

Fiscal Year 2025

Annual Report

PUBLIC DEFENDER SERVICE



for the District of Columbia



“I don't know what I would do without you. You've done more for me than anyone in my life.”

— PDS Client



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Message From Our Director



I am honored to present the FY 2025 Annual Report for the Public Defender Service for the District of Columbia. This report provides a comprehensive look at the past fiscal year—a year defined by dedication, service, and advocacy on behalf of the people of the District of Columbia.

The work of our attorneys, investigators, social workers, program developers, mitigation specialists, and technical and administrative professional staff extends into courtrooms, hospitals, jails, youth detention centers, and communities across the District of Columbia. Guided by the principles of justice, equity, and the right to a defense, their tireless efforts ensure that our clients are seen, heard, and represented with dignity.

The criminal legal system can only function when all players work in partnership. To manage the steady stream of cases and to advance the goals of protecting the innocent and supporting the reintegration of returning citizens, it is vital to maintain a robust, highly qualified public defense bar.

At PDS, our work is not just a profession—it is a calling. We are proud to be principled advocates for our clients, regardless of who they are or what they have been charged with. This is more than our duty—it is our purpose. Each day, we carry out this mission with clarity and conviction, representing all eligible individuals as mandated by statute, grounded in the Constitution, and in collaboration with our partners across the legal system. We do so without fear or favor.

Our role is essential. It speaks to anyone who can imagine being accused of a crime or facing a mental health crisis and needing support to ensure fairness under the law. At PDS, we step into that breach every day, honoring our mission through our work and our values.

In FY 2025, PDS staff continued to manage significantly increased and complex caseloads while safeguarding fundamental constitutional rights. While budget challenges remain, we are hopeful that the coming fiscal year will bring financial stability—allowing us to retain qualified staff, properly compensate employees, and continue serving the D.C. community effectively. Importantly, any effort to address violence in the District of Columbia must include services and resources that respond to the social and mental health issues community members regularly confront.

With gratitude,

A handwritten signature in black ink that reads "Heather Pinckney". The signature is written in a cursive, flowing style.

PDS Director Heather N. Pinckney

Recognizing FY 2025 PDS Board Members & Executive Leadership

Board of Trustees

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Members of the PDS Board of Trustees with PDS Director Heather N. Pinckney; from the left, Rashida Ogletree-George, Brian Ferguson, Joseph Caleb, Brandi Harden, Jonathan L. Stern, Leslie T. Thornton, and Michael Satin.

Executive Management



Members of the PDS executive management team in FY 2025. Front row, Heather N. Pinckney and Rudolph Acree, Jr.; middle row, Laura E. Hankins, and Janet E. Mitchell; back row, Calvin Shoulders, Eric Hirst, and Roderick Hubbard.

Heather N. Pinckney
Director

Rudolph Acree, Jr.
Deputy Director

Laura E. Hankins
General Counsel

Eric Hirst*
*Chief Information
Technology Officer*

Roderick R. Hubbard
Chief Financial Officer

Janet Mitchell
*Special Counsel to the
Director (Strategic Planning)*

**Kenita Saunders
Romero****
*Chief Human Resources
Officer*

Calvin Shoulders
Chief Administrative Officer

*Resigned from PDS in February 2025.

**Joined PDS in July 2025.

Our Mission & Services

Mission

It is the mission of the Public Defender Service for the District of Columbia (PDS) to provide and promote quality legal representation to indigent adults and children facing a loss of liberty in the District of Columbia, thereby protecting society's interest in the fair administration of justice.

At the heart of PDS's mission is a steadfast commitment to providing the highest-quality, constitutionally mandated representation to our clients. Upholding this standard of excellence requires us to stay vigilant—constantly adapting to shifts in law, policy, and practice that impact our representation of the people we serve. However, delivering exceptional advocacy is not just about staying informed; it is also about ensuring that we have the right team in place. PDS's work demands excellence under arduous conditions: working long hours over holidays and weekends; counseling clients and their families through the most traumatic experience of their lives; and refusing to compromise on the quality of our representation despite unprecedented staffing shortfalls and climbing caseloads.

Overview of PDS

For 65 years, PDS has led the nation in providing exceptional advocacy and legal representation for indigent

adults and children. Judges and prosecutors, as well as public defenders and legal practitioners across the country, acknowledge and respect the outstanding work of PDS's attorneys. PDS is recognized as one of the few defender organizations in the world to meet the standards outlined in the American Bar Association's Ten Principles of a Public Defense Delivery System.¹

PDS is a federally funded, independent organization governed by an 11-member Board of Trustees. Founded as the Legal Aid Agency (LAA) in 1960, PDS was established as the successor to LAA in 1970 by a federal statute² enacted to comply with the constitutional mandate to provide defense counsel for people who cannot afford an attorney.³

A major portion of the work of PDS consists of representing individuals in the District of Columbia's local criminal legal system who are charged with committing serious criminal acts and who are eligible for court-appointed counsel.

In the District of Columbia, public defense services are provided primarily by PDS (the "institutional defender") and a panel of private attorneys, known as Criminal Justice Act (CJA) attorneys, who are screened for membership on the panel and paid on a case-by-case basis by the

1 https://www.americanbar.org/groups/legal_aid_indigent_defense/indigent_defense_systems_improvement/standards-and-policies/ten-principles-pub-def/.

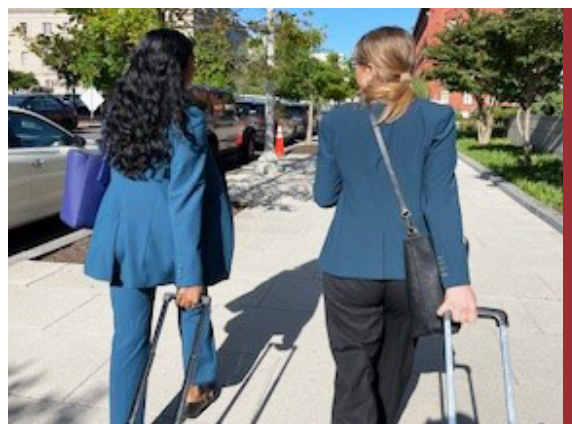
2 Pub. L. No. 91-358, Title III, § 301 (1970); see also D.C. Code §§ 2-1601-1608.

3 Gideon v. Wainwright, 372 U.S. 335 (1963).

D.C. courts.⁴ Because of its resources, well-regarded training program, and knowledge of institutional practice, PDS lawyers handle the most serious criminal cases consistent with the best practices of the legal profession.

PDS also provides legal representation to people facing involuntary civil commitment in the mental health system, as well as to many children in the most serious delinquency cases, and to children who have special education needs in those cases. Every year, PDS attorneys represent clients in the majority of the most serious adult felony cases filed in D.C. Superior Court, clients pursuing or defending against criminal appeals, nearly all individuals facing supervised release or parole revocation under the D.C. Code, and all individuals in D.C. Superior Court requiring representation at Drug Court sanctions hearings. In addition, PDS provides technical assistance to the local criminal legal system, training for CJA and pro bono attorneys, and additional legal services to clients in accordance with PDS's enabling statute. On occasion and under special circumstances—for example, pursuing impact litigation—PDS represents clients in cases related to the above matters in the District's federal courts.

The National Capital Revitalization and Self-Government Improvement Act of 1997 (the Revitalization Act),⁵ enacted by Congress, relieved the District of Columbia of certain “state-level” financial responsibilities and restructured a number of criminal legal system functions, including representation for indigent individuals.



The Revitalization Act instituted a process by which PDS submitted its budget to Congress and received its appropriation as an administrative transfer of federal funds through the Court Services and Offender Supervision Agency appropriation. With the passage of fiscal year 2007 appropriations, PDS began receiving a direct appropriation from Congress. That direct funding continues to this day. In accordance with its enabling statute and the Constitution, PDS remains a fully independent organization and does not fall under the administrative, program, or budget authority of any federal or local executive branch agency.

Since its creation, PDS has maintained a reputation nationally and in the District of Columbia criminal legal system for exceptional advocacy. The strength of PDS has always been the quality of the legal services that the organization delivers. Judges, panel attorneys, prosecutors, and especially clients acknowledge and respect the excellent advocacy of PDS's attorneys, as do public defenders and legal practitioners across the nation.

4 Plan for furnishing representation to indigents under the District of Columbia Criminal Justice Act. D.C. Code § 11-2601 et seq.

5 Pub. L. No. 105-33, Title XI (1997).

PDS Divisions and Services

Legal Services

PDS is a model public defender program that applies a holistic approach to representation, using both general litigation skills and specialty practices to provide complete, quality representation in complex cases. PDS attorneys regularly provide advice and training to each other, and they often form teams of attorneys from across divisions to handle particularly complex cases. This section of the report describes PDS's seven legal services divisions.

Trial Division

Attorneys in the Trial Division provide zealous legal representation to adults in criminal proceedings in D.C. Superior Court and to children in delinquency matters. Attorneys are assigned to cases based on their experience and performance. Over the course of five or six years of intensive supervision and training, attorneys generally transition from litigating juvenile delinquency matters to litigating the most serious adult offenses.

The most seasoned attorneys in the Trial Division handle the most intricate and resource-intensive adult cases. For example, senior PDS attorneys routinely handle cases involving DNA evidence, expert testimony, multiple codefendants, and novel or complex legal issues. This group of highly trained litigators provides representation in the majority of the most serious adult felony cases filed in D.C. Superior Court each year.

Traditionally, less-senior Trial Division attorneys handle difficult or resource-intensive delinquency cases, such as those involving children with



serious mental illnesses or learning disabilities or children facing serious charges. They also handle some general felony cases and a limited number of misdemeanor cases.

Trial Division attorneys also provide representation in a variety of other legal matters through PDS's Duty Day (walk-in program) and the D.C. Superior Court's Drug Court program.

Appellate Division

Attorneys in the Appellate Division handle direct appeals and other appellate litigation generated in PDS cases, provide legal advice to Criminal Justice Act (CJA) attorneys in appellate matters, and respond to requests from the D.C. Court of Appeals for amicus briefs in non-PDS cases involving novel or sophisticated legal issues. Another important function of the Appellate Division is to provide technical assistance and training to other PDS divisions. The knowledge and experience of the Appellate Division attorneys allow them to assist in complicated cases without having to perform long hours of original research each time difficult legal issues arise.

Mental Health Division

The Mental Health Division represents individuals in civil commitment proceedings in the D.C. Superior Court. These individuals include those who have been involuntarily hospitalized upon an allegation that they are likely to injure themselves or others as a result of mental illness and those who have been found incompetent to stand trial because of a

mental illness or intellectual disorder. Attorneys in this division also represent individuals who have been found not guilty by reason of insanity. In addition, they regularly advise local and national advocacy groups, testify before the D.C. Council about legislative reforms, provide critical assistance to Trial Division attorneys, and deliver training for CJA attorneys appointed by the Court to handle involuntary civil commitment cases.

Special Litigation Division

The Special Litigation Division (SLD) handles a wide variety of litigation that seeks to vindicate the constitutional and statutory rights of PDS clients and to challenge pervasive unfair criminal system practices. SLD attorneys practice across division lines—civil and criminal, juvenile and adult, pretrial and post-conviction. They collaborate with their PDS colleagues and with members of the broader legal community with whom they can make common cause. SLD attorneys practice before local and federal trial and appellate courts in the District of Columbia and as amicus in the U.S. Supreme Court.



Parole Division

The Parole Division provides legal representation to more than 95 percent of individuals in the District of Columbia who are facing revocation of their parole or supervised release. The attorneys represent these clients at revocation hearings before the U.S. Parole Commission pursuant to local and federal laws. The majority of the hearings are held at local detention facilities; however, through the development of diversion programs, some take place at locations in the community. To leverage its capacity to assist clients, the Parole Division collaborates with community organizations; with local, state, and federal paroling authorities; and with experts who serve as advocates for incentive-based sanctions that are fair and designed to yield successful outcomes for individuals on parole and supervised release. In addition, the division provides training on matters related to parole and supervised release to members of the D.C. bar, members of the federal bar, attorneys in D.C. law firms that provide pro bono services, CJA attorneys, students in D.C. law school clinics, and law students from throughout the United States who are clerking at PDS. This training educates criminal defense lawyers and law students about the collateral impact of criminal cases on clients who are on parole or supervised release, and it expands the pool of attorneys available to handle those matters that PDS is not permitted to handle under the D.C. Rules of Professional Conduct, to avoid conflicts of interest.

Civil Legal Services Division

The Civil Legal Services Division (CLS) provides legal representation to clients in a wide range of civil matters that

are collateral or ancillary to the clients' involvement in the juvenile or criminal legal system or that involve a restraint on liberty (e.g., certain contempt proceedings). The types of collateral and ancillary civil issues these clients face are complex and almost limitless in number, including adverse immigration consequences, loss of parental rights, loss of housing, seizure of property, and loss of employment. These issues can arise even if the person has been acquitted of criminal charges or was arrested but never charged.

A major component of CLS's diverse practice involves special education advocacy by attorneys with expertise in special education law. The federal Individuals with Disabilities Education Act mandates that students with disabilities receive a free and appropriate public education in the least restrictive environment and that they receive the services and accommodations they need to meet agreed-upon educational goals. Special education advocacy is a cornerstone of CLS's practice because of the vital importance of education and the pressing special educational needs of many court-involved youths.



Civil Legal Services Division

All of this division's legal work is done in close collaboration with other PDS divisions to identify clients' civil legal needs and to provide effective representation to address and resolve their civil legal problems.

Community Defender Division

The Community Defender Division (CDD) supports PDS's holistic approach to public defense by providing services through specialized programs for adult and juvenile clients who are facing the challenges and collateral consequences of criminal and juvenile legal system involvement. This includes people who have been arrested, people who are charged in D.C. Superior Court, people who are currently incarcerated, and people who have been recently released from detention and incarceration.

For adult clients, CDD's Prisoner & Reentry Legal Services Program (PRLS) responds to the legal and related social services needs of people whose lives have been affected by their interaction with the D.C. criminal legal system. PRLS serves individuals who are in the community or are housed

either at institutions operated by the D.C. Department of Corrections (DOC) or at institutions operated throughout the nation by the Bureau of Prisons (BOP). PRLS services include legal representation of clients at administrative hearings in DOC facilities and at parole grant hearings and other release-related matters in BOP facilities. PRLS also advises and advocates on behalf of people convicted of D.C. Code offenses whose prison sentences and release dates were incorrectly calculated by jail and prison officials.

PRLS attorneys also represent clients in legal matters resulting from the myriad collateral consequences of their criminal cases. They advocate and litigate on behalf of people as they reintegrate into the community, including, for example, those seeking to seal their criminal records. They advocate for the U.S. Parole Commission's exercise of its statutory discretion to terminate parole or supervised release and work to remove legal barriers to occupational licensing, employment, education, and housing. In addition, PRLS works closely with community-based organizations to



Community Defender Division

provide clients with comprehensive reentry services.

For youth clients, CDD’s Juvenile Services Program (JSP) serves young people who have had contact with the juvenile legal system as well as youths charged as adults in the adult criminal legal system. JSP represents youths at administrative due process hearings, provides in-person legal consultations for children in the District’s youth detention centers, and works with community organizations to develop reentry programs that address the unique needs of children. In addition to staffing legal rights offices inside the District’s two secure juvenile facilities, JSP visits local group homes and foster care homes to offer legal assistance to youths who are committed to the D.C. Department of Youth Rehabilitation Services. JSP also visits young clients placed in long-term residential facilities all over the United States. Because these clients—children who are placed in facilities far from home—rarely, if ever, have post-adjudication visits from the attorneys who were appointed to represent them in their underlying juvenile matters, maintaining this in-

person contact is critical to ensuring that their legal needs are addressed and that they are not being subjected to improper treatment.

Legal Support Services

Legal Support Services is composed of various professionals throughout PDS, including investigative specialists, forensic social workers and professional counselors, eligibility examiners, a multilingual language specialist, a law librarian, and several legal assistants and paralegals. These professionals work closely with attorneys on individual cases.

Defender Services Office

The Defender Services Office (DSO) supports the appointment-of-counsel system (1) by determining the eligibility for court-appointed counsel of virtually every child and adult arrested and brought to the D.C. Superior Court and (2) by coordinating the availability of CJA attorneys, law school clinic students, pro bono attorneys, and PDS attorneys for appointment to new cases. The DSO operates six days a week, including holidays.





Investigations Division

The Investigations Division supports all the legal divisions of PDS, in particular the Trial Division, by providing thorough and professional investigative work, which includes locating witnesses, conducting field interviews, taking written statements, collecting and assessing digital evidence from many sources (e.g., security camera footage, cell phone records, gunshot detection technology, and GPS records), serving subpoenas, collecting police reports, copying court and administrative files, and preparing exhibits for trials and other hearings. In addition to producing exceptional investigative work in PDS cases, the staff conducts initial and ongoing training for court-certified CJA investigators, who provide investigation services to the CJA attorneys.⁶ The investigative specialists are also frequently asked to share their expertise as panelists at conferences for defense investigators.

Office of Rehabilitation and Development

The Office of Rehabilitation and Development (ORD) is composed of experienced, licensed forensic social

workers and professional counselors. These professionals are skilled specialists who, among other services, provide the D.C. Superior Court with information about viable community-based alternatives to incarceration. Because ORD staff members are well-versed in all D.C.-area rehabilitative programs (e.g., drug treatment, job training, education programs, parenting classes), they are frequently asked to provide consultation for judges, CJA lawyers, and others in the legal system.



⁶ The CJA website can be found at <http://www.cjad.org/>.

Legal Assistance

A small group of legal assistants and paralegals work on cases and projects within the various legal divisions. Their duties include preparing affidavits and correspondence, discussing case details with attorneys and clients, and organizing electronic files for various legal proceedings.

Legal Resources and Research

A law librarian manages PDS's specialized collection of legal resources and electronic access to legal research, provides legal research support and training, and assists with content development for the PDS website, which provides services and resources for CJA attorneys.

Multilingual Language Services

A multilingual language manager facilitates PDS's communication with its non-English-speaking clients, translates legal literature and related documents, and provides access to interpreters of all languages through a phone interpretation company or in-person interpretation with vetted experts.

Executive & Operational Support Services

These services combine strategic direction from the Executive Office with the essential support of administrative and technical services, equipping PDS with the leadership, structure, and technical expertise needed for efficient daily operations.

Administrative and Technical Services

PDS has four divisions that provide technical and administrative assistance to PDS staff. Though small, these divisions support the overall effective functioning of PDS, using internal expertise along with outside contractor support. The divisions include the offices of Budget and Finance, Human Resources, Information Technology, and Administrative Services. In coordination with individual attorneys and the PDS executive staff, these divisions provide services that include procurement of expert services for individual cases, financial accountability, development of strategies for enhancing PDS's human capital, recruitment, management of the electronic case management system, maintenance of PDS's IT infrastructure, facilities management, and copying and supply services.



Executive Office

The Executive Office provides the vision, guidance, and support required to manage the day-to-day and long-term needs of PDS's clients, its dedicated staff, and the organization. Its functions include strategic planning, legal counsel, legislative guidance, policies and procedures, external committee representation, legal recruitment, mentoring, communications, and digital strategy.

Although PDS consists of several divisions, the work of each group and each employee is valued for the manner in which it enhances direct client representation. PDS's single-program approach allows it to manage and adjust its staffing to bring the ideal mix of general skills and specialized expertise to each case according to the client's needs.



Year in Numbers

PDS **worked on** approximately **17,000 matters** across divisions in FY 2025:



3,522

Trial Matters



1,402

Post-Conviction
(adult) Matters



729

Parole Matters



1,509

Drug Court Matters



2,199

Mental Health Matters



297

Special Litigation
Matters



186

Appellate Matters



2,469

Duty Day (adult)
Matters



361

Civil Matters



3,276

Duty Day (juvenile)
Matters



879

Pre- and Post-Disposition
Matters

- The Trial Division **won** full **acquittals** or favorable **mixed verdicts** in **68 percent of jury trials**.
- The Appellate Division **secured reversals** at a rate of **63 percent**.
- The Parole Division either **won** outright reinstatement or a mitigated **outcome** in **76 percent** of its cases.

Client Stories

While the number of cases won or the number of clients released from jail or hospitalization measures a certain type of success, PDS prides itself on its holistic approach to client representation. It is this comprehensive advocacy that makes a difference in clients' lives and upholds the values enshrined in the constitutional mandate of effective assistance of counsel.

The following stories illustrate the excellent client advocacy provided across PDS divisions in FY 2025:

Trial Division

While winning trials is one clear example of effective advocacy, making the prosecution aware of factual or legal weaknesses in its cases is also a critical aspect of effective defense practice. PDS makes use of this approach to achieve success in plea negotiations and to attain outright dismissal by the prosecution in a substantial number of cases.

The majority of criminal cases are eventually resolved through plea negotiations; however, when the client chooses to exercise their right to go to trial, PDS's advocacy on their behalf is exemplary. The following cases highlight some Trial Division successes in FY 2025.

The Case of CF: An innocent client, CF, was accused of selling drugs to an undercover police officer. Although he was in the same car as the actual perpetrator, CF did not participate in the transaction or know anything about it. When police arrived, the actual perpetrator fled, and CF was arrested

instead. The undercover officer wrongly identified him as the suspect, and other officers provided similarly inaccurate statements in a detention hearing and to the grand jury. PDS investigators obtained surveillance footage from a nearby McDonald's, which clearly showed that CF had never interacted with the undercover officer. The PDS lawyer arranged a meeting with the prosecutor and walked him through the footage. Within a week, the charges were dropped.

The Case of SE: SE was accused of a shooting at a local business even though no witnesses had identified him as the perpetrator. Surveillance footage from the business captured the actual shooter, but a week later, SE was arrested for second-degree murder. SE's legal team conducted an exhaustive investigation, gathering footage from 17 cameras around SE's apartment complex and nearby businesses. Meticulously reviewing the recordings, the team demonstrated that SE could not have



Legal Assistants

been at the crime scene. In fact, the footage confirmed that SE was inside his apartment building during the shooting. After presentation of a frame-by-frame analysis proving SE's innocence, the government dismissed the case and filed an emergency motion to release him.

The Case of EM: EM became involved in the juvenile delinquency system largely due to his untreated schizophrenia. EM's team arranged for a psychiatrist, secured insurance coverage for his care, and connected him with community-based, wraparound services, including medication management. With the help of the holistic, client-centered approach of his defense team, EM is now on a positive and promising path, feeling stable for the first time in his life and working at a local restaurant.

Office of Rehabilitation and Development

Forensic social workers work across legal divisions to help PDS clients in a number of ways including by formulating reentry plans, writing

sentencing and mitigation reports, connecting clients with mental health treatment, and supporting clients with their mental health needs as they navigate the criminal legal system. In FY 2025, PDS clients relied on ORD staff help in a multitude of ways.

The Case of MC: MC, a 59-year-old man, became a PDS client in July 2023. At that time, he was homeless, without family or other support in the D.C. area, and suffering from severe psychiatric instability and cognitive impairments. He had never before received treatment. Through the advocacy of his PDS lawyer and social worker, a plea was secured that led to his release after more than a year of incarceration. Since MC's release, a PDS social worker has worked closely with him to build stability—securing housing; connecting him to medical care, mental health services, and substance use services; and providing crisis intervention when needed. Because of the strong rapport the social worker developed with MC, she was able to recognize when he was headed toward crisis and ensure timely



Office of Rehabilitation and Development

intervention and hospitalizations, preventing further deterioration and protecting community safety. Through a community-based transitional housing program, MC now has regular access to supportive services and psychoeducational classes. Today, he is thriving in the community, remains in close contact with his PDS social worker, and often refers to her as family.

The Case of JS: ORD social workers work with Trial Division attorneys for clients facing new charges and with Parole Division attorneys for clients returning to society after a prison term. In FY 2025, ORD staff supported a PDS client, JS, who had been searching for stable housing since his release from Bureau of Prisons (BOP) custody in FY 2023. With no remaining family in the D.C. area or in any other jurisdiction, JS faced significant barriers to reentry. ORD staff helped him reinstate his Social Security benefits and connected him with several nonprofit housing providers, ultimately securing a place for him to live. They also supported his reconnection to mental health and substance use treatment in the community and linked him with the National Reentry Network for Returning Citizens for job training and mentoring. Finally, ORD assisted JS in securing senior housing, providing him with long-needed stability and a foundation for rebuilding his life.

Special Litigation Division

The Case of RS: RS was released after spending the majority of his adulthood incarcerated. Over the course of his incarceration, RS had been transferred 30 times across 16 different BOP facilities, often facing brutal conditions including being deprived of essential

medical care. Despite this instability, he grew into a leader behind bars and earned praise from staff for being both an “asset” and a “guide” for younger incarcerated people. For someone who had spent decades incarcerated, the challenges to a positive reentry into society are immense. RS struggles with chronic medical conditions and reads at a fourth-grade level, but his PDS reentry team—led by his forensic social worker—surrounded him with comprehensive services. Even before his release from prison, RS’s PDS social worker secured transitional housing through Clean Decisions, ensuring that he had immediate access to housing upon his release. The team also enrolled him in public benefits and Medicaid, scheduled medical appointments, and accompanied him to urgent visits to address health needs that had been neglected in prison. They helped him obtain a government ID at the READY Center and connected him with case managers at Catholic Charities, the Mayor’s Office of Returning Citizens Affairs, and Voices for a Second Chance, who are assisting him with long-term housing, vocational training, and job and benefits applications. Recognizing RS’s educational needs (as he had received special education services prior to incarceration), his team enrolled him in an adult public charter school, where he is working toward literacy. They also introduced him to peer support groups, which he now attends several times a week. Thanks to these efforts, RS is rebuilding his life with stability, support, and renewed purpose.

The Case of CD: Special Litigation Division attorneys represented CD, who was serving a lengthy sentence in a BOP facility. Despite the length of his sentence, CD became an extraordinary contributor to his prison community.

He earned recognition from a range of people—from his BOP culinary instructor to a college professor—for his “positive presence” and “gifted” leadership. CD helped run rehabilitative programs, served as a mentor and tutor in the education department, and taught many individuals to read and write. The PDS team compiled evidence not only of CD’s remarkable achievements in prison but also of the traumatic and unstable circumstances he had faced as a young person prior to the offense. They also developed a detailed reentry plan built on the relationships CD had maintained outside of prison that would support him once he was released.

Upon CD’s release, the PDS team connected him with local organizations serving returning citizens, including MORCA, Samaritan Ministries, Changing Perceptions, and Voices for a Second Chance. They helped him obtain a Social Security card and a state ID and enroll in SNAP and Medicaid. Additionally, the team connected CD with job training programs through the D.C. Department of Employment Services and the United Planning Organization, helping him transition successfully back into the community. CD is currently employed and involved with programs focused on encouraging young people to remain crime free.

Community Defender Division, Prisoner & Reentry Legal Services

PDS has walk-in and call-in clients who reach out to PDS daily with a variety of legal questions and requests for assistance for other problems that impact their lives. Many of these issues relate to sealing old arrest and conviction records that are impacting the person’s ability to find employment or receive services. Other

common requests involve reevaluating probation or parole conditions that have been improperly imposed or are no longer relevant and securing referrals to other social and legal resources. The following cases provide examples of the assistance PDS provided in FY 2025:

The Case of KY: PRLS represented a client, KY, who was denied admission to become a D.C. firefighter/EMT because of their prior criminal history. Upon reviewing their records, the Duty Day attorney discovered that one arrest had actually been dismissed and the other charge had been set aside after a successful completion of probation. PDS obtained the set-aside certificate, which showed that the conviction—cited as the main reason for denial—was no longer valid. A Community Defender Division lawyer then submitted a letter clarifying that KY had no convictions, supported by letters of recommendation from their current employer, WMATA, and from D.C. firefighters. After reviewing this evidence, the D.C. Fire Department approved KY to apply to the Fire Academy. They are now moving through



the application process and are eager to begin serving the community as a firefighter/EMT.

The Case of AB: Duty Day client AB faced retaliation from his landlord, who had falsely accused him of a crime in order to cover up the landlord's own failure to remedy severe housing condition violations. The landlord's motive was clearly to discredit AB, a parolee, in response to AB's multiple, documented complaints to the Department of Consumer and Regulatory Affairs, which had placed the landlord under scrutiny. PDS lawyers conducted a meticulous investigation, uncovering that there was no evidence of the alleged crime. They brought the case before the Parole Commission, where their advocacy ensured that AB remained in the community.

Community Defender Division, Juvenile Services Program

In FY 2025, JSP achieved successful outcomes in every Community Status Review Hearing it handled. Over the years, JSP has consistently advocated with the Department of Youth Rehabilitation Services (DYRS) to prioritize alternatives to incarceration and community removal. By partnering

with DYRS, local programs, and mental health counselors, JSP developed release plans tailored to each client's needs. These plans maximize the chances that youths will receive the services necessary to avoid reoffending and to succeed as productive members of the D.C. community.

In FY 2025, JSP represented securely detained youths in 334 institutional disciplinary hearings. In 80 percent of those cases, JSP was successful in preventing sanctions that would limit the few privileges and opportunities offered for appropriate youth development and that would exacerbate the trauma experienced due to incarceration. This is a laudable statistic, particularly because the hearing officers are employees of DYRS and multiple incident reports, written by other facility staff, were submitted to the hearing officers in support of each alleged incident.

The Case of KM: When a JSP staff attorney represented KM at his Community Status Review Hearing, they quickly realized there was much more to understand about his situation. During meetings with KM, the attorney noticed that he seemed withdrawn and deeply sad. Further exploration revealed that



Juvenile Services Program

KM had endured a long history of abuse and trauma and had effectively been separated from his family without any clinical support to facilitate therapeutic reunification. Compounding these challenges, KM’s educational needs had been severely neglected.

At the hearing, the JSP attorney mounted a thorough and compelling defense, ensuring that KM’s mother could participate. Her involvement was critical: She testified about the family’s history of trauma and affirmed her commitment to supporting KM moving forward. As a result of the hearing, KM was returned to his mother’s care with comprehensive supports in place to promote a successful reentry.

The Case of TR: PDS’s juvenile client TR spent months in “awaiting placement” status due to what seemed like unending rejections from residential treatment facilities. TR had witnessed other youths leave the juvenile prison while TR waited for months on end. Due to TR’s family’s struggles with housing instability and substance use, family placement was impossible. As the months rolled on, TR decompensated, and their poor behaviors increased. A JSP staff attorney stepped in, becoming TR’s steady anchor. TR began “programming,” confidently telling anyone who would listen that their lawyer would be with them every step of the way. The attorney visited regularly, encouraged TR, pushed DYRS to be thoughtful in discharge planning, advocated for TR’s educational needs, and helped TR maintain family connections despite their challenges.

With this support, TR not only successfully completed the program but also graduated from high school. In their graduation speech, TR made a

point to thank the PDS lawyer for always being there.

Mental Health Division

In FY 2025, Mental Health Division attorneys secured the release of 99 percent of clients who appeared at contested and non-contested probable cause hearings. When PDS prevails at these hearings, clients who should not be hospitalized involuntarily retain their liberty and hospital resources are then available for the persons who are most in need of them.

The Case of SP: In FY 2025, Mental Health Division attorneys played a pivotal role in helping their client SP accept essential mental health services and secure stable housing for both himself and his mother. SP had been criminally charged but was ultimately found incompetent to stand trial and not restorable. The government then sought his inpatient civil commitment. At the time, SP and his mother—who also served as his legal guardian—were unhoused, and SP insisted on continuing to live with her on the streets.

Although he was eligible for services from the Department on Disability Services (DDS), including his own apartment,



SP's deep loyalty to his mother had long prevented providers from fully engaging with him and ensuring that he received the support he needed.

That changed through PDS support: SP's PDS attorney worked tirelessly to build his trust and helped him reflect on his own wants and needs. As a result of the attorney's advocacy, DDS agreed to provide SP services, and the Office of the Attorney General ultimately dismissed its case. Today, SP is off the streets, has stable housing, and is receiving the mental health support he needs to remain safe while also ensuring the safety of the community.

Appellate Division

In addition to representing its own clients, PDS's Appellate Division assisted the D.C. Court of Appeals (the Court) by participating as *amicus curiae* ("friend of the Court") in a number of cases. Serving in this role, often at the request of the Court, enables PDS to share its expertise on complex or novel legal issues, helping the Court reach decisions that protect

the rights and interests of all persons charged with crimes in the District of Columbia, including PDS clients.

In *Turner v. United States*, 23-CF-784, the Court of Appeals sought to determine under what circumstances a person can lose their right to self-defense through "provocative" acts. At issue is whether the Court should overrule the holding of a 1919 case that has made the District of Columbia an outlier when it comes to self-defense doctrine. PDS submitted a brief in July 2025, urging the Court to reject the unduly broad forfeiture-by-provocation doctrine and accept the widely accepted rule for forfeiture of self-defense.

In *In re Thompson*, 24-FM-189 and 24-FM-190, PDS filed an amicus brief challenging a civil commitment order where the trial court relied on the statement of a guardian ad litem, appointed with no statutory authority, to waive the due process rights of Ms. Thompson, who wanted to challenge the government's attempt to commit her. After PDS filed its brief in this case, the government conceded error



and the Court vacated Ms. Thompson’s commitment order.

PDS’s Appellate Division was also instrumental in arguing three important Second Amendment cases:

- PDS participated in the oral argument in ***Benson v. United States***, 23-CF-514, contending that the District of Columbia’s firearm registration and licensing scheme violates the Second Amendment, as does its statute prohibiting the possession of a large-capacity ammunition feeding device (defined as any firearm magazine capable of holding more than 10 rounds of ammunition). Although the United States originally defended the constitutionality of the statutes, in July 2025, it filed a letter with the Court agreeing with PDS that the District’s prohibition on possession of large-capacity magazines violates the Second Amendment.
- PDS also filed a brief and participated in argument as amicus curiae in ***Picon v. United States***, 23-CF-344. This case presented a constitutional issue of first impression in the District of Columbia Court of Appeals concerning whether the District of Columbia’s restrictions on the possession and carrying of firearms and ammunition by adults under the age of 21 violate the Second Amendment under the text-and-history test set forth by the Supreme Court in *New York State Rifle & Pistol Association v. Bruen*, 597 U.S. 1 (2022).
- In addition, PDS filed an amicus brief in ***Carruth v. United States***, 23-CF-387. In this case, an Ohio resident had been stopped for a traffic violation in the District of Columbia. After he informed the officers that he had a rifle—which

was unloaded and in a padlocked case on the floor of his truck—he was arrested for unlawful possession of the rifle. PDS’s brief addressed two issues: (1) whether the District’s statute, which prohibits the carrying of a rifle outside the home for self-defense, violates the Second Amendment and (2) whether a rifle must be “convenient of access and within reach” to be “carried” within the meaning of the statute prohibiting the carrying of rifles.

Civil Legal Services Division

The Case of KS: KS, recently released after many years in prison, faced eviction for nonpayment of rent in an apartment where the ceiling had collapsed. PDS’s Civil Legal Services Division intervened quickly, compelling the landlord to repair the ceiling and forgive a substantial portion of the rent arrears. As a result, the eviction case was dismissed, and the client was able to maintain stable housing, allowing him to continue his transition back to the community and remain securely employed.

The Case of HR: HR, who had spent decades in prison, discovered upon his release that his identity had been stolen. PDS’s Civil Division assisted him in resolving the theft. The Civil Division also helped HR later when he was taken advantage of by a predatory consumer lender. In this instance, HR—who was working three jobs—had needed a car for reliable transportation. Lacking a credit history, he was forced into a loan with exorbitant interest rates, and the lender continued charging him even after he had refinanced and paid off the balance. The Civil Division intervened and successfully had the alleged debt discharged and waived, eliminating the lender’s threat of a collection lawsuit.

The Cases of CH and KP: In August, CH and KP, two special education clients, graduated from high school after years of being denied the education they were entitled to during the pandemic. A settlement and further efforts by PDS helped them get the educational support they needed to reach this goal.

At the time when they should have been earning credits toward graduation, CH and KP had instead been confined to their cells for 23 hours a day. Rather than receiving specialized instruction from D.C. Public Schools (DCPS) teachers, they were given only worksheets. As a result, they aged out of special education without the services they needed to complete their coursework.

Through the Charles H. class action settlement,⁷ CH and KP became eligible for extended enrollment. A special education attorney uncovered their expired Individualized Education Programs (IEPs) and email communications with DCPS, proving that they were members of the class and entitled to relief. Both clients worked to complete their credits while housed in the jail's medical unit. One client, even after being stabbed during incarceration, continued submitting assignments. The other pushed himself to finish school so that he could make his family proud. His perseverance was recognized publicly when The Washington Post featured a photo of him and his mother smiling as he received his diploma. During his graduation speech, he credited his special education attorney, stating that he would not be standing there without her support.⁸

Parole Division

The Parole Division historically represents clients who are facing revocation of parole or supervised release. In FY 2025, PDS represented 550 clients at probable cause and revocation hearings and was able to get 207 clients fully reinstated to parole or supervised release. For cases that advanced to a final hearing, PDS won either outright reinstatement or a mitigated outcome in 76 percent of those cases.

Legal Representation at Superior Court Drug Intervention Program

In FY 2025, PDS participated in 1,509 matters in the Superior Court Drug Intervention Program, commonly known as Drug Court. Recognized nationally as a model for addressing substance use among individuals charged with low-level offenses, Drug Court provides intensive outpatient treatment, multiple weekly drug tests, regular court check-ins, and mentorship from peers who have overcome addiction. The program, which can last from six months to three years, offers participants a structured path to recovery in place of incarceration. PDS's representation included daily status and sanction hearings as well as treatment group hearings for individual clients. In FY 2025, 46 clients successfully achieved sobriety and graduated from the program. Thanks to the dedicated advocacy of PDS's Drug Court attorney, these 46 clients are now living substance-free and collectively avoided more than 460 days of incarceration. Their success demonstrates that choosing treatment over imprisonment not only saves lives but also is cost effective and reduces recidivism.

7 Settlement Agreement, Charles H. v. District of Columbia, Civ. No. 21-00997 (D.D.C. Sept. 25, 2023), ECF No. 191-1.

8 <https://www.washingtonpost.com/dc-md-va/2025/07/31/dc-jail-graduate-high-school/>

System Reform

In FY 2025, PDS staff continued to manage significantly increased and complex caseloads while safeguarding fundamental constitutional rights. While budget challenges remain, we are hopeful that the coming fiscal year will bring financial stability—allowing us to retain qualified staff, properly compensate employees, and continue serving the D.C. community effectively. Importantly, any effort to address violence in the District of Columbia must include services and resources that respond to the social and mental health issues community members regularly confront.

This understanding informs PDS’s work across all divisions and is instrumental to our success. For example, lawyers in the Special Litigation Division (SLD) continue to defend the constitutional

rights of PDS clients by seeking nonmonetary injunctive and other forms of relief, including in the following cases:

- **Robert Carter v. United States Parole Commission**, 25-cv-207 (filed June 2025), involved a parolee with no new criminal violations who, with his parole officer’s support, entered long-term drug treatment. Despite the officer’s recommendation that Carter remain on parole to continue recovery, the Commission sent him to prison, citing treatment availability there, even though Bureau of Prisons (BOP) programs are chronically understaffed and have waitlists. SLD lawyers challenged this through a habeas petition, relying on *Tapia v. United States*, 564 U.S. 319 (2011), which bars imposing prison for rehabilitation,



and subsequent rulings, which extended that principle to supervised release. In a case of first impression, the Court applied *Tapia* to D.C. Code supervised release cases, held that the Commission had violated the rule by imposing a two-year prison term, and ordered it to promptly reconsider Carter's sentence or release him.

- In ***Love v. BOP***, 24-cv-2571 (filed January 2025), PDS sued to end the BOP's unfair treatment of people sentenced in D.C. Superior Court, who are routinely sent to higher-security prisons and burdened with harsher conditions than similarly situated individuals sentenced in federal court. Although the government, throughout the course of this litigation, had indicated that a policy change was "just weeks away," it subsequently moved to dismiss the suit, relying on weak procedural arguments, vague promises of reform, and even a half-hearted defense of the policy itself. PDS's opposition to the dismissal motion made it clear that this injustice could not be swept under the rug. The Court denied the government's motion to dismiss, concluding that the government had

"misunderstood" the nature of the injury and "mistaken" the applicable legal standards. This result continues to put pressure on the BOP to finally end its unlawful and discriminatory treatment of our clients.

In FY 2025, PDS's Appellate Division continued to litigate cases raising significant legal issues, including ***In re G.W.***, WL 1706038 (D.C. 2025), holding that the Interstate Compact on Juveniles—to which the District of Columbia is a signatory and which establishes procedures to coordinate the resolution of charges when juveniles have matters pending in multiple jurisdictions—did not authorize detention in a situation where no court had ruled that detention was necessary, that the advisory opinion contending otherwise was due no deference and was wrong, and that any contrary interpretation would violate the United States Constitution; ***In re R.W.***, 334 A.3d 593 (D.C. 2025), aligning the District's Fourth Amendment law with established Supreme Court precedent; and ***Smith v. United States***, 18-CO-289, delineating the obligations of the trial court when analyzing challenges raised about discrimination by litigants during jury selection.



Training & Mentoring

Every year, PDS provides comprehensive training opportunities to prepare court-appointed lawyers for the courtroom and for the responsibilities of a public defender. Highlighted below are the FY 2025 accomplishments of PDS's Appellate Consultation and Assistance Program for Criminal Justice Act (CJA) attorneys.

Appellate Consultation and Assistance Program for CJA Attorneys

In FY 2025, the PDS-CJA Appellate Consultation and Assistance Program (Program) had another successful year of collaboration between the PDS and the D.C. CJA panel attorneys, punctuated by strong advocacy, appellate victories, and training opportunities. Beginning with its mooting component, the Program assembles a panel of volunteer PDS and CJA attorneys to conduct "moots," by playing tough judges in a simulated oral argument to prepare for the attorneys' upcoming oral argument. The Program conducted 19 appellate moots for 16 oral arguments for the D.C. Court of Appeals. Of eight cases subsequently decided via published and unpublished opinions, three included favorable outcomes through grants of new trials, reversals of adverse decisions, and remands to lower courts.

Quotes from CJA Appellate Lawyers

“As a criminal justice attorney on the DC Court of Appeals appellate panel, I can attest to the invaluable support provided by the DC Public Defender Service. It is 100 percent easier and more efficient to do my job and to advocate on behalf of my clients because of the support provided by the appellate program.”

“The CJA program is essential to my work as a CJA attorney handling trials in serious matters in DC Superior Court. As a sole practitioner, I simply do not have the resources to take on novel or research heavy issues that can arise in criminal cases.”

“Working with the PDS appellate program has been extraordinarily beneficial to my practice as a CJA attorney. It has consistently been a reliable resource for knowledge on both the substantive and procedural aspects of the law and legal practices in the District of Columbia. I often use the program as a first point of contact when faced with a novel or complicated legal situation or attempting to refresh my understanding of a particular issue, and it has reliably provided quick and accurate answers that allow me to give the best representation I can to my CJA clients.”

Awards & Recognition

We are proud to recognize the following staff members who have been honored by distinguished organizations for their outstanding legal contributions and professional excellence.

Natalie P. Epps, Deputy Chief, Parole Division, was a co-recipient of the **2025 Kutak-Dodds Prize**. The Kutak-Dodds Prize for public defense recognizes the extraordinary contributions to advancing access to justice and racial equity. It is awarded to attorneys who have significantly contributed to the human dignity and quality of life of individuals unable to afford legal representation.

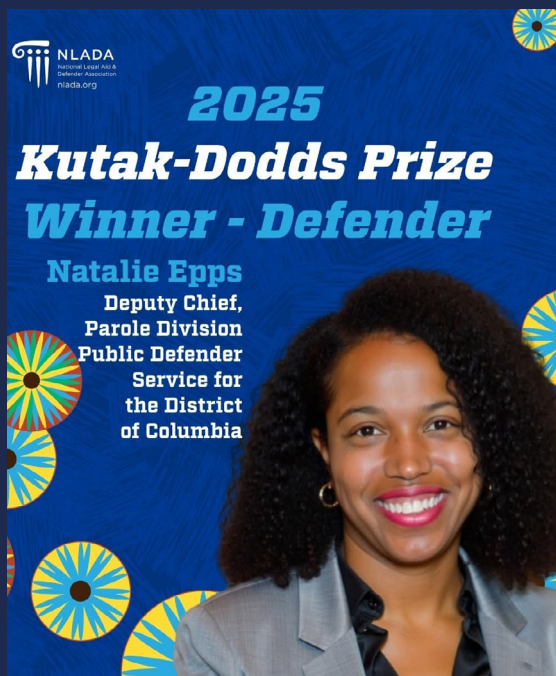
“ Natalie ... demonstrate[s] an incredible commitment to a fair, equitable legal system for those in need of legal assistance. [Her] efforts are an inspiration. ”

— April Frazier Camara,
NLADA President & CEO

Brittany Mobley, Deputy Chief, Juvenile Services Program, Community Defender Division, was awarded a distinguished **2025 Robert E. Shepherd Award** for her excellence in juvenile defense leadership and service by The Gault Center.

“ Brittany is the embodiment of a servant leader who lives out the mission of this work. Brittany’s advocacy is fierce yet disarming. She is relentless in her defense, but personable in her approach. ”

— Tiffany Reid,
PDS Staff Attorney



Community Outreach

Everything we do at PDS is with the resolve to have a positive lasting impact on the lives of our clients, their families, and our community. While PDS connects with D.C. community members and organizations every day through its legal and support services, the five highlighted efforts below demonstrate some of our most impactful and rewarding community work.

Duty Day Program

Every business day, PDS offers a walk-in and telephone service (“Duty Day”) to help our community with legal and collateral matters, such as responding to an outstanding arrest warrant, providing representation in grand jury matters, assisting persons preparing for reentry into their community, assisting persons preparing for confinement, responding to questions about involuntary and civil commitment, recommending mental health and immigration services in the District of Columbia, and recommending free and low cost social programs and services. When PDS cannot provide assistance, outside service referrals will be recommended.

The Duty Day program also assists D.C. bar members with legal and social service questions to support their clients.

Coats Not Cuffs: Keeping Our Kids Warm and Informed

PDS hosted its first-ever “Coats Not Cuffs: Keeping Our Kids Warm and Informed,” a winter pop-up sharing warmth, cocoa, and youth rights. Activities and resources included the

distribution of gently used or new winter coats donated by the community, a hot cocoa station, a youth rights flyer, and a discussion about youth rights.



Collaboration with the Returning Citizen’s Assistance Network (RCAN)

The Returning Citizen’s Assistance Network (RCAN) is a network of members of DC’s faith community that was organized specifically to support PDS clients. The network comprises members of over 15 churches and synagogues. RCAN is a lifeline for many of our clients and their families, assisting with rent, utilities, food, clothing, new cell phones, court fines, declarations of support for Incarceration Reduction Amendment Act clients, mentoring, and other critical assistance. RCAN’s kindness throughout the year provides support in a multitude of ways, including the Prison Friendship Project, a project that supports PDS clients incarcerated in the BOP by corresponding with them, sending them books, and making periodic deposits in their



Returning Citizen's Assistance Network Visits with PDS

commissary account. RCAN also supports these clients through a bicycle donation program and the donation of thoughtful gifts. During the winter holiday season, RCAN and one of the constituent congregations, Holy Trinity, make the holiday wishes of over 20 PDS client families and their children come true. During the holidays, RCAN also makes commissary account deposits for 35 PDS clients serving sentences in the BOP and sends each person a holiday letter.

We are truly thankful for RCAN's ongoing commitment to helping our community, and we look forward to continuing to work together to make a positive impact.

Second Chance, Second Hand

In the spring, PDS held its third annual "Second Chance, Second Hand" at the Big Chair in the District of Columbia. In the spirit of second chances—because everyone deserves one—we brought together our community members and organizations to provide free legal services.

These free services included information on juvenile and criminal record sealing

and expungement; a PDS "Duty Day" info desk for criminal legal and collateral matters; housing resources; and special education, family law, and other civil legal information. Other free activities, donated by community organizations, included lunch, a clothing and household goods market, a DJ set, and dancing.

We were so proud to serve our East-of-the-River community with these valuable resources and to celebrate the power of second chances.





PDS Staff Organizers and Volunteers at Second Chance, Second Hand

Attracting the Next Generation of Public Defenders

During the summer, PDS hosted its first-ever “Building a Pipeline Through Internships: A Day in a Life High School Symposium” for local high school students. At this event, students could learn about the work of public defenders. The students met some of our attorneys and investigators; spoke with law clerks and interns; and explored the world of criminal defense through workshops, conversations, and role-playing activities.

Students even toured the D.C. Superior Court and met with the chief judge and the deputy of the criminal division! It was an inspiring day filled with learning and exposure to the life-changing work of public defense.

Watching the students engage with the curriculum, ask brilliant questions, and get excited about the path to becoming a public defender was so rewarding! This was more than just a career day for high school students—it was a window into justice, service, and possibility.



“A Day in a Life” High School Symposium

Looking Ahead

At the heart of PDS's mission is the defense of individuals facing the loss of their freedom. Each year, PDS's dedicated team of lawyers, investigators, forensic social workers, and support staff tackles thousands of cases involving involuntary commitment, parole revocation, and criminal and juvenile delinquency. These cases are often adversarial, with skilled opponents from the D.C. Office of the Attorney General and the U.S. Attorney's Office for District of Columbia. A fair justice system relies on all its parts—judges, prosecution, and defense—playing their roles effectively. PDS is crucial to ensuring that every case, whether it ends in a plea deal or goes to trial, is

thoroughly investigated and discussed with the client. When cases go to trial or administrative hearings, PDS ensures that they are fought vigorously, aiming for a full and fair examination of evidence.

Whatever the outcome or type of case, PDS's goal for each client is competent, quality representation. Adequate financial support for PDS's services is essential to assist the District of Columbia in meeting its constitutional obligation to provide criminal defense representation in the District's courts, to ensure the reliability of the results, to avoid costly wrongful convictions, and to ensure that due process protections are in effect before anyone loses their liberty.



Recruiting

Tribute to Mark Rochon

On October 3, 2025, we lost PDS Champion of Liberty Mark Rochon, a former PDS training director and staff attorney.

Mark was so much more than a brilliant lawyer; he was a family man, a joy to be around, endlessly funny, and one of the most generous souls any of us could hope to know. His stories are legendary here at PDS, and his spirit of kindness, courage, and conviction left a lasting imprint on everyone fortunate enough to work beside him.

Mark began his legal career at PDS in 1983 and quickly rose to be the chief of the Trial Division. After PDS, with other PDS alumni, he ran a small firm known for trying and winning the most challenging criminal cases. Thereafter, Mark went on to have an extended tenure as partner at Miller & Chevalier. He also founded or served on the boards of Gideon's Promise, JusticeAid, and Rising for Justice.

Mark loved sharing stories about the old days at our former office building at 451 Indiana Avenue (in the basement of the D.C. Court of Appeals), always reminding us that “once PDS, always PDS.” His belief that this community of people—united by love for our clients, our work, and the fight—was something truly special, and he never wavered.

Mark will be deeply missed by his PDS community. His brilliance, humor, generosity, and love for justice made PDS a better place. Mark leaves us with an incredible legacy and the light he brought into our world.

Our thoughts are with Mark's loved ones, his wife, Page, and children, Georgia and Alex. We hope they can take comfort in knowing that Mark's influence will continue through the countless lives he touched.



“Mark was so much more than a brilliant lawyer; he was a family man, a joy to be around, endlessly funny, and one of the most generous souls any of us could hope to know.”

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(301) 918-8200
FACSIMILE (301) 918-8201

Independent Auditor's Report

Chairperson, Board of Trustees
Director, Public Defender Service for the District of Columbia

Report on the Financial Statements

Opinion

Pursuant to District of Columbia Code, Section 2-1606, we have audited the accompanying financial statements of the Public Defender Service for the District of Columbia (PDS), which comprise the balance sheet as of September 30, 2025; the related statements of net costs, changes in net position, and budgetary resources for the fiscal year then ended; and the related notes to the financial statements.

In our opinion, PDS's financial statements present fairly, in all material respects, PDS's financial position as of September 30, 2025 and its net costs, changes in net position, and budgetary resources for the fiscal year then ended in accordance with U.S. generally accepted accounting principles.

Basis for Opinion

We conducted our audit in accordance with U.S. generally accepted auditing standards (GAAS); the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and Office of Management and Budget (OMB) Bulletin No. 24-02, *Audit Requirements for Federal Financial Statements*. Our responsibilities under those standards and OMB Bulletin No. 24-02 are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the PDS and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence that we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Responsibilities of Management for the Financial Statements

Management is responsible for

- the preparation and fair presentation of the financial statements in accordance with U.S. generally accepted accounting principles;
- preparing, measuring, and presenting Required Supplementary Information (RSI) in accordance with U.S. generally accepted accounting principles;
- preparing and presenting other information included in PDS's Annual Report and ensuring the consistency of that information with the audited financial statements and the RSI; and

- designing, implementing, and maintaining effective internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to (1) obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and (2) issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit of the financial statements conducted in accordance with GAAS, generally accepted government auditing standards (GAGAS), and OMB Bulletin No. 24-02 will always detect a material misstatement or material weakness when it exists.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements, including omissions, are considered to be material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, GAGAS, and OMB Bulletin No. 24-02, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to an audit of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of PDS's internal control over financial reporting. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Perform other procedures we consider necessary in the circumstances.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the financial statement audit.

Required Supplementary Information (RSI)

U.S. generally accepted accounting principles issued by the Federal Accounting Standards Advisory Board (FASAB) require that the RSI be presented to supplement the financial statements. Such information is the responsibility of management and, although not a part of the financial statements, is

required under standards issued by FASAB, which considers it to be an essential part of financial reporting for placing the financial statements in appropriate operational, economic, or historical context.

We have applied certain limited procedures to the RSI in accordance with U.S. generally accepted government auditing standards. These procedures consisted of (1) inquiring of management about the methods used to prepare the RSI and (2) comparing the RSI for consistency with management's responses to our inquiries, the financial statements, and other knowledge we obtained during the audit of the financial statements, in order to report omissions or material departures from FASAB guidelines, if any, identified by these limited procedures. We did not audit and we do not express an opinion or provide any assurance on the RSI because the limited procedures we applied do not provide sufficient evidence to express an opinion or provide any assurance.

Other Information

PDS's other information contains a wide range of information, some of which is not directly related to the financial statements. This information is presented for purposes of additional analysis and is not a required part of the financial statements or the RSI. Management is responsible for the other information included in PDS's Annual Report. The other information comprises the *Other Management Information, Initiatives, and Issues* section but does not include the financial statements and our auditor's report thereon. Our opinion on the financial statements does not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Report on Internal Control over Financial Reporting

In connection with our audit of PDS's financial statements, we considered PDS's internal control over financial reporting, consistent with our auditor's responsibilities discussed below.

Results of Our Consideration of Internal Control over Financial Reporting

Our consideration of internal control was for the limited purpose described below, and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies¹ or to express an opinion on the effectiveness of PDS's internal control over financial reporting. Given these limitations, during our 2025 audit, we did not identify any deficiencies in internal

¹ A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies, in internal control over financial reporting, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control over financial reporting that is less severe than a material weakness, yet important enough to merit the attention by those charged with governance.

control over financial reporting that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that have not been identified.

During our fiscal year 2025 audit, we identified deficiencies in PDS's internal control over financial reporting that we consider to be significant deficiencies. These deficiencies are described in the accompanying *Exhibit I, Findings and Recommendations*, to this report. We considered these significant deficiencies in determining the nature, timing, and extent of our audit procedures on PDS's fiscal year 2025 financial statements. Although the significant deficiencies in internal control did not affect our opinion on PDS's fiscal year 2025 financial statements, misstatements may occur in unaudited financial information reported internally and externally by PDS because of these significant deficiencies.

We identified additional deficiencies in PDS's internal control over financial reporting that we do not consider to be material weaknesses or significant deficiencies that, nonetheless, warrant management's attention. We have communicated these matters to PDS management and, where appropriate, will report on them separately.

Basis for Results of Our Consideration of Internal Control over Financial Reporting

We performed our procedures related to PDS's internal control over financial reporting in accordance with U.S. generally accepted government auditing standards and OMB audit guidance.

Responsibilities of Management for Internal Control over Financial Reporting

PDS management is responsible for designing, implementing, and maintaining effective internal control over financial reporting relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibilities for the Consideration of Internal Control over Financial Reporting

In planning and performing our audit of PDS's financial statements as of and for the fiscal year ended September 30, 2025, in accordance with U.S. generally accepted government auditing standards, we considered PDS's internal control relevant to the financial statement audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of PDS's internal control over financial reporting. Accordingly, we do not express an opinion on PDS's internal control over financial reporting. We are required to report all deficiencies that are considered to be significant deficiencies or material weaknesses. We did not consider all internal controls relevant to operating objectives, such as those controls relevant to preparing performance information and ensuring efficient operations.

Definition and Inherent Limitations of Internal Control over Financial Reporting

An entity's internal control over financial reporting is a process effected by those charged with governance, management, and other personnel. The objectives of internal control over financial reporting are to provide reasonable assurance that

- transactions are properly recorded, processed, and summarized to permit the preparation of financial statements in accordance with U.S. generally accepted accounting principles, and assets are safeguarded against loss from unauthorized acquisition, use, or disposition, and

- transactions are executed in accordance with provisions of applicable laws, including those governing the use of budget authority, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements.

Because of its inherent limitations, internal control over financial reporting may not prevent, or detect and correct, misstatements due to fraud or error.

Intended Purpose of Report on Internal Control over Financial Reporting

The purpose of this report is solely to describe the scope of our consideration of PDS's internal control over financial reporting and the results of our procedures, and not to provide an opinion on the effectiveness of PDS's internal control over financial reporting. This report is an integral part of an audit performed in accordance with U.S. generally accepted government auditing standards in considering internal control over financial reporting. Accordingly, this report on internal control over financial reporting is not suitable for any other purpose.

Report on Compliance with Laws, Regulations, Contracts, and Grant Agreements

In connection with our audit of PDS's financial statements, we tested compliance with selected provisions of applicable laws, regulations, contracts, and grant agreements consistent with our auditor's responsibilities discussed below.

Results of Our Tests for Compliance with Laws, Regulations, Contracts, and Grant Agreements

Our tests for compliance with selected provisions of applicable laws, regulations, contracts, and grant agreements disclosed no instances of noncompliance for fiscal year 2025 that would be reportable under U.S. generally accepted government auditing standards. However, the objective of our tests was not to provide an opinion on compliance with laws, regulations, contracts, and grant agreements applicable to PDS. Accordingly, we do not express such an opinion.

Basis for Results of Our Tests for Compliance with Laws, Regulations, Contracts, and Grant Agreements

We performed our tests of compliance in accordance with U.S. generally accepted government auditing standards and OMB audit guidance.

Responsibilities of Management for Compliance with Laws, Regulations, Contracts, and Grant Agreements

PDS management is responsible for complying with laws, regulations, contracts, and grant agreements applicable to PDS.

Auditor's Responsibilities for Tests of Compliance with Laws, Regulations, Contracts, and Grant Agreements

Our responsibility is to test compliance with selected provisions of laws, regulations, contracts, and grant agreements applicable to PDS that have a direct effect on the determination of material amounts and disclosures in PDS's financial statements, and to perform certain other limited procedures. Accordingly,

we did not test compliance with all provisions of laws, regulations, contracts, and grant agreements applicable to PDS. We caution that noncompliance may occur and not be detected by these tests.

Intended Purpose for Report on Compliance with Laws, Regulations, Contracts, and Grant Agreements

The purpose of this report is solely to describe the scope of our testing of compliance with selected provision of applicable laws, regulations, contracts, and grant agreements, and the results of that testing, and not to provide an opinion on compliance. This report is an integral part of an audit performed in accordance with U.S. generally accepted government auditing standards in considering compliance. Accordingly, this report on compliance with laws, regulations, contracts, and grant agreements is not suitable for any other purpose.

PDS's Response to Findings

PDS's responses to the findings identified during our audit are described immediately following the auditor's recommendations in *Exhibit I*. PDS's responses were not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on them.

Agency Comments

We provided PDS with a draft of our report on December 8, 2025, and received PDS's response on December 9, 2025. PDS's response to our report was not subjected to the auditing procedures that we applied to our audit of the financial statements and, therefore, we express no opinion on the response.

Allmond & Company, LLC

Lanham, MD
December 11, 2025

Improvements Needed in Processing Personnel Actions (2025-01)

CONDITION

Internal control over the processing of personnel actions was not designed and implemented to prevent or detect and correct errors relating to payroll expenses and liabilities. During our review of thirteen (13) personnel actions that were processed during the interim period of October 1, 2024 through May 31, 2025, we noted the following conditions:

- For five (5) of the thirteen (13) personnel actions that were selected for testing, the action was initiated, approved, and submitted by the same person.
- For two (2) of thirteen (13) samples, no underlying supporting documentation (e.g., an offer letter, approval of promotion or pay increase/decrease, or other information) was provided that authorized the action that was processed by the Human Resources Specialist.

CRITERIA

The Government Accountability Office (GAO) Standards for Internal Control in the Federal Government, Principle 10.01: Design Control Activities, states, “Management should design control activities to achieve objectives and respond to risks. The following attributes contribute to the design, implementation, and operating effectiveness of this principle:

- Response to Objectives and Risks
- Design of Appropriate Types of Control Activities
- Design of Control Activities at Various Levels
- Segregation of Duties.”

GAO Standards for Internal Control in the Federal Government, Principle 10.03: Segregation of duties, states, “Management divides or segregates key duties and responsibilities among different people to reduce the risk of error, misuse, or fraud. This includes separating the responsibilities for authorizing transactions, processing and recording them, reviewing the transactions, and handling any related assets so that no one individual controls all key aspects of a transaction or event.”

GAO Standards for Internal Control in the Federal Government, Principle 10.03: Appropriate documentation of transactions and internal control, states, “Management clearly documents internal control and all transactions and other significant events in a manner that allows the documentation to be readily available for examination. The documentation may appear in management directives, administrative policies, or operating manuals, in either paper or electronic form. Documentation and records are properly managed and maintained.”

CAUSE

- PDS's Human Resources (HR) Division does not have agency-specific written policies and

procedures that specify how personnel actions should be initiated, reviewed, submitted, and documented. Specifically, control procedures were not in place to ensure that all personnel actions are reviewed by a second authorized person prior to submission of the personnel action for processing.

- The Director of Human Resources position was vacant until July 2025. During the vacancy period, PDS management did not develop or implement an appropriate contingency plan to ensure there was adequate supervision of HR personnel and that internal controls relating to segregation of duties and document retention were adhered to.

EFFECT

- The failure to properly authorize, approve, and ensure the validity and accuracy of personnel actions and enforce segregation of duties protocols increases the possibility of misuse and abuse of government resources, as follows:
 - An increased risk that unauthorized actions may be initiated and processed without detection.
 - An increased risk of material misstatement of the agency's payroll and benefits expense and related liabilities due to undetected errors or fraud. Also, incorrect amounts could be withheld from employees pay.
 - An increased risk of noncompliance with legal and regulatory requirements.
 - A decreased likelihood that the organization will be able to prevent or identify and recover overpayments made to employees.

RECOMMENDATION

We recommend that PDS management should:

- Create and enforce agency-specific written policies and procedures that specify how personnel actions should be initiated, reviewed, submitted, and documented. These policies and procedures should specify the roles and responsibilities of HR personnel relating to this process and the required elements and documentation of management's review of personnel actions prior to submission.
- Create a shared folder or similar resource where supporting documentation relating to personnel actions is stored so that the information is readily available to others in the event that specific HR personnel separates from the organization.
- Perform and document routine reviews on a monthly or more frequent basis to ensure that all personnel actions processed during the review period were appropriately reviewed for accuracy,

were supported by appropriate documentation, and were approved by a second HR Specialist or another authorized official or supervisor.

MANAGEMENT RESPONSE

Corrective action will be taken and completed in the current fiscal year.

General Comments

Staffing shortfalls in the Office of Human Resources (OHR) significantly contributed to the conditions noted in the finding. However, PDS recently onboarded a new Human Resources Director and HR Assistant, and has temporary contractor support. The HR Director is in the process of rebuilding the HR staff with full-time equivalent personnel, including a new lead HR Specialist. Concurrently, as staff is put in place, OHR will update policies and implement review procedures to bolster internal controls. Additionally, a knowledge base (shared folder) has been created for OHR personnel so that "how to" information is not lost with the departure of one or several OHR staff members. PDS has a functioning contingency plan and has used backup (former PDS HR personnel) to compensate for the departure of current OHR staff. However, there is no true substitute for knowledgeable and experienced HR specialists. Once staffed to do so, OHR will enhance its quality control of personnel actions to ensure their accuracy, the availability of all necessary supporting documents, and which will incorporate a second-level, independent review before processing, and a periodic "look-back" of processed documents.

AUDITOR'S RESPONSE

Follow up procedures will be performed during the FY 2026 audit to determine if corrective actions have been fully implemented.

Improvements Needed in the Internal Controls over Accrued Liabilities (2025-02)

CONDITION

Internal controls over the estimation and recording of accrued liabilities were not operating effectively to prevent, detect, or correct material misstatements of PDS's ending balances of accounts payable, operating expense/program costs, unexpended and expended appropriations used, and related budgetary accounts.

During our review of PDS's current and prior year Accounts Payable accruals, we noted the following exceptions:

- The \$441,647 prior year accounts payable accrual was overstated, resulting in understatement of current year beginning balances when the accrual was reversed during the current fiscal year.
- A \$210,455.71 accrued liability for rent paid but not yet recorded in the general ledger was excluded in error from PDS's Lease Footnote.

CRITERIA

Statement of Federal Financial Accounting Standards (SFFAS) Number (No.) 5, Accounting for Liabilities of the Federal Government, provides the definition and general principles for the recognition of a liability: A liability for federal accounting purposes is a probable future outflow or other sacrifice of resources as a result of past transactions or events. General purpose federal financial reports should recognize probable and measurable future outflows or other sacrifices of resources arising from (1) past exchange transactions, (2) government-related events, (3) government-acknowledged events, or (4) nonexchange transactions that, according to current law and applicable policy, are unpaid amounts due as of the reporting date."

PDS Accounting Policies and Procedures (July 31, 2025 revision), Section 3.4.2 Quarter-End and Year-End Expenditure Accrual, states, "Expenditures must be reported on the accrual basis for financial reporting purposes, while daily accounting may be on a cash-basis. The accrual basis is achieved by adjusting accounts at year-end. The Office of Budget and Finance shall perform year-end accruals as follows:

- The Office of Budget and Finance shall review all open purchase orders, contracts and the related encumbrances in an effort to accrue expenditures during the current fiscal year, disencumber funds and liquidate the associated liability to the extent possible.
- All open purchase commitments for which goods and services have been delivered or rendered, but not paid, shall be accrued as current year expenditures.
 - This should include services that go in to October under current year Purchase Orders (POs).
- All accruals shall be reversed during the first month of the new fiscal year."

PDS Policy BF.01.00.01, effective July 30, 2022, PDS Requirements, states, “Recorded transactions will be adequately documented so they may be traced from original documents to financial statements. In the application of this policy, the Office of Budget and Finance shall ensure a comprehensive accrual at fiscal year-end and make reasonable efforts to record costs accurately on an accrual basis each month. Obligations shall be liquidated on the accrual basis, i.e., when goods or services are received and related costs are recorded.”

PDS Policy 7.4.1, effective July 30, 2022, Designing Control Activities, states, “Control activities shall be designed to achieve PDS’ objectives and respond to risks. The control activities include the policies, procedures, techniques, and mechanisms that enforce the directives set by management. Furthermore, management shall define responsibilities, assign them to key roles, and delegate authority to achieve PDS’ objectives. Examples of common categories of control activities include:

- Top-level reviews of actual performance,
- Reviews by management at the functional or activity level,
- Proper execution of transactions,
- Accurate and timely recording of transactions.”

CAUSE

- A look-back analysis was not performed to validate that the prior year accrual was accurate, including the estimate for higher-risk amounts included in that accrual. The prior year accrual was overstated because rent exemptions were not appropriately allocated and applied when calculating the amount of the accrual and amounts already paid and/or accrued through other adjustments were included in the calculation.
- PDS reclassified cash amounts attributable to rent from Operating Expenses to Lessee Lease Expense, but did not reclassify accrued rent; therefore, this amount was excluded from the Lease Footnote.

EFFECT

- Misstatement of accounts balances reported on the Statement of Net Cost and Statement of Changes in Net Position as of October 1, 2024 and September 30, 2025, if not corrected:
 - Unexpended Appropriations-Used, Expended Appropriations-Used, and Operating Expenses/Program Cost were understated by \$441,647 upon reversal of the overstated prior year accrual.
- \$210,456 Understatement of Lessee Lease Expense in Note 7 – Leases as of September 30, 2025.

RECOMMENDATION

We recommend that PDS management:

- Perform a review of all accounts payable balances in its general ledger to identify:
 - Related accounts with abnormal balances,
 - Existing/prior adjustments that could have an impact on the amounts calculated for an accrual, and
 - Transactions on hold that need to be ratified and then processed.
- PDS management should develop a look-back analysis or other control procedure to review disbursements made early in the subsequent reporting period (i.e., at the beginning of the next fiscal year) to identify items which should have been included in its year-end accounts payable balance and amend the existing accrual, if needed, prior to the preparation of the financial statements.
- PDS management should develop a written procedure that provides detailed guidance or instructions for the calculation of the organization’s year-end accounts payable and other accruals, including the performance of a look-back analysis.
- PDS should develop, and document the performance of a procedure, to review all year-end accruals to determine if any accrued amounts require reclassification for financial reporting purposes.

MANAGEMENT RESPONSE

Corrective action will be taken and completed in the current fiscal year.

General Comments

PDS will continue to review accounts payable balances to identify abnormal balances, adjustments impacting accruals and transactions pending ratification. PDS will modify its accrual estimation procedure to include, where practical, an assessment by the CORs of work remaining for the contracts under their purview. Where it is not practical, PDS will modify its estimating procedures to incorporate a look-back analysis to adjust the accrual as needed prior to preparing the financial statements. These procedures will be documented in an update to written guidance.

AUDITOR’S RESPONSE

Follow up procedures will be performed during the FY 2026 audit to determine if corrective actions have been fully implemented.

Improvement Needed in the Internal Controls Over the Monitoring and Review of Open Obligations (2025-03)

CONDITION

Improvements are needed in the controls over the monitoring and review of open obligations. For 6 of 25 samples (24%) selected from the population of undelivered orders as of September 30, 2025, the undelivered order balance was no longer valid and should have been de-obligated.

The total extrapolated error for these differences is \$1,955,738.37, or 24% of the \$8,148,909.86 population of undelivered orders as of September 30, 2025.

CRITERIA

Federal Acquisition Regulation (FAR) 4.804-1 – *Closeout by the office administering the contract* – states:

“(a) Except as provided in paragraph (c) of this section, time standards for closing out contract files are as follows: (1) Files for contracts using simplified acquisition procedures should be considered closed when the contracting officer receives evidence of receipt of property and final payment, unless otherwise specified by agency regulations; (2) Files for firm-fixed-price contracts, other than those using simplified acquisition procedures, should be closed within 6 months after the date on which the contracting officer receives evidence of physical completion....., (4) Files for all other contracts should be closed within 20 months of the month in which the contracting officer receives evidence of physical completion.”

PDS Budget Policies and Procedures Document, version 02, effective July 30, 2022, Section 4.4.2 Obligations, states, “The Contracting Officer shall maintain the documented process for ensuring that amounts reported as obligations are properly supported by documentary evidence and that all unliquidated obligations are reviewed at a minimum, monthly, with the CFO, Budget Officer, Head of Accounting, and Contract Specialist...The Budget Officer shall manage and lead the periodic and consistent review and analysis of obligations to ensure that obligations are valid and accurate. This periodic review includes the joint consolidation by the Contracting Officer, Head of Accounting and Budget Officer of data related to unliquidated obligations. If a recorded obligation does not meet the criteria for a valid obligation, it shall be promptly de-obligated. Such examples include when: (a) the initial obligation is found to be invalid; (b) correction is necessary due to bookkeeping errors or duplicate obligation; (c) the obligation was liquidated by closing the contract or purchase order in an amount less than the amount of the original obligation; (d) the project or contract was cancelled; (e) a previously recorded estimate is reduced; and (f) the unliquidated obligation represents a transportation/reimbursement claim which has exceeded the three-year statute of limitations. The Contracting Officer and Budget Officer are the key actors during this stage of budget execution, with the Budget Officer serving as back-up to the Contracting Officer for the review and recording of obligations.”

CAUSE

- PDS did not periodically review open obligations, resulting in the failure to complete closeout procedures, including the de-obligation of funds, for completed contracts.
- PDS indicated that given the limited staff of the PDS procurement branch and the volume of transactions, the Chief Financial Officer prioritized closure of purchase orders balances relating to current year obligations and canceling appropriations and deferred review and closure of other prior year obligations until higher priority activities were completed.

EFFECT

- The existence of open obligation balances for prior year completed contracts results in the overstatement of Obligations brought forward, Oct 1 and Undelivered Orders-Unpaid and the understatement of Recoveries of prior year obligations and Allotments-Expired Authority on the Statement of Budgetary Resources.
- Over- or under- recording of obligations prevents PDS from knowing the precise status of the appropriations and increases the risk of Anti-deficiency Act violations.

RECOMMENDATION

We recommend that:

PDS management should implement and enforce existing policies and procedures requiring the periodic review of all open obligations to ensure that closeout of completed contracts, including the de-obligation of funds, is performed regularly and timely.

MANAGEMENT RESPONSE

Corrective action will be taken and completed in the current fiscal year.

General Comments

PDS will continue its biweekly open orders review with modifications to the Oracle reports that will enable the Office of Budget & Finance to more readily identify and effect the timely de-obligation of stale orders, including travel and expert services.

AUDITOR'S RESPONSE

Follow up procedures will be performed during the FY 2026 audit to determine if corrective actions have been fully implemented.

Status of Prior Year Findings and Recommendations

<p>Improvements Needed in Processing Personnel Actions (2024-02)</p>	<p>Improve controls relating to the processing of personnel actions to ensure appropriate segregation of duties and retention of appropriate supporting documentation.</p> <p>Specifically, we recommended that management should:</p> <ol style="list-style-type: none"> 1. Create and enforce agency-specific written policies and procedures that specify how personnel actions should be initiated, reviewed, submitted, and documented These policies and procedures should specify the roles and responsibilities of HR personnel relating to this process and the required elements and documentation of management’s review of personnel actions prior to submission. 2. Create a shared folder or similar resource where supporting documentation relating to personnel actions is stored so that the information is readily available to others in the event that specific HR personnel separates from the organization. 3. Develop an appropriate contingency plan that provides coverage for vacant positions, provides training for alternate personnel, and ensures adequate oversight of HR’s operations in the event of employee separations or other circumstances. 4. Perform and document routine reviews on a monthly or more frequent basis to ensure that all personnel actions processed during the review period were appropriately reviewed for accuracy, were supported by appropriate documentation, and were approved by a second HR Specialist or another authorized official or supervisor. 	<p>Open</p> <p>Open</p> <p>Closed</p> <p>Open</p>
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Status of Prior Year Findings and Recommendations

<p>Improvements Needed in the Internal Controls over Accrued Liabilities (2024-03)</p>	<p>Improve controls relating to the estimation and recording of accrued liabilities to prevent, detect, or correct material misstatements of accounts payable, operating expense/program costs, and related accounts.</p> <p>Specifically, we recommended that management should:</p> <ol style="list-style-type: none">1. Perform a review of all accounts payable balances in its general ledger to identify:<ul style="list-style-type: none">○ Related accounts with abnormal balances,○ Existing/prior adjustments that could have an impact on the amounts calculated for an accrual, and○ Transactions on hold that need to be ratified and then processed.2. PDS management should develop a written procedure that provides detailed guidance or instructions for the calculation of the organization’s year-end accounts payable and other accruals.3. PDS management should develop a look-back analysis or other control procedure to review disbursements made early in the subsequent reporting period (i.e., at the beginning of the next fiscal year) to identify items which should have been included in its year-end accounts payable balance and amend the existing accrual, if needed, prior to the preparation of the financial statements.	<p>Open</p> <p>Open</p> <p>Open</p>
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Status of Prior Year Findings and Recommendations

<p>Fund Balance with Treasury Transactions Were Not Reconciled or Recorded Timely in the General Ledger (2024-04)</p>	<p>Improve controls relating to the timely resolution of Fund Balance with Treasury differences to ensure that all disbursement transactions are recorded in the general ledger during the same fiscal year in which those activities occurred.</p> <p>Specifically, we recommended that management should:</p> <ol style="list-style-type: none"> 1. PDS management should ensure that disbursement transactions, including IPACs, are approved and recorded timely in the general ledger. 2. Sort and present reconciling differences by vendor and document number so that offsetting transactions and transactions relating to vendor disputes can be readily identified. 3. Prioritize the recording of reconciled transactions, particularly at year-end, to avoid recording current year transactions in the subsequent year. 	<p>Closed</p> <p>Closed</p> <p>Closed</p>
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**Public Defender Service
Balance Sheet
As of September 30, 2025
(In Dollars)**

2025

Assets

Intragovernmental assets

Fund Balance with Treasury (Note2) \$ 17,327,146

Total intragovernmental assets 17,327,146

Other than intragovernmental assets

Accounts receivable, net (Note 3) 11,204

Property, plant, and equipment, net (Note 4) 8,737,070

Total other than intragovernmental assets 8,748,274

Total assets \$ 26,075,420

Liabilities

Intragovernmental liabilities

Other Liabilities

Other liabilities (without reciprocals)

Employer Contributions and Payroll Taxes Payable (Note 6) \$ 54,513

Other current liabilities - Benefit contributions payable

Employer Contributions and Payroll Taxes Payable (Note 6) 187,519

Unfunded FECA Liability (Note 5, Note 6) 33,945

Total intragovernmental liabilities 275,977

Other than intragovernmental liabilities

Accounts payable 626,832

Federal employee salary, leave, and benefits payable

Accrued Funded Payroll and Leave 756,844

Employer Contributions and Payroll Taxes Payable 34,035

Unfunded Leave (Note 5) 2,302,612

Pension, Post-employment, and Veterans Benefits Payable

Actuarial FECA Liability (Note 5) 178,666

Other liabilities

Lessee Lease Liability (Note 6) 28,304

Unfunded Lessee Lease Liability (Note 5, Note 6) 183,517

Total other than intragovernmental liabilities 4,110,810

Total liabilities \$ 4,386,787

Net position

Unexpended appropriations - Funds from other than Dedicated Collections \$ 15,549,434

Total Unexpended Appropriation (Consolidated) 15,549,434

Cumulative results of operations - Funds from other than Dedicated Collections 6,139,199

Total Cumulative Results of Operations (Consolidated) 6,139,199

Total net position \$ 21,688,633

Total liabilities and net position \$ 26,075,420

Public Defender Service
Statement of Net Cost
For the Fiscal Year Ended September 30, 2025
(In Dollars)

	<u>2025</u>
Gross costs (Note 8)	\$ 53,508,669
Less: earned revenue (Note 8)	-
Net cost of operations	<u><u>\$ 53,508,669</u></u>

The accompanying notes are an integral part of these statements.

Public Defender Service
Statement of Changes in Net Position
For the Fiscal Year Ended September 30, 2025
(In Dollars)

	2025
Unexpended Appropriations:	
Beginning Balance	\$ 12,279,925
Adjustments (+/-)	441,647
Beginning Balance, as adjusted	12,721,572
Appropriations received (Note 9)	53,629,000
Other Adjustments (+/-)	(1,270,360)
Appropriations used	(49,530,778)
Net Change in Unexpended Appropriations	2,827,862
Total Unexpended Appropriations - Ending	\$ 15,549,434
Cumulative Results of Operations:	
Beginning Balance	\$ 5,942,839
Beginning Balance, as adjusted	5,942,839
Appropriations used	49,530,778
Donations and forfeitures of cash and cash equivalents	2,330
Imputed financing (Note 10)	4,171,921
Net Cost of Operations (Note 8)	(53,508,669)
Net Change in Cumulative Results of Operations	\$ 196,360
Cumulative Results of Operations - Ending	\$ 6,139,199
Net Position	\$ 21,688,633

The accompanying notes are an integral part of these statements.

Public Defender Service
Statement of Budgetary Resources
For the Fiscal Year Ended September 30, 2025
(In Dollars)

	2025
Unobligated balance from prior year budget authority, net (discretionary and mandatory) (Note 15)	\$ 8,118,431
Appropriations (discretionary and mandatory)	53,631,330
Total budgetary resources (Note 11)	\$ 61,749,761
New obligations and upward adjustments (total) (Note 11)	\$ 51,721,014
Unobligated balance, end of year	
Apportioned, unexpired account	5,543,966
Exempt from apportionment, unexpired accounts	117,968
Unexpired unobligated balance, end of year (Note 11)	5,661,934
Expired unobligated balance, end of year	4,366,813
Unobligated balance, end of year (total) (Note 2)	10,028,747
Total budgetary resources (Note 11)	\$ 61,749,761
Outlays, net (total) (discretionary and mandatory)	\$ 51,633,704
Agency outlays, net (discretionary and mandatory)	\$ 51,633,704

The accompanying notes are an integral part of these statements.

Notes to Principal Statements

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

(a) Reporting Entity

Originally established in 1960 as the Legal Aid Agency for the District of Columbia, the agency subsequently was redesignated under DC Code § 2-1601 in 1970 as the Public Defender Service for the District of Columbia (PDS). PDS is a federally funded, independent organization governed by an 11-member Board of Trustees. The PDS mission is to provide quality legal representation to indigent adults and children facing a loss of liberty in the District of Columbia and thereby protect society's interest in the fair administration of justice.

(b) Basis of Accounting and Presentation

(1) Basis of Accounting

PDS uses Oracle Federal Financials (hosted through a shared service provider) for financial accounting, funds control, management accounting and financial reporting. Financial transactions are recorded in the financial system using both an accrual and a budgetary basis of accounting. Under the accrual method, revenues are recognized when earned and expenses are recognized when a liability is incurred, without regard to the receipt or payment of cash. Budgetary accounting facilitates compliance with legal requirements and mandated controls over the use of federal funds. It generally differs from the cash basis of accounting in that obligations are recognized when new orders are placed, contracts awarded, and services received that will require payments during the same or future periods.

(2) Basis of Presentation

These financial statements have been prepared to report PDS's financial position, net cost, changes in net position and budgetary resources. These financial statements have been prepared from the books and records of PDS in accordance with generally accepted accounting principles (GAAP) using guidance issued by the Federal Accounting Standards Advisory Board (FASAB), the Office of Management and Budget (OMB) and PDS's accounting policies as summarized in this note.

(c) Revenue and Financing Sources

PDS is funded through federal appropriations. For accounting purposes, appropriations are recognized as financing sources (appropriations used) at the time that expenses are incurred or assets are capitalized.

(d) Assets and Liabilities

Assets and liabilities presented on PDS's balance sheets are entity assets. Entity assets are assets that PDS has authority to use in its operations.

Intragovernmental assets and liabilities arise from transactions between PDS and federal entities. All other assets and liabilities result from activity with non-federal entities. Liabilities covered by budgetary or other

resources are those PDS liabilities for which Congress has appropriated funds, or funding is otherwise available to pay amounts due. Liabilities not covered by budgetary or other resources represent amounts owed in excess of available congressionally appropriated funds or other amounts. The liquidation of liabilities not covered by budgetary or other resources is dependent on future congressional appropriations or other funding.

(e) Fund Balance with Treasury

The United States Department of the Treasury (“Treasury”) processes cash receipts and disbursements for PDS. Fund Balance with Treasury (FBWT) includes appropriated funds.

(f) Accounts Receivable

Accounts receivable consist of amounts owed to PDS by current and former employees.

(g) Property, Plant and Equipment, Net

Property, plant and equipment consist of equipment, leasehold improvements, and software. All individual items with acquisition values equal to or greater than \$25,000 and useful lives of two years or more are capitalized. Service life of such assets range from two to twenty-five years.

Internal use software development and acquisition costs of \$25,000 or greater are capitalized as software development in progress until the development stage has been completed and the software has been successfully tested. Upon completion and testing, software development costs are capitalized and amortized using the straight-line method over the estimated useful life of five years. Purchased commercial software which does not meet the capitalization criteria is expensed.

Bulk purchases (IT) are defined as the procurement of 2 (two) or more assets, all of which are required to produce a “functional assembly”¹ but which individually have little intrinsic value outside of the functional assembly. The total price of the bulk purchase must be greater than \$250,000. The final functional assembly must have a useful life of 2 (two) or more years.

Bulk purchases (Non-IT) are defined as the procurement of 2 (two) or more of the same asset and associated accessories which may function independently or as part of a “function assembly”. The total price of the bulk purchase must be greater than \$250,000. The purchased material and/or equipment must have a useful life of 2 (two) or more years.

PDS’s property, plant and equipment are stated at cost less accumulated depreciation. Depreciation is calculated on the straight-line basis over the useful life of the asset. New assets, major alterations, renovations and improvements are capitalized at cost as additions to the asset accounts. Maintenance, repairs and minor replacements that do not extend the life of the asset are charged to operations in the year incurred. Property, plant and equipment that has been received but is not planned to be placed into immediate production in the year of purchase will be accounted for in the construction in progress account (SGL 172001). The Right-to-Use Lease Asset includes PDS’s 60-month lease contract for multi-function devices with Ricoh beginning March 2024. The Right-to-Use Lease Asset amount is \$293,096.

¹ This criteria for the capitalization of bulk purchases specifically excludes desktop computers, desktop printers, desktop scanners, IT peripherals (keyboards, mice, speakers, etc.), laptop computers, smartphones, and tablets.

Amortization is calculated on the straight-line basis over the term of the lease. Since the interest rate is not stated in the contract, PDS used the OMB published discount rate of 4.4%² to calculate the net present value of future payments.

(h) Accrued Annual, Sick and Compensatory Time

Annual leave and compensatory time are accrued when earned, reduced when taken, and adjusted for changes in compensation rates. Sick leave is not accrued when earned, but rather expensed when taken.

(i) Life Insurance and Retirement Plans

Federal Employees Group Life Insurance (FEGLI) Program

PDS employees enrolled in the FEGLI Program pay two-thirds of the cost and PDS pays one-third. Additional coverage is optional, to be fully paid by the employee. The basic life coverage may be continued into retirement if certain requirements are met.

Retirement Programs

PDS employees participate in the Civil Service Retirement System (CSRS) or the Federal Employees' Retirement System (FERS). On January 1, 1987, FERS went into effect pursuant to Public Law 99-335. Most employees hired after December 31, 1983, are automatically covered by FERS and Social Security. Employees hired prior to January 1, 1984, could elect to either join FERS and Social Security or remain in CSRS.

For employees under FERS, PDS contributes an amount equal to one percent of the employee's basic pay to the tax deferred Thrift Savings Plan (TSP) and matches employee contributions up to an additional four percent of pay. FERS employees can contribute for FY25 \$23,500 of their gross earnings to the plan. CSRS employees can also contribute \$23,500 of their gross earnings to the plan, but they receive no matching PDS contribution.

PDS recognizes the full cost of providing future pension and Other Retirement Benefits (ORB) for current employees as required by SFFAS No. 5, *Accounting for Liabilities of the Federal Government*. Full costs include pension and ORB contributions paid out of PDS appropriations and costs financed by the U.S. Office of Personnel Management (OPM). The amount financed by OPM is recognized as an imputed financing source. Reporting amounts such as plan assets, accumulated plan benefits, or unfunded liabilities, if any, is the responsibility of OPM.

OPM rather than PDS reports Liabilities for future pension payments and other future payments for retired employees who participate in the Federal Employees Health Benefits Program (FEHBP) and FEGLI.

² OMB Circular No. A-94 APPENDIX C (Revised December 28, 2023)

(j) Contingent Liabilities

PDS records contingencies when losses are probable and the cost is measurable. When an estimate of contingent losses includes a range of possible costs, PDS reports the most likely cost. Where no cost is more likely than any other, PDS reports the lowest possible cost in the range.

(k) Unexpended Appropriations

Unexpended appropriations represent the amount of PDS's appropriated spending authority that is unliquidated and has not lapsed, been rescinded or withdrawn as of the fiscal year-end.

(l) Income Taxes

PDS is exempt from all income taxes imposed by any governing body, whether it is a federal, state, commonwealth, local, or foreign government.

(m) Use of Estimates

Management has made certain estimates and assumptions in reporting assets and liabilities and in the footnote disclosures. Actual results could differ from these estimates.

(n) Subsequent Events

Subsequent events and transactions occurring after September 30, 2025 through the date of the auditor's opinion have been evaluated for potential recognition or disclosure in the financial statements. The date of the auditors' opinion also represents the date that the financial statements were available to be issued.

(o) Principal Financial Statements

- Balance Sheets
- Statements of Net Cost
- Statements of Changes in Net Position
- Statements of Budgetary Resources

(p) Change in Presentation

In prior years, PDS's financial statements and associated notes were presented on a comparative basis. As per OMB Memorandum 25-30, signed on June 23, 2025, and OMB Circular A-136, signed on July 14, 2025, significant changes have been mandated to the audited financial statements and the associated notes. While the agency will continue to undergo an annual audit, only current year financial information will be presented in the financial statements and associated notes for FY 2025.

NOTE 2: FUND BALANCE WITH TREASURY

Treasury performs cash management activities for PDS. The net activity represents Fund Balance with Treasury. The Fund Balance with Treasury represents the right of PDS to draw down funds from Treasury for expenses and liabilities. Fund Balance with Treasury as of September 30, 2025, consists of the following:

	FY 2025		
	Entity	Non-Entity	Total
	Assets	Assets	
General Funds	\$ 17,327,146	-	\$ 17,327,146

The fund balance includes unused appropriations held by Treasury. Unobligated fund balances are either available or unavailable. The unavailable amounts include those appropriated in prior fiscal years, which are not available to fund new obligations. The available obligated balance represents amounts designated for payment of goods and services ordered but not yet received in the current year. Obligated balances not yet disbursed include unpaid delivered and undelivered orders.

Status of fund balance with Treasury as of September 30, 2025, consists of the following:

	FY 2025
Unobligated balance	\$ 10,028,747
Obligated balance not yet disbursed	<u>7,298,399</u>
Total fund balance with Treasury	<u><u>\$ 17,327,146</u></u>

NOTE 3: ACCOUNTS RECEIVABLE, NET

Entity accounts receivable with the public include current and former employee debt. Accounts receivable as of September 30, 2025, consist of the following:

Entity:	FY 2025
With the Public	
Accounts Receivable	\$ <u>11,204</u>
Total With the Public	<u>11,204</u>
Total Accounts Receivable	<u><u>\$ 11,204</u></u>

NOTE 4: PROPERTY, PLANT, AND EQUIPMENT, NET

The table below summarizes cost and accumulated depreciation of property, plant, and equipment.

As of September 30, 2025	Cost	Accumulated Depreciation	Net Asset Value
Construction-in-Progress	\$ 62,953	\$ -	\$ 62,953
Right-to-Use Lease Asset	293,096	(87,929)	205,167
Furniture and Equipment	3,198,912	(1,620,817)	1,578,095
Software	3,204,675	(3,204,675)	-
Leasehold Improvements	7,383,059	(492,204)	6,890,855
Total property, plant, and equipment	<u>\$ 14,142,695</u>	<u>\$ (5,405,625)</u>	<u>\$ 8,737,070</u>

The Right-to-Use Lease Asset includes PDS’s 60-month lease contract for multi-function devices with Ricoh beginning March 2024. The Right-to-Use Lease Asset amount is \$293,096. Amortization is calculated on the straight-line basis over the term of the lease and will be recorded every quarter. Since the interest rate is not stated in the contract, PDS used OMB published discount rate 4.4%² to calculate the net present value of future payments. The lease expense is \$70,861 as of September 30, 2025.

NOTE 5: LIABILITIES NOT COVERED BY BUDGETARY RESOURCES

Liabilities not covered by budgetary resources represent amounts owed in excess of available congressionally appropriated funds or other amounts and include accrued annual leave and liability for the Federal Employees’ Compensation Act (FECA). PDS obtained independent responsibility for FECA effective fiscal year 2006. Prior claims were paid through the federal judiciary.

FECA provides income and medical cost protection to covered civilian employees injured on the job, employees who have incurred work-related occupational diseases, and to beneficiaries of employees whose deaths are attributable to job-related injuries or occupational diseases. The FECA program is administered by the U.S. Department of Labor (DOL), which pays valid claims and subsequently seeks reimbursement from PDS for these paid claims.

The FECA liability consists of two components. The first component is based on actual claims paid by DOL but not yet reimbursed by PDS. PDS reimburses DOL for the amount of the actual claims as funds are appropriated for this purpose. There is a two-year lag between payment by DOL and reimbursement by PDS. As a result, PDS recognizes a liability for the actual claims paid by DOL and to be reimbursed by PDS.

The second component is the estimated liability for future benefits payments as a result of past events. This liability includes death, disability, medical, and miscellaneous costs. PDS determines this component annually using a method that considers historical benefit payment patterns. PDS uses the methodology of reviewing the ages of the claimant on a case-by-case basis to evaluate the estimated FECA liability for future payments. The estimate used for life expectancy is 80 and 84 years for males and females, respectively.

The allocated PDS liability for FY 2025 was \$33,945. The expense recorded for future fiscal years will be the change in the liability from one fiscal year to the next. The estimated future compensation benefits liability is recorded for reporting purposes only. This liability constitutes an extended future estimate of cost which will not be obligated against budgetary resources until the fiscal year in which the cost is actually billed to PDS. The cost associated with this liability cannot be met by PDS without further appropriation action.

Liabilities not covered by budgetary resources as of September 30, 2025, consist of the following:

	<u>FY 2025</u>
Intragovernmental Liabilities	
Unfunded FECA Liability	\$ <u>33,945</u>
Total Intragovernmental Liabilities	33,945
Other than Intragovernmental Liabilities	
Unfunded Leave	2,302,612
Actuarial FECA Liability	178,666
Unfunded Lessee Lease Liability	<u>183,517</u>
Total Other than Intragovernmental Liabilities	2,664,795
Total Liabilities Not Covered by Budgetary Resources	2,698,740
Total Liabilities Covered by Budgetary Resources	<u>1,688,047</u>
Total Liabilities	<u>\$ 4,386,787</u>

NOTE 6: OTHER LIABILITIES

Liabilities as of September 30, 2025, consist of the following:

	<u>FY 2025</u>
Intragovernmental Other Liabilities	
Other Liabilities (without reciprocals)	
Employer Contributions and Payroll Taxes Payable	\$ 54,513
Other Current Liabilities - Benefit Contributions Payable	
Employer Contributions and Payroll Taxes Payable	187,519
Unfunded FECA Liability	<u>33,945</u>
Total Intragovernmental Other Liabilities	275,977
Other than Intragovernmental Other Liabilities	
Lessee Lease Liability	28,304
Unfunded Lessee Lease Liability	<u>183,517</u>
Total Other than Intragovernmental Other Liabilities	<u>211,821</u>
Total Other Liabilities	<u>\$ 487,798</u>

NOTE 7: LEASES

PDS is obligated under certain non-cancelable leases for office space with terms ranging from three to ten years. Some of these leases provide for increased rent payments based on increases in real estate taxes and operating costs. Intragovernmental annual lease expense under non-cancelable leases include only the lease information that PDS can support with the Occupancy Agreements (OA) or other cost estimates provided by GSA. Future annual lease expenses are presented in the table below.

Intragovernmental Annual Lease Expense for the fiscal year ended September 30, 2025.

Fiscal Year	Total
2026	\$ 2,798,744
2027	2,820,558
2028	2,837,371
2029	2,872,849
2030	2,909,772
2031	2,948,242
2032	2,989,547
2033	3,039,214
Total Intragovernmental Lease Expense	\$ <u>23,216,297</u>

Rental expenses under intragovernmental leases for office space were \$2,836,090 for fiscal year ended September 30, 2025. A 10-year lease was signed with General Services Administration for office space at 1442 Pennsylvania Avenue beginning September 2017. PDS vacated both the 633 Indiana Avenue and 601 Pennsylvania Avenue locations and moved into the 633 3rd Street location as of February 2024.

The Right-to-Use Lease Asset includes PDS’s 60-month lease contract for multi-function devices with Ricoh beginning March 2024. The Right-to-Use Lease Asset amount is \$293,096. Amortization is calculated on the straight-line basis over the term of the lease and will be recorded every quarter. Since the interest rate is not stated in the contract, PDS used OMB published discount rate 4.4%² to calculate the net present value of future payments. The lease expense was \$70,861 as of September 30, 2025.

Right-to-Use Lease Asset future lease payments for the fiscal year ended September 30, 2025:

Fiscal Year	Principal	Interest	Totals
2026	57,236	8,175	65,411
2027	59,805	5,605	65,410
2028	62,490	2,920	65,410
2029	32,290	416	32,706
Total future lease payments	\$ 211,821	\$ 17,116	\$ 228,937

NOTE 8: INTRAGOVERNMENTAL COSTS AND EXCHANGE REVENUE

PDS purchased goods and services from federal entities, which are classified below as intragovernmental costs. The public earned revenue results from fees for reimbursement of costs of Criminal Practice Institute training manuals.

	<u>FY 2025</u>
Intragovernmental Costs	\$ 17,401,126
Public Costs	<u>36,107,543</u>
Total Costs	<u>53,508,669</u>
Public Earned Revenue	<u>-</u>
Total Public Earned Revenue	<u>-</u>
Net Cost of Operations	<u>\$ 53,508,669</u>

NOTE 9: APPROPRIATIONS RECEIVED

PDS received appropriations as follows:

	<u>FY 2025</u>
Appropriations	\$ 53,629,000
Rescission – Prior Year	<u>-</u>
Net Appropriations	<u>\$ 53,629,000</u>

NOTE 10: IMPUTED FINANCING

The Office of Personnel Management (OPM) pays pension and other future benefits on behalf of PDS employees. OPM provides rates for recording the estimated cost of pension and other future retirement benefits paid by OPM on behalf of PDS employees. The costs of these benefits are reflected as imputed financing in the financial statements as follows:

	<u>FY 2025</u>
Pension Expenses	\$ 1,958,105
Federal Employees Health Benefits (FEHB)	2,208,273
Federal Employees Group Life Insurance (FEGLI)	<u>5,543</u>
Total	<u>\$ 4,171,921</u>

NOTE 11: STATEMENT OF BUDGETARY RESOURCES

The Statement of Budgetary Resources provides information about budgetary resources and their status at the end of the period. It is the only financial statement exclusively derived from PDS’s budgetary general ledger in accordance with budgetary accounting rules that are incorporated into GAAP for the federal government. The total Budgetary Resources as of September 30, 2025 was \$61,749,761, includes new budget authority, unobligated balances at the beginning of the year, spending authority from offsetting collections, recoveries of prior year obligations and permanently not available rescissions and cancellations of expired authority. PDS’s unobligated balances available at September 30, 2025 was \$5,661,934.

Apportionment Categories of New Obligations and Upward Adjustments. PDS’s New Obligations and Upward Adjustments as of September 30, 2025 by apportionment Category A are shown in the following table. Category A apportionments distribute budgetary resources by fiscal quarters.

New Obligations and Upward Adjustments

	<u>FY 2025</u>
Direct	\$ <u>51,721,014</u>

NOTE 12: EXPLANATION OF DIFFERENCES BETWEEN THE SBR AND THE BUDGET OF THE U.S. GOVERNMENT

Statement of Federal Financial Accounting Standards No. 7, Accounting for Revenue and Other Financing Sources and Concepts for Reconciling Budgetary and Financial Accounting, calls for explanations of material differences between amounts reported in the Statement of Budgetary Resources (SBR) and the actual balances published in the Budget of the United States Government (President’s Budget). However, the President’s Budget that will include FY25 actual budgetary execution information has not yet been published. The President’s Budget is scheduled for publication in February 2026 and can be found at the OMB website: <http://www.whitehouse.gov/omb>. The 2026 Budget of the United States Government, with the actual column completed for 2024, has been reconciled to the Statement of Budgetary Resources. A \$3 million difference existed with the Budgetary Resources because the President's budget did not include a \$3 million unobligated balance from prior year budget authority.

NOTE 13: UNDELIVERED ORDERS

The amount of budgetary resources obligated for undelivered orders at September 30, 2025 was \$5,638,656.

	<u>FY 2025</u>
Federal	\$ 822,720
Non-Federal	<u>4,815,936</u>
Total undelivered orders	<u>\$ 5,638,656</u>

NOTE 14: RECONCILIATION OF NET COST OF OPERATIONS TO BUDGET - RESTATED

The reconciliation, referred to as the Budget and Accrual Reconciliation (BAR), requires a reconciliation of the new outlays on a budgetary basis and the net cost of operations during the period.

**Public Defender Service
As of September 30, 2025
(In Dollars)**

**Budget and Accrual Reconciliation
For the period ended September 30, 2025**

	Intragovernmental	With the Public	Total FY2025
Net Operating Cost (SNC)	\$ 17,401,126	\$ 36,107,543	\$ 53,508,669
Components of Net Operating Cost Not Part of the Budgetary Outlays			
Property, plant, and equipment depreciation and amortization	-	(951,194)	(951,194)
Increase/(Decrease) in Assets:			
Accounts receivable	-	(9,125)	(9,125)
(Increase)/Decrease in Liabilities:			
Accounts payable	1,411,184	1,298,332	2,709,516
Salaries and benefits	(40,882)	(127,036)	(167,918)
Other liabilities (Unfunded leave, unfunded FECA, actuarial FECA)	40,617	274,570	315,187
SFFAS 54 NPV Payments	-	59,233	59,233
Other financing sources:			
Federal employee retirement benefit costs paid by OPM and imputed to agency	(4,171,921)	-	(4,171,921)
Total Components of Net Operating Cost Not Part of the Budgetary Outlays	<u>\$ (2,761,002)</u>	<u>\$ 544,780</u>	<u>\$ (2,216,222)</u>
Components of the Budgetary Outlays That Are Not Part of Net Operating Cost			
Acquisition of capital assets	85,550	634,401	719,951
Total Components of the Budgetary Outlays That Are Not Part of Net Operating Cost	85,550	634,401	719,951
Other Temporary Timing Differences	(441,647)	62,953	(378,694)
Total Other Temporary Timing Differences	<u>(441,647)</u>	<u>62,953</u>	<u>(378,694)</u>
Net Outlays (Calculated Total)	<u>\$ 14,284,027</u>	<u>\$ 37,349,677</u>	<u>\$ 51,633,704</u>
Agency Outlays, Net (SBR Line 4210)			<u>\$ 51,633,704</u>

NOTE 15: RECONCILIATION OF PRIOR YEAR ENDING UNOBLIGATED BALANCE AND CURRENT YEAR BEGINNING UNOBLIGATED BALANCE

There is a material difference of \$1,078,442 between the prior year ending Unobligated Balance of \$7,039,989 and the current year beginning Unobligated Balance of \$8,118,431 on the Statement of Budgetary Resources. The difference is comprised of \$2,348,802 in recoveries and (\$1,270,360) in canceled authority.

THE PUBLIC DEFENDER SERVICE

for the District of Columbia



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633 3rd Street, N.W., Washington, D.C. 20001

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