway house order.

Contact— A release condition that requires a defendant to make direct communication with PSA in person or by telephone. "Report as directed by PSA" is the contact release condition that gives PSA the greatest flexibility in addressing the defendant's supervision needs before notifying the Court.

Court Representation— The presentation of information gathered by PSA about the defendant to a judicial officer and/or response to inquiries from a judicial officer that relates to the performance of specific functions or policies within PSA.

Court Representative — A Pretrial Services Officer assigned to represent PSA court during judicial proceedings (see "court representation").

Courtesy Supervision— An agreement between PSA and another jurisdiction to provide supervision for a defendant residing in that jurisdiction.

Court-Ordered Surveillance— A release condition for which PSA monitors and reports only a defendant's drug test results. PSA reports the results of the drug tests to the Court, but no treatment options are made available unless specifically ordered by the Court. PSA continues to monitor and report results until the Court vacates the condition.

Community Supervision Officer (CSO)— Community Supervision Officer for the Court Services and Offender Supervision Agency.

CSOSA— Court Services and Offender Supervision Agency.

Community Supervision Services (CSS)— Community Supervision Services, the offender supervision component of the Court Services and Offender Supervision Agency.

Cut-Off— An established concentration of a test result used to differentiate between a positive and negative drug test.

Deferred Prosecution Agreement— A voluntary agreement between the prosecutor and the defendant whereby the government offers to dismiss charges upon the defendant's satisfactory fulfillment of certain requirements (e.g., performing a certain number of community service hours).

Deferred Sentencing Agreement— A voluntary agreement between the prosecutor and the defendant whereby the defendant enters a guilty plea and sentencing is set for a later date. The defendant must complete certain requirements set out in the agreement (e.g., performing a certain number of community service hours). If the defendant is successful in completing all requirements, the guilty plea is withdrawn and the prosecution dismisses the case; otherwise, the matter proceeds to sentencing.

Diagnostic Interview— The initial contact PSA has with a defendant for the purpose of gathering information to include in preparing a Pretrial Services Report.

Diagnostic Investigation — The process of interviewing and conducting complete background checks in order to obtain information regarding the defendant's demographics, prior arrest information, warrants (local and national), corrections status, community supervision status and local and national criminal history.

Discharge— See "program discharge".

Drug Evaluation Condition— A release condition that requires a defendant to report to PSA for a drug test and, if the result is positive, places the defendant on a weekly drug testing schedule. If the defendant is successful in providing eight consecutive negative drug tests, the weekly drug testing requirement may be suspended. If the initial drug evaluation test is negative, no further testing is required.

Drug Program Placement by PSA— A release condition that requires a defendant to report for a weekly drug test. If the defendant repeatedly tests positive, a referral is made for an assessment and possible placement into a drug treatment program. If a defendant is successful in providing eight consecutive negative drug tests before being placed into a treatment program, the weekly drug testing requirement may be suspended. -- PSA policy allows for a defendant to be placed administratively into a treatment program without a specific court order, although a treatment contract is signed by the defendant and the Court is notified of the defendant's participation in treatment. -- When PSA makes release recommendations to the Court, defendants who admit to drug use in the past 30 days or have documented positive drug test results in the past 30 days are recommended for the condition of "drug program placement by PSA" in order to provide regular drug testing and offer treatment without delay.

Dual Supervision— Simultaneous supervision of a defendant by more than one criminal justice agency or component (e.g., on probation for one case and under pretrial supervision for a different case at the same time).

Extensive Release Conditions — Extensive release conditions include, but are not limited to, substance abuse testing and/or treatment, contact, mental health treatment, monitored curfew, electronic monitoring, maintaining/securing employment and/or student status, securing necessary medical or social services, and stay away from a person order.

Extensive Supervision— Supervision of a defendant released with at least one of the following release conditions: substance abuse testing and/or treatment, contact, mental health treatment, monitored curfew, electronic monitoring, maintaining/securing employment and/or student status, securing necessary medical or social services, and stay away from a person. Also see "supervision".

Failure to Appear (FTA) Investigation — An investigation requested by the Court and initiated by PSA when a defendant fails to appear for a scheduled court appearance. An investigation includes 1) attempting contact with a defendant via telephone, e-mail, or U.S. mail; 2) attempting contact with collateral contacts; and 3) conducting a warrant check and a criminal history check.

Failure to Appear— When a defendant fails to appear for a scheduled court appearance.

Graduation Ceremony— Formal and public recognition given to a defendant for completing successfully all phases of a treatment program.

Halfway House Placement— A court order requiring a defendant's placement into a D.C. Department of Corrections (DOC) halfway house (Title 23 D.C. Code 1321(c)(1)(B)(xi)) to participate in a work release program. The DOC is responsible for the supervision of defendants placed into halfway houses and PSA provides location monitoring and/or drug testing and treatment if ordered by the Court.

In addition to supervising each release condition, PSA notifies the defendant of upcoming court dates at every contact, regularly reviews the defendant's criminal history, and notifies the Court of any rearrests or warrants. Supervision of defendants posing greater risk entails increased frequency of release condition compliance review and also may include location monitoring and case management to investigate and enable defendant compliance.

Infraction — See "program infraction".

Inpatient Treatment— A hospital-based residential treatment program of subacute care which provides medically-monitored structured and intensive treatment for chemically dependent defendants.

In-Person Check-In — See "contact".

In-Person Reporting — see "contact".

Intensive Outpatient Treatment — A non-residential treatment program that provides chemically-dependent/abuse defendants with a clearly-defined structured intensive treatment program on a scheduled basis.

Levels Analysis— The process used to evaluate serial test results to determine if a positive result represents new or residual use.

Level Progression/Promotion — The movement of a defendant from one phase of treatment to the next highest phase as a reward or incentive for

demonstrating a measure of treatment compliance for an established period of time.

Location Monitoring— The use of electronic technology to assist with monitoring compliance with certain release conditions. The technology monitors curfew restrictions and/or a defendant's physical location.

Loss-of-Contact Investigation — An investigation initiated by PSA when a defendant is in loss-of -contact status (See "loss-of-contact) to reestablish contact. The investigation includes: 1) attempting contact with a defendant via telephone, e-mail, or U.S. mail; 2) attempting contact with collateral contacts; and 3) conducting a complete criminal history record check. During any exchange with the defendant or a collateral contact, the Pretrial Services Officer must instruct the defendant to immediately report to PSA.

Loss-of-Contact— For most PSA programs, a defendant is considered to be in loss-of-contact status when he/she misses three consecutive contacts, including failure to report to the Pretrial Services Officer, failure to report for drug testing, or any failure to report as directed. For the High Intensity Supervision Program, loss-of-contact is established when there is no recorded compliance with curfew for a 24-hour period.

Memorandum of Understanding (MOU)— An formal written agreement between PSA and another government entity which defines the parameters of a partnership that involves the expenditure of Agency resources and/or memorializes an agreed upon process to implement business practices.

Mental Health Assessment— A process where formal instruments are used to determine whether a defendant has or may have a mental health condition that requires further assessment and services. The assessment also considers the potential impact of the problem on the defendant's compliance with supervision. The assessment, typically conducted by PSA Community Treatment Specialists, examines recent and historical information in all of the major life areas, and may be performed in conjunction with a substance abuse assessment. These assessments also may be conducted by a D.C. Department of Mental Health liaison prior to a defendant's initial release. The assessment does not result in a mental health diagnosis and is used solely to determine whether a defendant should be supervised by the Specialized Supervision Unit or otherwise placed in mental health services. All full mental health evaluations are performed by referral to private or publicly-funded community providers.

Monitoring — A case management method that includes at least one of the following - address or employment verification, passport or other document surrender, personal third-party custodian (not organizational), "live-at" conditions, and/or a stay away from place condition not supervised by electronic location monitoring. Most monitored conditions are one-time verification conditions. PSA notifies the defendant of upcoming court dates, verifies compliance with the requirement, and gives notice to the Court when it knows of any non-compliance and/or any rearrests or warrants.

Negative Drug Test Result— A test result that is below the cut-off level for a particular drug.

New Use— A positive drug test result that suggests additional drug use has occurred.

Non-Surety Release— All types of release other than surety release. Surety release typically is a bail bond secured through a commercial bonding company following payment of a percentage of the total amount ordered by the Court to assure a defendant's appearance at future court hearings. PSA supervises defendants released in D.C. Superior Court on non-surety release.

Notification to the Court— An electronic message to the judicial officer, prosecutor, and defense counsel that is issued as an immediate response to a defendant's non-compliance with a program requirement or release condition.

Orientation— An in-person meeting between a defendant and Pretrial Services Officer during which supervision and program requirements are explained in detail, including rules governing defendant conduct, infractions and violations and responses, hours during which services are available; drug testing and reporting instructions and defendant rights.

Phase Freeze— When a defendant's progress in the PSA in-house substance abuse treatment program is stalled for a period of time due to non-compliance. A phase freeze typically is not used more than two times before other progressive responses are enacted.

Positive Drug Test Result— A test result that is above the cut-off level for a particular drug.

Post Release Interview — An interview held with a defendants directly following his/her release from the courtroom to explain the conditions ordered by the court, penalties for failing to appear in court, and to direct the defendant to the appropriate PSA unit, if applicable.

Presumption of Innocence— A fundamental protection for any person accused of a crime, which requires the prosecution to prove its case against a defendant beyond a reasonable doubt.

Pretrial Services Officer — A Law enforcement officer employed by PSA and responsible for the supervision and case management of defendants under PSA supervision.

Pretrial Services Report (PSR)— Formerly known as a Bail Report, a PSR is provided to the court to assist the judicial officer in determining release conditions (if any). The report includes the defendant's interview information, prior convictions, pending case information, risk classification and appearance and safety recommendations.

Preventive Detention — Pretrial confinement imposed upon a defendant under the terms of the statute authorizing the denial of bail to certain defendants charged with particular offenses.

PRISM — PSA's automated information system called the Pretrial Real Time Information System Manager.

Program Acceptance— Placement of a defendant with a treatment service provider following the defendant's reporting for program appointment (see "program appointment") and the service provider's agreeing to deliver services.

Program Appointment— An initial meeting for the defendant with PSA to meet with a treatment service provider for an eligibility screening, intake, or first session. This usually occurs prior to program acceptance (see "program acceptance").

Program Completion— A defendant's fulfillment of all agreed upon program requirements.

Program Discharge— Discharge from a treatment program due to successful completion or inability to continue in the program for reasons other than program non-compliance. A Defendant is discharged from a supervision program when he/she consistently has complied with all conditions and a release on personal recognizance will be recommended.

Program Infraction— A violation of specific PSA program requirements, which may be reported to the Court and for which PSA may impose administrative sanctions without returning to court. Infractions may include, but are not limited to, failing to appear for orientation and/or group sessions, and/or failing to appear for Pretrial Services Officer contacts.

Program Removal/Revocation of Release— Program removal or revocation of release when a defendant is considerably non-compliant with release conditions.

Promotion/Level Progression — The movement of a client from one phase of treatment to the next highest phase as a reward or incentive for demonstrating a measure of treatment compliance for an established period of time.

PSA — Pretrial Services Agency for the District of Columbia.

Psychological Testing— Written, visual, and/or verbal evaluations administered by or under the supervision of a psychologist or other qualified clinician to assess cognitive, personality, intelligence, and emotional functioning.

Recommendation— A suggested release and/or detention plan provided by PSA to the court to address a defendant's potential risk of flight or public safety.

Redirection Group— A psychodynamic group designed as an administrative sanction for drug testing infractions. The group aims to enhance a defendant's motivation for change and eagerness to participate in and successfully complete drug treatment.

Release Conditions — Release conditions imposed by the court include drug testing and/or substance abuse treatment, regular reporting to PSA, mental health treatment, electronically monitored curfew, and/or stay away monitored by GPS. Supervision also includes regular contact with the defendant, regular review of compliance, and in some cases, an immediate response to non-compliance.

Release of Information (ROI) — Forms used by PSA or CSOSA designed to satisfy individual statutes covering the release/disclosure of certain types of sensitive information. An individual is asked to sign the form after it is fully completed by PSA personnel. The form authorizes the release of sensitive information concerning that individual to an identified party for a specified purpose within a specified timeframe.

Release Order — A judicial order signed by a judge ordering the defendant to comply with certain conditions of release and notifies the defendant of the next scheduled court appearance.

Removal — See "program removal".

Reorientation— An initial response to a defendant's non-compliance whereby a Pretrial Services Officer meets individually with the defendant and reviews program requirements.

Reporting Contact— See "contact".

Residual— A positive drug test result that suggests no additional use has occurred and the test result probably is due to the previous drug use.

Revocation of Release/ Program Removal— Program removal or revocation of release when a defendant is considerably non-compliant with release conditions.

Sanction — See "administrative sanction" and "sanction-based".

Sanction Contract — A contract that clearly outlines the expectations and sanctioning scheme to hold a defendant accountable for non-compliance. Each program rule and release condition is explained in the contract along with a description of the specific sanctions that will be applied for infractions and violations. The contract is signed by the defendant and defense attorney, acknowledging requirements and agreeing to the imposition of sanctions.

Sanction Hearing— The Judicial proceeding held specifically to address a sanction for an infraction/violation of a sanction contract.

Sanctionable Infraction— An infraction of a release condition or program requirement that prompts a sanction.

Sanction-Based — A supervision plan or program that utilizes a sanctioning scheme to hold defendants accountable for non-compliance with program requirements and/or release conditions.

Screening— The formal PSA process used to determine if a defendant is eligible for placement in a particular PSA program. The screening may include mental health and/or substance abuse assessments. (See "mental health assessment" and "substance abuse assessment".)

SMART— The automated offender information system maintained by CSOSA called Supervision and Management Automated Record Tracking.

Staffing— A meeting with a treatment provider to discuss a defendant's performance in treatment.

Stay Away Order— A judicial order signed by a judge directing a defendant to stay away from a specified geographic location, a person or both.

Step Back— A term used to indicate that a defendant is not being released on personal recognizance and must return to the custody of the U.S. Marshals Service.

Stet Agreement — An agreement between the U.S. Attorney's Office and the defendant for a period of up to nine months outlining the specific terms to which

the defendant must adhere, including performing community service, drug testing, and/or drug treatment. While not considered a plea, the agreement allows for a probationary period of supervision, during which the defendant is required to comply with conditions specified in the agreement. And then what?

Substance Abuse/Use Disorder Assessment— A process where formal instruments are used to determine the extent of a defendant’s substance disorder and any resulting complications, and includes an examination of recent and historical information in all of the major life areas. The assessment, typically conducted by PSA Community Treatment Specialists, is used to determine whether a defendant has a substance-related problem requiring professional treatment. The assessment does not result in a diagnosis, but does result in a problem severity-related treatment placement recommendation. Substance disorder assessments may be ordered by the Court or performed in the absence of a court order if the defendant consents.

Substance Abuse/Use Disorder Referral—Instructions to a defendant to report to a specific provider to receive substance disorder assessment and/or treatment services. A defendant is referred for a substance abuse assessment upon self-disclosure of drug use, by court order or by recommendation of the Pretrial Services Officer.

Substance Use Disorder—A maladaptive pattern of substance use leading to clinically significant impairment for at least 12 months. A substance use disorder is classified as mild, moderate or severe and could result from the use of any mood-altering substance including illicit drugs, prescription/over-the-counter medications and alcohol.

Supervision— The core work performed by Pretrial Services Officers that includes interacting with and accessing the records of defendants on conditional pretrial release to investigate, enable, enforce, and report compliance with court-ordered release conditions. This case management method entails regular review of the defendant’s compliance with release conditions and timely, progressive efforts to address and report non-compliance. The types and combinations of supervision used are based on the level of risk posed by the defendant for public safety and/or pretrial misconduct.

Treatment Plan — A plan showing the structure, sequences, arrangements, goals, and strategies for the clinical care to be provided to the defendant. The treatment plan is also a measurable, attainable, and mutually agreeable course of action developed between the treatment provider and the defendant to assist the defendant in successfully completing substance abuse treatment. It must always be developed with the involvement and concurrence of the client (defendant).

Treatment Provider — The person, agency, or organization chosen by the defendant or designated by PSA to conduct and monitor a defendant’s treatment intervention.

Verbal Warning — See “warning”.

Violation Status— A defendant is recognized by PSA to have violated one or more conditions of release imposed by the court. This triggers a recommendation from PSA to the court for an increase in level of supervision, or a request for program removal or revocation of release.

Warning— A verbal or written administrative response by PSA to a program infraction. A warning is imposed via telephone, in-person contact, or in writing. At a minimum, a warning includes the specific nature of the program infraction, instructions for how to achieve program compliance, and the consequences of continued infractions.

Warning Letter— Written notice to a defendant that a report of non-compliance with release conditions has been forwarded to the court, instructing the defendant to contact PSA.

Written warning— See “warning”.



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