FY 2023 PERFORMANCE ACCOUNTABILITY REPORT
Office of the Attorney General

MISSION

The Office of the Attorney General (OAG) is the chief legal office of the District of Columbia. OAG enforces the laws of the District and promotes the public interest. OAG's mission is to provide the District government with the highest level of legal advice and service, and to promote the interests of District residents. OAG seeks to be the nation's premier public law office.

SUMMARY OF SERVICES

OAG is responsible for conducting the District's legal business in a manner that is in the public interest. The Attorney General is the chief legal officer of the District of Columbia. The Attorney General's opinions on legal questions have the force of law unless overruled by a court or legislatively by the District of Columbia Council. OAG represents the District in virtually all civil litigation and represents the District in a variety of administrative hearings and other proceedings. OAG prosecutes juvenile and certain adult criminal offenses on the District's behalf. OAG advises the Executive Office of the Mayor, the Council of the District of Columbia, the District of Columbia Courts, and various agencies, boards and commissions. OAG also reviews legislation, regulations, land dispositions, and contracts for legal sufficiency to ensure the legality of the government's actions. OAG provides legal and litigation support in procurement, tax and finance, bankruptcy, land use, and public works. OAG advocates on behalf of children by seeking to establish parentage and create an opportunity for financial stability as well as intervening on behalf of abused and neglected children when their safety and wellbeing is at risk. OAG also takes legal action to protect and promote the public interest. This includes protecting children, seniors, and developmentally disabled adults, bringing affirmative litigation to promote the interests of District consumers, taxpayers, tenants, environment and workers, and enforcing the District's consumer protection, civil rights, antitrust, false claims, nonprofit, elder financial exploitation, and environmental laws, among others. All told, the Attorney General supervises the legal work of about 330 attorneys and an additional 330 administrative and professional staff.

PERFORMANCE PLAN DIVISIONS AND OFFICES

The purpose of the yearly performance plan is to ensure that each year, the agency evaluates its progress, reflects on its goals, and sets out a path for improvement that can be referenced throughout the year. In this Performance Plan, each of OAG's offices and divisions set forth initiatives that will help them better achieve their specific missions. Unless otherwise specified, the deadline for each initiative is the end of the fiscal year (September 30, 2023). This year's plan includes initiatives for the following offices and divisions:

- Immediate Office
- Child Support Services Division
- Civil Litigation Division
- Commercial Division
- Family Services Division
- Legal Counsel Division
- Office of the Solicitor General
- Personnel, Labor and Employment Division
- Public Advocacy Division

- Public Safety Division
- Support Services Division

Immediate Office

The Immediate Office sets the direction for OAG. This includes ensuring that the agency provides high quality legal services to the District government, communicating and engaging with the public, and setting OAG's policy priorities. The Immediate Office seeks to build a best-in-class public law office.

INITIATIVE 1: Increase and Improve Outreach to District Communities.

The purpose of this initiative is to increase the quality and scope of OAG's interaction with District communities. OAG will recruit and hire staff for a Community Engagement Team to develop and implement a robust community engagement plan. The plan will include community meetings in all eight wards within the first six months of the year. This initiative will be successful if OAG has established a community engagement team that conducts meetings in all eight wards.

Performance Assessment: **Fully achieved.** OAG created a Community Engagement team, led by a dedicated, full-time Director, aimed at fostering stronger connections between OAG and the community. The team engages with District residents to ensure OAG's work is well-informed and tailored to meet the unique needs of the District's diverse communities, and to ensure that the public is aware of the services OAG provides and is able to communicate quickly and effectively with OAG personnel. Between January and September 30, 2023, the Community Engagement team actively participated in or led 139 events across all eight wards, engaging with over 14,500 residents to promote a more inclusive and community-centered approach to OAG's work.

INITIATIVE 2: Diversify and Strengthen OAG's Grants Portfolio.

The purpose of this initiative is to leverage OAG's independent grant-making authority to advance its priorities. OAG's Grants Management Unit (GMU) will seek grant-funding opportunities from the federal government, foundations, and private entities to maximize OAG's impact in violence prevention and reduction, victim services, and other services to vulnerable residents. This initiative will be successful if OAG identifies key partnerships and new funding by September 30, 2023.

Performance Assessment: **Substantially achieved.** OAG created two grant initiatives in FY23 to maximize impact in violence prevention and reduction, victim services, and other services to vulnerable residents. OAG awarded 4 grants under its new Victim Services and Support grant initiative and 8 grants under the Returning Residents Services and Support grant initiative. Through these initiatives, OAG engaged 11 new grant partners and key partnerships.

Child Support Services Division

CSSD assists families in the District with locating absent parents, establishing paternity, establishing orders for monetary and medical support, collecting ongoing support, and enforcing delinquent child-support orders. CSSD works to ensure that District children receive the financial support to which they are legally entitled.

INITIATIVE 1: Training Accessibility Initiative.

The purpose of the Training Accessibility Initiative is to provide a real-time learning resource for CSSD staff. The Division is creating the "CSSD Resource Corner," which is an online site on which training materials, videos of training sessions, self-paced programming, and similar learning resources will be housed. It is a single location intended to acquaint or remind staff about the wealth of resources available that will provide around-the-clock access to information whether a person is working in the office or remotely. This initiative will be successful if the CSSD Resource Corner is complete and finalized by September 30, 2023.

Performance Assessment: **Substantially achieved.** The Division made important progress on this initiative during FY23. Supported by technology partners, CSSD identified and tested a platform on which to host the CSSD Resource Corner. CSSD has since started adding learning and policy materials onto the site. Completion of this initiative remains at the forefront of Division leadership's emphasis on continuous improvement.

INITIATIVE 2: Early Intervention Initiative.

Educating and supporting the parents involved in child support cases is critical. Research demonstrates that families are more likely to be successful when they have accurate and timely information about their paternity and child support cases. Accordingly, in FY22, CSSD began developing a customer orientation program series in which CSSD provides information about the child support process. CSSD worked with consultants to create session guides for the first three sessions, including talking points for the presenter and a short video outlining core content for the session topic. This initiative will be deemed successful if each of the three customer sessions has been tested, refined, and incorporated into a regular schedule of offerings by September 30, 2023.

Performance Assessment: **Substantially achieved.** The CSSD Early Intervention Initiative is considered substantially complete as of September 30, 2023. CSSD created three animated videos explaining each stage of a child support case: New Case, Enforcement of a Court Order, and a Change of Circumstances. The videos were completed and launched on the CSSD-redesigned website by June 2023. CSSD also has developed in-person and virtual presentations for custodial and non-custodial parents. The next step is to test the presentations with a mixed focus group of CSSD staff and custodial and non-custodial parents to elicit feedback on the content and message. Recorded sessions will also be available on the CSSD website.

Civil Litigation Division

The Civil Litigation Division (CLD) represents the District, its agencies, and its employees in civil actions brought in the Superior Court of the District of Columbia and the United States District Court for the District of Columbia. The Division also represents District agencies in matters enforcing rules and regulations. CLD seeks to provide sound counsel to the District, its agencies, and its employees, including devising strategies for representing them in civil actions and minimizing liability.

INITIATIVE 1: Develop Referral Policies for Civil Forfeiture and Subrogation Matters.

CLD's Civil Enforcement Section (CES) represents nearly two dozen client agencies and has a varied portfolio of work representing the District. To ensure that CES's resources are focused on work that provides the most benefit to District residents, CLD will develop referral policies for its civil forfeiture and subrogation workstreams. This initiative will be considered successful if those policies are developed and implemented by September 30, 2023.

Performance Assessment: **Fully achieved.** CLD developed a referral policy for CES, which it intends to implement in 2024.

INITIATIVE 2: Develop Division Orientation Materials.

CLD will create a standard set of materials to provide to new employees hired into the Division. The materials will consist of opinions and briefs providing an overview of the three core legal areas handled by the Division's four general litigation sections: employment litigation, litigation under Section 1983, and personal injury. The new-hire materials will serve as a resource for new CLD attorneys and professional staff. This initiative will be considered successful if a standardized set of new-hire materials is assembled by September 30, 2023.

Performance Assessment: **Fully achieved.** CLD assembled and uses a set of new-hire materials.

INITIATIVE 3: Develop and Provide Trainings.

CLD will provide substantive training sessions to the Division in the areas of effective litigation skills, *The Bluebook*, and technology. These trainings will increase the working knowledge of the Division's attorneys and professional staff, enabling the Division to serve its clients and District residents more efficiently. The initiative will be successful if CLD provides the Division with a total of five separate trainings by September 30, 2023.

Performance Assessment: **Fully achieved.** CLD provided substantive training in effective litigation skills, *The Bluebook*, and technology to the Division.

Commercial Division

The Commercial Division provides legal services, advice, and advocacy related to numerous core governmental functions, including the procurement of goods and services, the acquisition of real estate, the support of economic development projects and government property management, the financing of government operations through the issuance of bonds, the collection of taxes, and the collection of debts from individuals and entities in bankruptcy. The Division also determines the legal sufficiency of major contracts and land dispositions. The Commercial Division seeks to provide legal support to District agencies to maximize and protect the District's commercial assets.

INITIATIVE 1: Conduct Outreach to ANCs.

As part of its mission to increase zoning literacy, the Equitable Land Use Section will conduct outreach to ANCs, with particular focus on new ANCs who may not know of ELU's mission or that ELU can serve as a resource for ANCs and residents in zoning and land development issues. This initiative will be considered successful if ELU provides at least five presentations to ANCs and posts at least ten PowerPoint presentations explaining the zoning process by September 30, 2023.

Performance Assessment: **Fully achieved.** ELU gave six ANC presentations and ten PowerPoint presentations.

INITIATIVE 2: Create a Tracking System.

The Government Contracts Section will create a system that tracks the total amount of dollars (Not To Exceed) in the contracts it reviews; track bid protest results; and corrective actions. This initiative will be successful if Government Contracts reports (1) the total dollar amount of contracts it reviewed, and (2) its bid protest results for FY23 by September 30, 2023.

Performance Assessment: **Fully achieved.** The Government Contracts Section created a tracking system that tracks the total dollar amount of contracts reviewed and the bid protest results for FY23.

INITIATIVE 3: Strengthen Ties to Client Agencies.

The Tax & Finance Section will strengthen ties with its client agency, the Office of Tax and Revenue (OTR). The Section's tax attorneys will host a "lunch and learn" series with OTR assessors. The purpose of this series will be for assessors to share their expertise on specific assessment topics and thereby grow the Section's knowledge base, particularly for our newer attorneys. The Section's tax attorneys will, in turn, provide training to assessors on various litigation topics, like assisting with interrogatory responses, preparing for depositions, and the expert witness role. The initiative will be successful if Tax and Finance hosts at least three separate "lunch and learn" series by September 30, 2023.

Performance Assessment: **Fully achieved.** The Section held a series of meetings during Fiscal Year FY23 with OTR assessors to discuss deposition preparation and the development of expert witness reports. Additionally, because the number of hotel appeals increased by 280% over the prior year due to covid, a necessary focus during FY 2023 was hotel assessments. OAG held multiple meetings with OTR management and assessors throughout the year on OTR's hotel assessment methodology and how covid was being addressed. This resulted in a stronger working relationship and culminated in OTR inviting OAG attorneys to participate in a meeting with the Hotel Association of Washington, DC, the nonprofit trade group representing 90 District hotels.

Family Services Division

The Family Services Division (FSD) works on behalf of the District's most vulnerable residents: abused and neglected children. The Division prosecutes civil child abuse and neglect cases and represents the Child and Family Services Agency (CFSA) in all stages of permanency planning, including proceeding to terminate parental rights when necessary. FSD seeks to provide quality representation to CFSA on child abuse and neglect cases.

INITIATIVE 1: Increase Paternity Establishment.

Paternity establishment is important in child abuse and neglect cases to ensure appropriate notice and due process to both parents as well as assist in the identification of all available relative resources. In cases where a father has been identified and located, FSD will utilize all available legal remedies, including motions to show cause, to resolve paternity. This measure will be successful if adjudication of paternity occurs in at least 50% of eligible cases.

Performance Assessment: **Fully achieved.** FSD established paternity in 74 of 131 new cases petitioned.

INITIATIVE 2: Expand Lunch and Learn Sessions to New Areas of Practice.

FSD has partnered with managers in CFSA who supervise foster care youth in peer learning and support sessions known as Chat and Chew. This forum has increased partnership and provided an opportunity for educational exchanges around issues such as changes in case law and visitation requirements and writing more effective court reports. In this initiative, FSD will engage the managers who oversee Child Protective Services as well as In-Home administration in a similar forum so that additional peer learning exchanges can occur with those areas of practice. This measure will be successful if a Chat and Chew occurs in each quarter of FY23.

Performance Assessment: **Partially achieved.** FSD was successful in peer learning exchanges in two of the four quarters.

Legal Counsel Division

The Legal Counsel Division (LCD) provides legal research and advice to the Attorney General, the Executive Office of the Mayor (EOM), District agencies, and the Council of the District of Columbia. In addition, LCD determines the legal sufficiency of legislation, rulemakings, inter-agency MOUs and assists with drafting statutes and regulations for the EOM, OAG, and District agencies. The Division also prepares formal opinions, legal memoranda, legal advice letters, and Office Orders for the Attorney General and serves as an attorney-advisor to the Advisory Neighborhood Commissions. LCD seeks to provide high-quality legal advice to the Mayor, District agencies, and the Council about proposed legislation, rulemaking, ethics, and other government action.

INITIATIVE 1: Conduct Training for OAG Employees.

The Legal Counsel Division consists of a number of senior attorneys, including OAG's ethics counsel, who often provide training on a variety of subjects. OAG attorneys and staff face recurring issues concerning what the District's laws require, what best practices are, and what is required as a matter of policy set by Mayor and the Administrator of the Office of Documents and Administrative Issuances. Common training topics include ethics, rulemaking, legislation, and appropriations. This initiative will be considered successful if ten trainings, including five in ethics and five in other areas of the law, are conducted by September 30, 2023.

Performance Assessment: **Partially achieved.** LCD attorneys conducted trainings for other OAG and District government attorneys on both rulemaking and appropriations in FY23. Although LCD did not reach its goal of providing five trainings in areas other than ethics, the Division is well on its way to doing so in FY24, with trainings in legal sufficiency and legislative drafting already scheduled or completed. OAG's ethics counsel transitioned from LCD to the Immediate Office during FY23, and LCD no longer provides ethics training to OAG employees.

INITIATIVE 2: Increase Public Accessibility of OAG Legal Advice and Resources.

LCD has a large database of legal advice memos it has written for internal and external clients, as well as formal opinions of the Attorney General. Although OAG used to make public many of its legal advice memos, it has not done so recently. Many older opinions of the Attorney General, although technically public, are not available on the OAG website. And the opinions that are public are not organized or searchable. LCD will establish a repository on OAG's website of legal advice memos to improve public access to opinions of the Attorney General. This initiative will be considered successful if the public is able to access a repository of legal advice memos on the OAG website, and if the formal opinions of the Attorney General on OAG's website are summarized and organized, by September 30, 2023.

Performance Assessment: **Fully achieved.** LCD has established a repository on OAG's website of a collection legal advice memos for which privilege has been waived. Those memos, along with a table summarizing the memos, are available here.[1] Similarly, LCD has collected, organized, and summarized the available formal opinions of the Attorney General, which are available here.[2]

[1] https://oag.dc.gov/about-oag/our-structure-divisions/legal-counsel-division/legal-advice-memos-office-attorney-general.
[2] https://oag.dc.gov/about-oag/our-structure-divisions/legal-counsel-division/opinions-attorney-general.

Furthermore, LCD has continued to post advice letters shared with Advisory Neighborhood Commissions and has begun including the text of those letters on its website to improve searchability. Those advice letters can be found here.[3]

INITIATIVE 3: Update LCD's Division Manual.

LCD's Division Manual is a comprehensive guide to how LCD attorneys should conduct legal sufficiency reviews of legislation and rulemakings, as well as research and draft legal advice memos. The Division Manual has not been updated since 2007 and is out of date in many respects. LCD will revise the Division Manual to reflect current best practices, so that current and onboarding employees can perform their roles at the highest level. This initiative will be considered successful if the LCD Division Manual is updated and distributed to LCD attorneys by September 30, 2023.

Performance Assessment: **Fully achieved.** LCD completed its update of the Division Manual and distributed the manual to LCD attorneys in February 2023. The new manual provides further guidance on how attorneys should spot potential legal sufficiency issues in their reviews of legislation and rulemakings. It also includes a more recent description of the work of the Division and provides a citation and style guide for LCD attorneys to use.

Office of the Solicitor General

The Office of the Solicitor General (OSG) manages the District's civil and criminal appellate litigation and practices most frequently before the District of Columbia Court of Appeals, the United States Court of Appeals for the District of Columbia Circuit, and the Supreme Court of the United States. The docket includes appeals in a wide variety of civil, family, criminal, juvenile, tax, and administrative cases from trial courts and petitions for review from District agencies. OSG seeks to provide top-flight legal services in handling the District's litigation in the appellate courts.

INITIATIVE 1: Develop a Set of Orientation Trainings for New OSG Attorneys.

When attorneys join OSG, they are faced with two major challenges. First, they must learn the many procedures and processes that OSG has in place to produce excellent work product, as well as the procedural requirements of the courts in which OSG practices. Second, they must familiarize themselves with many different areas of District law, including how the District government is structured. To better equip new attorneys to meet these challenges, OSG will develop a set of trainings for new OSG attorneys that impart the wisdom and expertise of some of our senior attorneys. This set of trainings will include both best practices with regard to brief-writing, oral argument, and other aspects of the job, as well as a primer on some of the basics of District law and government. This initiative will be successful if OSG develops by September 30, 2023 at least three trainings that can be used for future attorneys who join the office.

Performance Assessment: **Fully achieved.** OSG developed three trainings for new attorneys—one for the mechanics and best practices of case initiation, one for best practices for oral arguments, and one for ethics issues. OSG also led agency-wide trainings on brief writing and how to locate the law of the District. OSG will continue to expand its resources and add additional trainings for new attorneys.

INITIATIVE 2: Improve OSG Visibility at Top Law Schools.

[3] https://oag.dc.gov/about-oag/laws-and-legal-opinions/legal-advice-ancs.

OSG strives to recruit the very best appellate attorneys, fellows, and interns to OAG in order to produce excellent work product on behalf of the District. Part of this recruitment process includes engaging with students at top law schools early in their legal careers. To that end, OSG will improve its visibility at top law schools by participating in more panels and other events at law schools. This initiative will be successful if OSG attorneys participate in panels or other events at three top law schools by September 30, 2023.

Performance Assessment: **Fully achieved.** OSG attorneys participated in events at multiple law schools this past year. The Solicitor General participated in a panel at Yale Law School, while one of our Senior Assistant Attorneys General discussed career paths at a panel at Harvard Law School and appellate practice at American University's Washington College of Law. That attorney also discussed professional responsibility at Georgetown University Law Center and the University of the District of Columbia.

Personnel, Labor, and Employment Division

The Personnel, Labor and Employment Division (PLED) defends agencies in personnel-related matters such as suspensions, terminations for employee misconduct, and reductions in force. The Division also processes all discipline grievances and serves as OAG's chief negotiator on collective bargaining issues for the attorney's union. PLED seeks to defend and advise the District and its agencies in personnel matters and serves as OAG's labor counsel so as to minimize risk and liability for the District.

INITIATIVE 1: Develop a Bank of Routinely Filed Documents in PLED Matters.

PLED seeks to improve the quality and consistency of its filings. With that goal in mind, PLED will develop a bank of sample documents that are routinely filed in the numerous tribunals before which PLED lawyers practice. Providing samples of these documents will ensure consistency across filings in terms of format, substance, and content. This initiative will be considered successful if PLED completes a bank of 20 sample filings by September 30, 2023.

Performance Assessment: **Fully achieved.** PLED assessed the most frequently drafted documents and identified the types of documents for which samples would be the most helpful. PLED created sample documents and placed them in a shared drive.

INITIATIVE 2: Compile an Office of Employee Appeals Case Analysis of the Most Often Used Causes for Discipline.

Complainants in matters PLED defends often challenge the charges/causes agencies use to support discipline before the District of Columbia Office of Employee Appeals (OEA). However, OEA opinions and legal analysis are rarely cited in a format PLED lawyers can quickly research. To better support our defense of OEA cases, PLED will compile a case analysis of the most frequently used causes of action for discipline, i.e., neglect of duty, absent without authorized leave, etc. and OEA's holding and analysis of each case for the past two calendar years (2021 and 2022). The analysis will include the reasons for OEA's legal and factual findings. This initiative will be considered successful if PLED reviews and analyzes the five most uses causes for discipline in OEA cases in calendar year 2021 and 2022 by September 30, 2023.

Performance Assessment: **Fully achieved.** PLED surveyed all the decisions issued by the OEA in 2021 and 2022, paying special attention was paid to whether the agency's action was upheld or reversed, the causes of action in dispute, and the case law cited by the OEA in its analysis. Through

this process, PLED identified the top five causes of action taken by agencies against employees and the case law that the OEA cited in its analysis of each of these five causes of action. A detailed excel spreadsheet of all the data gathered is now accessible to everyone in PLED on PLED's shared drive.

Public Advocacy Division

The Public Advocacy Division promotes the rights of District residents through civil enforcement actions—with a particular emphasis on protecting marginalized and disadvantaged communities. The Division is focused on civil rights, workers' rights, consumer protection, housing conditions, antitrust, antifraud, non-profit enforcement, environmental enforcement, and protecting elders and vulnerable adults from financial exploitation.

INITIATIVE 1: Coordinate Division-Wide Reporting on Judgments and Settlements.

PAD will create and implement a division-wide system for tracking judgments and settlements, including the type and amount of relief achieved in each case (restitution, penalties, injunctive remedies), all payments received pursuant to a final judgment or settlement, and any enforcement actions taken for failure to comply with a final judgment or settlement. In addition to creating uniform reporting and tracking across the division, this initiative will assist OAG with complying with new Internal Revenue Service reporting requirements on certain judgments and settlements. This initiative will be considered successful if PAD implements a division-wide tracking system by September 30, 2023.

Performance Assessment: **Substantially achieved.** PAD created and implemented a Division-wide tracking system for all monetary aspects of judgments and settlements reached, including penalties, restitution, and other financial relief. This tracking system includes both actual outcomes and projections for future resolutions. PAD currently is incorporating tracking of both unclaimed restitution funds and past, unpaid restitution claims to implement new authority granted by the Council in the FY24 Budget Support Act to use excess restitution funds to pay outstanding claims. PAD successfully used this tracking system to comply with new Internal Revenue Service reporting requirements for calendar years 2022 and 2023. The remaining task to complete is incorporating tracking of injunctive and other relief.

INITIATIVE 2: Coordinate Division-Specific Litigation Skills Training Sessions.

PAD will utilize its two senior counsel attorneys and other divisions to coordinate litigation skills and legal writing training for PAD team members that are tailored to the PAD's work. These trainings will be a starting point for creating an ongoing training structure to carry forward into future fiscal years. This initiative will be successful if PAD coordinates five training sessions by September 30, 2023.

Performance Assessment: **Fully achieved.** PAD coordinated eight Division-wide trainings for our attorneys and professional staff during Fiscal Year 2023. These sessions focused on skills specific to PAD's work, including not only litigation topics but also trainings on mandatory reporting and trauma-informed communication that are particularly relevant to PAD's growing mediation program.

- Depositions – October 2022
- Environmental enforcement – January 2023
- Novel and creative settlements – February 2023
- Mediation prep – February 2023
- Multistate negotiations – March 2023

- Trial strategy – April 2023
- Mandatory reporting – May 2023
- Trauma-informed communication – September 2023

PAD is continuing its focus on training into the current fiscal year, having recently brought in the National Attorneys General Training & Research Institute to offer on-site deposition training to 36 attorneys in PAD and the Civil Litigation Division.

Public Safety Division

The Public Safety Division (PSD) prosecutes criminal and civil matters to enhance public safety in the District of Columbia. The Division advances this work through six sections: the Criminal Section, the Domestic Violence and Special Victims Section, the Juvenile Section, the Mental Health Section, the Public Integrity Section and the Restorative Justice Section. PSD prosecutes all juvenile offenses, certain misdemeanor adult offenses, including some offenses related to illegal conduct of public officials, represents survivors of domestic violence in securing protection orders and monitoring compliance with such orders, and represents the District's interests in providing appropriate mental health services to those who are a danger to themselves or the community. PSD work includes developing and implementing innovative alternatives to traditional prosecution, including restorative justice and truancy-prevention programs.

INITIATIVE 1: Create a Substance Use and Mental Health Treatment Resource Guide to Facilitate Rehabilitation in the Criminal Justice System.

Many individuals cycle in and out of the criminal justice system because of substance abuse disorders and mental health illnesses. OAG has worked to connect these individuals to treatment programs. To facilitate rehabilitation, PSD will identify and summarize the services offered by treatment providers in the District into a user-friendly resource guide. This initiative will be considered successful if PSD creates a comprehensive resource guide of District treatment providers and distribute it to the D.C. Superior Court judges and defense bar by September 30, 2023.

Performance Assessment: **Not achieved.** PSD was able to compile a list of substance abuse providers and services offered in the District but PSD was not able to complete a comprehensive resource guide of District treatment providers and distribute it to the D.C. Superior Court judges and defense bar.

INITIATIVE 2: Modernize DC's Civil Commitment Statute ("Ervin Act") to Conform to Best Practices in Medicine and Public Safety, while Honoring Individual Patient's Rights and Liberty Interests.

PSD has convened a Legislative Reform committee consisting of attorneys from OAG and the Department of Behavioral Health's Office of General Counsel. With feedback from mental health experts, clinicians, and advocates, the committee is leading a concerted effort to update and modernize the Ervin Act (DC Code § 21-501 et seq.), which has not been amended since 2012. This initiative will be considered successful if the committee submits a comprehensive proposed bill of Ervin Act amendments to the DC Council by September 30, 2023.

Performance Assessment: **Partially achieved.** PSD has a draft bill that is in the final stage of review.

INITIATIVE 3: Intrafamily Conflict Intervention Program – CARES Program.

Intrafamily conflicts involving children in the District of Columbia often cause children to be removed from their home, arrested, and held in custody overnight because families and law enforcement do not have alternatives to this process. When verbal disputes escalate to physical confrontation or destruction of property, parents often feel they have no choice but to call 911 and ask for their child to be arrested. In many instances, after the child spends the night in custody, the case is dismissed because the emergency has ended and the parent does not wish to proceed with prosecution. Sometimes the cycle repeats. When this occurs, the family never gets support or services to address the root causes of the conflict, and the child suffers the traumatic consequences of being needlessly pulled into the juvenile justice system. PSD has developed a conflict intervention plan whereby Metropolitan Police Department (MPD) and the Department of Behavioral Health Crisis Response Team (CRT) or a nonprofit agency partner will co-respond to 911 calls for incidents of domestic violence involving a young person under eighteen years of age. MPD will assess whether the situation requires mandatory arrest. OAG Juvenile Managers will assist MPD in making this determination through the Juvenile Hotline. This initiative will be considered successful if it is implemented and three (3) interventions are made by September 30, 2023.

Performance Assessment: **Partially achieved.** PSD has developed a plan and gathered data to support the program. This initiative is between the Department of Human Services (DHS), the Metropolitan Police Department (MPD), the Office of the Attorney General (OAG), and Sasha Bruce. Funding for the pilot program has been achieved. The money OAG promised has been de-obligated from the Council to be distributed to DHS by January 18, 2024. The pilot program is expected to launch in the first quarter of 2024, after hiring and training of DBH and MPD has been completed and all MOU's and Program Protocols are finalized.

INITIATIVE 4: USAO Referral Program

The Restorative Justice Section has been successful in working with juvenile and criminal adult cases in OAG's Public Safety Division and providing meaningful resolutions to conflict between the victim and the offender through restorative justice conferences facilitated by a trained restorative justice facilitator. OAG will launch similar a referral program in partnership with the United States Attorney's Office (USAO) so that OAG can begin to take cases of young adults aged 18-24 charged with crimes in cases in which victims of those crimes are willing to pursue restorative justice. This initiative will be considered successful if it is implemented and three referrals are made from USAO and restorative justice conferences are conducted by September 30, 2023.

Performance Assessment: **Partially achieved.** The Restorative Justice Section successfully implemented the referral program. OAG received two referrals from USAO and completed one successful conference.

Support Services Division

The Support Services Division (SSD) provides the staff, investigative, financial, logistics, and customer service support that enables the rest of OAG to provide high-level legal services to the District. SSD's Procurement Unit is responsible for processing and approving all requests for goods and services to enable OAG to fulfill its mission. SSD seeks to provide exemplary operational and logistical support to OAG divisions.

INITIATIVE 1: Create Support Services Division Landing Page on OAG Intranet.

SSD will collaborate with OAG's Information Technology Section to create a landing page on OAG's intranet webpage to promote employees' easy access to resources, information, and job aides

related to services provided by the SSD sections. SSD-related content will be consolidated in a user-friendly format by subject matter. This initiative will be successful if SSD makes content and navigability improvements to the website by September 30, 2023.

Performance Assessment: **Partially achieved.** Each of SSD's five sections surveyed the work of the section; identified the subject matter they most frequently perform to support and assist the other divisions; and selected those topics to explicate on the landing page. SSD created a user-friendly document that the Information Technology Section is using to create the landing page, including hyperlinks and easy-to-access templates.