
Government of the District of Columbia



Department of Corrections

Testimony

**Thomas P. Hoey
Interim Director**

**D.C. Department of Corrections
“Performance Oversight Hearing”**

Committee on Public Safety and the Judiciary
Phil Mendelson, Chair
Council of the District of Columbia

March 11, 2011
10:00 am

John A. Wilson Building
1350 Pennsylvania Avenue, NW
Room 412
Washington, DC 20004

GOOD MORNING CHAIRMAN MENDELSON AND MEMBERS OF THE COMMITTEE ON PUBLIC SAFETY AND THE JUDICIARY. I AM TOM HOEY, INTERIM DIRECTOR OF THE DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS (DOC)—JOINING ME AT THE TABLE ARE THE DEPARTMENT’S DEPUTY DIRECTOR, CAROLYN CROSS AND OUR AGENCY FISCAL OFFICER, LEROY CLAY. WE APPRECIATE THE OPPORTUNITY TO TESTIFY BEFORE YOU TODAY REGARDING THE DEPARTMENT’S PERFORMANCE DURING FISCAL YEARS 2010 AND 2011 TO DATE.

SYSTEM OVERVIEW

THE DISTRICT OF COLUMBIA OPERATES THE 31ST LARGEST MUNICIPAL DETENTION SYSTEM IN THE COUNTRY. DURING FISCAL YEAR 2010, DOC PROCESSED APPROXIMATELY 17,400 INTAKES AND RELEASES, WHICH TRANSLATED INTO AN AVERAGE DAILY POPULATION OF NEARLY 3,100 INMATES—90% OF THIS POPULATION IS MALE AND 10% IS FEMALE.

THE MISSION OF THE DEPARTMENT IS TO ENSURE THE PUBLIC SAFETY OF CITIZENS OF THE DISTRICT OF COLUMBIA BY PROVIDING AN ORDERLY, SAFE, SECURE AND HUMANE ENVIRONMENT FOR THE CONFINEMENT OF PRETRIAL DETAINEES AND SENTENCED INMATES, WHILE AFFORDING THOSE IN CUSTODY MEANINGFUL OPPORTUNITIES FOR RE-INTEGRATION INTO THE COMMUNITY.

DOC’S SYSTEM IS COMPRISED OF TWO PRIMARY CORRECTIONAL FACILITIES—THE LARGEST FACILITY, THE D.C. JAIL, IS OPERATED BY THE DISTRICT OF COLUMBIA GOVERNMENT AND THE SECOND, THE CORRECTIONAL TREATMENT FACILITY, IS OPERATED BY THE CORRECTIONS CORPORATION OF AMERICA. IN ADDITION, THE

DEPARTMENT CONTRACTS WITH A NETWORK OF PRIVATELY OPERATED HALFWAY HOUSES FOR COMMUNITY PLACEMENT OF INMATES. THE OFFENDER POPULATION HOUSED WITHIN THESE FACILITIES INCLUDES PRE-TRIAL DETAINEES, SENTENCED MISDEMEANANTS, FELONS AND THOSE SCHEDULED FOR PAROLE VIOLATION HEARINGS.

- ✓ DURING FISCAL YEAR 2010, THE D.C. JAIL HAD AN AVERAGE DAILY POPULATION OF 2,057 MALE INMATES.
- ✓ THE CORRECTIONAL TREATMENT FACILITY HOUSED AN AVERAGE DAILY POPULATION OF 863 INMATES. THIS INCLUDED APPROXIMATELY 600 MINIMUM AND MEDIUM SECURITY MALE INMATES AND NEARLY 285 FEMALES. IN ADDITION, THE CTF HOUSED AN AVERAGE DAILY POPULATION OF 34 JUVENILES WHO ARE BEING ADJUDICATED AS ADULTS.
- ✓ DOC CONTRACTS FOR 121 BED SPACES THROUGH FOUR COMMUNITY-BASED HALFWAY HOUSES, INCLUDING EFFORTS FOR EX-CONVICTS, HOPE VILLAGE, EXTENDED HOUSE AND FAIRVIEW. THESE FACILITIES PRIMARILY HOUSE COURT-ORDERED PRE-TRIAL INMATES. APPROXIMATELY 20% ARE SENTENCED MISDEMEANANTS PLACED BY DOC.

BUDGET

WE CLEARLY UNDERSTAND THE FISCAL PRESSURES FACING AGENCIES ACROSS THE GOVERNMENT. WHILE WE ARE FULLY COMMITTED TO PRUDENCE IN SPENDING, MANDATES ASSOCIATED WITH PUBLIC SAFETY ARE UNIQUE; THEREFORE, WE STAY FOCUSED ON HOW CHANGES IN RESOURCES AND OPERATIONS IMPACT SECURITY AND SAFETY.

THE DEPARTMENT'S FISCAL YEAR 2010 BUDGET WAS \$139.5 MILLION, BUT ACTUAL EXPENDITURES TOTALED \$152 MILLION—DOC'S APPROVED FTE LEVEL WAS 925, WHICH INCLUDED 695 UNIFORMED STAFF. GIVEN THAT SPENDING REDUCTIONS RELATED TO DIMUNITION OF SENTENCE DID NOT OCCUR, SPENDING OVERAGES RELATED TO DIRECT MEDICAL CARE, PHARMACEUTICALS, OVERTIME, AND FOOD SERVICE WERE NOT OFFSET. THE DEPARTMENT'S BUDGET FOR FISCAL YEAR 2011 IS \$134.5 MILLION, OR 3.6% LESS THAN FISCAL YEAR 2010. PERSONAL SERVICES COMPRISE 50% OF THE CURRENT BUDGET. FORTY-TWO PERCENT (42%) OF THIS BUDGET AND 85% OF THE NON-PERSONAL SERVICES PORTION IS COMPRISED OF CONTRACTUAL SERVICES.

AS OF JANUARY 31, 2011, OR FOUR MONTHS INTO THE FISCAL YEAR, DOC HAS EXPENDED APPROXIMATELY 51% OF ITS BUDGET WITH 49% REMAINING AVAILABLE. OF THE AMOUNT AVAILABLE, 30% IS RELATED TO CONTRACTUAL SERVICES.

FOR THE CURRENT FISCAL YEAR, THE EXECUTIVE BRANCH FORECASTED SPECIAL PURPOSE REVENUE RELATED TO U.S. MARSHAL'S REIMBURSEMENTS AT APPROXIMATELY \$25 MILLION. HOWEVER, WE HAVE SINCE SEEN A SHARP DECLINE IN REVENUES DUE TO IMPROVED FEDERAL PROCESSING TIMELINES AND DECREASED UTILIZATION. CONSEQUENTLY, IT IS LIKELY THAT WE WILL ONLY GENERATE REVENUE IN THE RANGE OF \$17 TO \$19 MILLION, A REDUCTION OF \$6 TO \$8 MILLION. AS A RESULT OF THIS REDUCTION IN OUR REVENUE ESTIMATE, SLIGHTLY OFFSET BY A LOWER AVERAGE DAILY POPULATION AT THE

CORRECTIONAL TREATMENT FACILITY, WE WILL HAVE A SIGNIFICANT PRESSURE FOR OUR HOUSING CONTRACT IN THE RANGE OF \$5 TO \$7 MILLION.

OVERTIME EXPENDITURES DURING FISCAL YEAR 2010 TOTALED \$3.8 MILLION AGAINST A BUDGET OF \$2.5 MILLION. THIS REPRESENTS A REDUCTION OF APPROXIMATELY \$1.1 MILLION FROM FISCAL YEAR 2009. DURING FISCAL YEAR 2011, DOC HAS SPENT 3%, OR \$38,418 OVER THE BUDGETED AMOUNT ACROSS 11 PAY PERIODS. THIS IS \$1,332,423.00 AGAINST THE BUDGETED AMOUNT OF \$1,294,005. TO ENSURE DOC REMAINS ON TRACK WITH ITS COMMITMENT TO CONTROL SPENDING IN THIS AREA, AN OVERTIME CONTROL TASK FORCE HAS BEEN ESTABLISHED TO MONITOR ROSTER MANAGEMENT AND DEVELOP NEW STRATEGIES FOR UTILIZING STAFF.

OUR TOTAL APPROVED FTE COUNT FOR FISCAL YEAR 2011 IS 894, WHICH IS 3% LESS THAN 2010. 859 POSITIONS ARE FILLED AND 35 ARE VACANT. 674 OF THE TOTAL ARE UNIFORMED PERSONNEL. VACANCIES DIRECTLY RELATED TO INMATE SERVICES MUST BE FILLED INCLUDING CORRECTIONAL OFFICERS, LEGAL INSTRUMENTS EXAMINERS, AND CORRECTIONAL PROGRAM SPECIALISTS. MEN AND WOMEN WHO OCCUPY THESE POSITIONS PLAY CRUCIAL ROLES AND ARE TASKED WITH UPHOLDING THE DEPARTMENT'S MISSION OF ENSURING ORDER, SAFETY AND SECURITY AT ALL TIMES.

PAST PERFORMANCE

TURNING TO PAST PROGRAM PERFORMANCE, DOC SHOWED IMPROVEMENT ON FOUR KEY PERFORMANCE METRICS IN FY 2010 WHILE EXPERIENCING A DECLINE IN FOUR AREAS. WITH RESPECT TO IMPROVEMENT AREAS, INMATE ON INMATE ASSAULTS DECLINED 67% (2.39 TO 0.8), INMATE ON STAFF ASSAULTS DECLINED 38% (2.36 TO 1.47), THE DELAYED RELEASE RATE DECLINED 14% (0.50% TO 0.43%), AND THE FEDERAL REIMBURSEMENT RATE INCREASED 1% (98.99% TO 99.86%).

PERFORMANCE CAME UP SHORT IN THE FOLLOWING AREAS: INMATES RELEASED TO THE COMMUNITY WITH NECESSARY MEDICATION DROPPED 2% (96.58% TO 94.24%), PRIORITY ONE MAINTENANCE AND REPAIR RATE FELL 27% (74.86% TO 54.81%), INMATE PHARMACEUTICALS EXPENDITURE VARIANCE INCREASED 60% (25% TO 40%), AND THE ERRONEOUS RELEASE RATE DOUBLED, GOING FROM .02 TO .04. THE DECLINE IN OVERALL MAINTENANCE PERFORMANCE CAN BE ATTRIBUTED TO AN EXPLOSION IN CELL DOOR REPAIRS CAUSED BY DETERIORATING INFRASTRUCTURE. THIS PROBLEM SHOULD BE OVERCOME THROUGH THE CELL DOOR REPLACEMENT PROJECT. SUBSTANTIVE RESEARCH IS CLEARLY NEEDED INTO THE ROOT CAUSES OF RISING PHARMACEUTICAL COSTS. AND THE LARGE CHANGE IN THE ERRONEOUS RELEASE RATE REFLECTS THE EXTREMELY SMALL SIZE OF THE BASE.

A COMPARISON OF PERFORMANCE OVER THE FIRST FOUR MONTHS OF FISCAL YEAR 2011 VERSUS THE SAME PERIOD LAST YEAR SHOWS IMPROVEMENT IN THE INMATE ON INMATE ASSAULT RATE (-64.68%), INMATE ON STAFF ASSAULT RATE

(-23.85%), INMATES RELEASED TO THE COMMUNITY WITH NECESSARY MEDICATIONS (1.79%), AND PRIORITY ONE MAINTENANCE AND REPAIR RATE (16.88%). AREAS EXPERIENCING SOME DECLINE INCLUDE THE FEDERAL REIMBURSEMENT RATE (-0.03%), DELAYED RELEASE RATE (26.44%), AND ERRONEOUS RELEASE RATE (36.45%). ON A POSITIVE NOTE, SUFFICIENT TIME IS AVAILABLE IN THE FISCAL YEAR TO INSTITUTE CORRECTIVE ACTIONS THAT CAN REVERSE THESE TRENDS.

ACCOMPLISHMENTS

DURING THE PAST YEAR, THE DEPARTMENT MADE A NUMBER OF NOTEWORTHY ACHIEVEMENTS WHICH HAVE ENHANCED OPERATIONS AND CONTRIBUTED TO COST SAVINGS. THESE ACCOMPLISHMENTS INCLUDE:

- ✓ INMATE WORK PROGRAMS THAT PROVIDE CRITICAL SUPPORT TO DISTRICT AGENCIES INCLUDING REAL ESTATE SERVICES, TRANSPORTATION, RECREATION AND PARKS AND PUBLIC WORKS. INMATES ON WORK DETAIL EARN AN HOURLY WAGE OF \$7.50 AND ARE RESPONSIBLE FOR SNOW REMOVAL, PAINTING, DEMOLITION, GRASS AND TREE CUTTING, DEBRIS REMOVAL, STREET AND ALLEY CLEANING, AND BUILDING MAINTENANCE. IN FISCAL YEAR 2010, THE INMATE WORK DETAIL PROGRAM SAVED THE DISTRICT GOVERNMENT APPROXIMATELY \$170,000. IN THE CURRENT FISCAL YEAR, WE HAVE SEEN A SHARP DECLINE IN REQUESTS FOR INMATE WORK DETAIL SUPPORT DUE TO AGENCY BUDGET CUTS.
- ✓ AN AUTOMATIC HIV TESTING AND COUNSELING PROGRAM THAT HAS SUCCESSFULLY SCREENED AT INTAKE MORE THAN 52,000 INMATES SINCE

2006—THIS DISTINGUISHES THE DEPARTMENT AS THE CITY’S SINGLE LARGEST HIV/AIDS TESTING SITE.

- ✓ RECOGNITION BY THE D.C. APPLESEED CENTER FOR LAW AND JUSTICE FOR SUPERIOR PERFORMANCE (“A”) IN THEIR SIXTH ANNUAL REPORT CARD EVALUATING THE CITY’S RESPONSE TO THE HIV/AIDS EPIDEMIC. OVER THE PAST FOUR YEARS, THE DEPARTMENT HAS CONSISTENTLY RECEIVED THE HIGHEST EVALUATIONS RENDERED BY THIS ORGANIZATION FOR OUR EFFORTS IN COMBATING HIV/AIDS IN THE DISTRICT.

- ✓ ON-SITE DIALYSIS FOR INMATES IN THE CUSTODY OF THE DEPARTMENT. THIS ENHANCEMENT WILL RESULT IN AN ANNUAL COST SAVINGS OF APPROXIMATELY \$200,000 BASED ON REDUCTIONS IN ESCORTED MEDICAL TRIPS (500 EACH YEAR) AND REDUCED COST OF CARE. SECURITY WILL ALSO BE IMPROVED DUE TO DECREASES IN THE INTRODUCTION OF CONTRABAND. TO DATE, 12 INMATES HAVE ACCESSED THIS SERVICE FOR A TOTAL OF APPROXIMATELY 375 TREATMENTS.

- ✓ AN INNOVATIVE GED PROGRAM LED BY INMATE PEER TUTORS AND OPERATED IN COLLABORATION WITH THE OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION. THE PROGRAM’S PASS RATE IS 61.8%, WHICH IS COMPARABLE TO OUTCOMES ACHIEVED ACROSS THE WASHINGTON METROPOLITAN REGION.

- ✓ EFFECTIVE USE OF TECHNOLOGY TO ENHANCE THE DEPARTMENT'S INVESTIGATORY FUNCTION. BASED ON INCREASED USE OF VIDEO EVIDENCE, THE DEPARTMENT HAS SUCCESSFULLY SUBMITTED MULTIPLE CASES TO THE U.S. ATTORNEY'S OFFICE FOR PROSECUTIONS RELATED TO INMATE ON INMATE AND INMATE ON STAFF ASSAULTS.

- ✓ A PROTOCOL FOR RECEIVING FEDERAL REIMBURSEMENTS FOR JUVENILES HOUSED AS SENTENCED FELONS PRIOR TO THEIR 18TH BIRTHDAYS AT THE RATE OF \$230 PER DAY. FISCAL YEAR 2011 REIMBURSEMENTS TO DATE HAVE BEEN ALMOST \$70,000 PER MONTH.

- ✓ REIMBURSEMENTS FROM THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM INCREASING FROM \$225,000 IN FISCAL YEAR 2009 TO \$426,000 IN FISCAL YEAR 2010. THE LATTER IS THE HIGHEST AWARD EVER RECEIVED BY THE DISTRICT.

- ✓ 332 DOC EMPLOYEES WHO HAVE ACHIEVED PROFESSIONAL CERTIFICATION TO DATE THROUGH THE AMERICAN CORRECTIONAL ASSOCIATION. THE CENTRAL DETENTION FACILITY LEADS THE NATION IN THE NUMBER OF STAFF WHO HAVE RECEIVED CERTIFICATION.

- ✓ ENHANCED LINKAGES AND INFORMATION SHARING WITH THE REGION'S CRIMINAL JUSTICE PARTNERS. A CRITICAL INFORMATION SHARING PARTNERSHIP HAS RECENTLY BEEN ESTABLISHED BETWEEN THE MPD GANG UNIT AND DOC WHICH STRENGTHENS THE DEPARTMENT'S EFFORTS TO MAINTAIN A SAFE AND SECURE ENVIRONMENT WITHIN THE JAIL.

- ✓ ENHANCED FACILITY SECURITY WITH REPLACEMENT OF CELL DOORS IN THREE OF THE JAIL'S MAXIMUM SECURITY HOUSING BLOCKS. THIS MASSIVE PROJECT CONTINUES WITH FULL COMPLETION TARGETED FOR JUNE OF 2012.

CHALLENGES

THE DEPARTMENT HAS MAINTAINED FOCUS ON OUR MISSION DESPITE A NUMBER OF CHALLENGES IMPACTING DAY TO DAY OPERATIONS. THESE INCLUDE:

- ✓ THE COST OF INMATE HEALTH CARE SERVICES INCLUDING PHARMACEUTICALS NOW EXCEEDS OVER 25% OF THE AGENCY'S OPERATING EXPENDITURES. WHILE THE QUALITY OF HEALTH CARE HAS BEEN ACCEPTABLE, SERIOUS CONCERNS REMAIN ABOUT OUR ABILITY TO MAINTAIN MEDICAL COSTS AT THIS LEVEL. TODAY, INMATE MEDICAL COSTS IN THE DISTRICT ARE HIGHER THAN 70% OF JAILS IN THIS COUNTRY.
- ✓ THE D.C. JAIL IS NOW 36 YEARS OLD AND THE MOST ANTIQUATED CORRECTIONAL FACILITY IN THE REGION. THE SAFETY AND SECURITY RISKS ASSOCIATED WITH AN OLD FACILITY DESIGN COUPLED WITH EXCESSIVE WEAR AND TEAR ARE HIGH—CONTINUED RENOVATIONS ARE BECOMING COST PROHIBITIVE. THUS, THE NEED FOR A NEW JAIL WILL INCREASINGLY BE AT THE FOREFRONT OF THIS CITY'S CAPITAL INVESTMENT CONCERNS.
- ✓ THE COSTS OF CONTRACTUAL HOUSING AT THE CTF COMPRISE APPROXIMATELY ONE QUARTER OF THE AGENCY'S OPERATING BUDGET. CURRENTLY, THE COST OF HOUSING INMATES AT THE CTF ALONG WITH

HEALTH CARE, FOOD SERVICE AND INDIRECT COSTS APPROACH THE COST OF HOUSING INMATES IN THE D.C. JAIL. BASED ON THE CITY'S CURRENT FINANCIAL STATUS, THIS COST MERITS ATTENTION AS WE CONTINUE TO LOOK OBJECTIVELY AT WAYS TO PROCURE QUALITY SERVICES AT MORE AFFORDABLE RATES.

- ✓ FUNDING IMPENDING SETTLEMENTS and JUDGEMENTS IS A PRIORITY ISSUE FOR THE DEPARTMENT. OF PARTICULAR NOTE IS THE CURRENT PROJECTION THAT THE DEPARTMENT'S POTENTIAL LIABILITY EXPOSURE RELATED TO EMPLOYMENT AND TORT SETTLEMENTS IS AT \$3,000,000.
- ✓ DEVELOPING A 21ST CENTURY WORKFORCE—THE DEPARTMENT CONTINUES TO SEEK QUALIFIED STAFF TO ASSUME CRITICAL POSITIONS WITHIN THE DEPARTMENT—AT EVERY LEVEL AND IN EVERY JOB CATEGORY. WE ARE SEEKING DIVERSE CANDIDATES WITH JOB SPECIFIC KNOWLEDGE, SKILLS AND ABILITIES AND THE COMPETENCE REQUIRED TO IMPLEMENT EFFECTIVE BUSINESS PROCESSES. CHALLENGES REMAIN IN IDENTIFYING CANDIDATES WHO ARE PREPARED TO SUCCESSFULLY HANDLE THE UNIQUE AND STRESSFUL JOB REQUIREMENTS OF THE CORRECTIONS PROFESSION AND PROVIDING THEM WITH FAIR AND EQUITABLE RETIREMENT BENEFITS.
- ✓ RENEGOTIATING OUR FEDERAL BILLING PROTOCOLS TO ENSURE THE DEPARTMENT IS APPROPRIATELY REIMBURSED FOR SERVICES RENDERED. THIS INCLUDES A PER DIEM RATE FOR HOUSING ADULT INMATES WHICH IS EQUITABLE WITH OPERATING COSTS, BILLING FOR SUPERIOR COURT

PAROLE VIOLATORS FROM COMMITMENT TO RELEASE, BILLING FOR SENTENCED FELONS FROM DATE OF FIRST FELONY SENTENCE TO RELEASE, BILLING FOR THE OUT OF STATE PLACEMENT OF INMATES IN WITNESS PROTECTION, AND ADHERENCE TO OMB CIRCULAR A87 WHICH ALLOWS FOR REIMBURSEMENT OF INDIRECT COSTS. PROJECTED REVENUE INCREASES ASSOCIATED WITH THESE PROTOCOL REFORMS ARE QUITE SIGNIFICANT. MORE SPECIFICALLY, MODIFYING THE BILLING PROTOCOLS FOR SENTENCED FELONS AND PAROLE VIOLATORS AS RECOMMENDED WOULD INCREASE REIMBURSEMENT REVENUE BY UPWARDS OF 50 MILLION DOLLARS OVER A FIVE YEAR PERIOD.

IN MOVING FORWARD, AS PART OF OUR ONGOING EFFORT TO ENHANCE SECURITY AND REDUCE STRUCTURAL COSTS, THE DEPARTMENT WILL CONTINUE TO MAXIMIZE THE USE OF TECHNOLOGY. THIS WILL INCLUDE BROADENING OUR VIDEO SURVEILLANCE CAPABILITY, IMPLEMENTING RADIO FREQUENCY IDENTIFICATION BASED INMATE AND PERSONNEL TRACKING, AND IMPLEMENTING CALL IQ WHICH ELECTRONICALLY ANALYZES INMATE TELEPHONE DIALOGUE.

IN ADDITION, WE WILL STRIVE TO ACHIEVE MORE COST EFFECTIVE SYSTEM INTEGRATION AMONG CRIMINAL JUSTICE AGENCIES WHICH WILL ENSURE ACCURATE, TIMELY AND COMPLETE MISSION CRITICAL EXCHANGE OF INFORMATION ON AN OFFENDER'S CRIMINAL STATUS, HISTORY, BEHAVIOR AND HEALTH.

PROVIDING PUBLIC SAFETY FOREMOST AND VIABLE REHABILITATIVE OPPORTUNITIES ARE KEY COMPONENTS OF OUR MISSION. WHILE OUR RESOURCES ARE LIMITED, WE CONTINUE TO OPERATE A NUMBER OF SUCCESSFUL PROGRAMS FOR ADULTS AND JUVENILES IN DOC CUSTODY. TO EXPAND OUR OPTIONS, WE CONTINUE TO SEEK INNOVATIVE AND EFFECTIVE WAYS TO ENHANCE OUR PROGRAMMING EFFORTS. THIS INCLUDES PARTNERING WITH COMMUNITY BASED ORGANIZATIONS, PRIVATE SECTOR ENTITIES, AND OTHER PUBLIC SECTOR AGENCIES INCLUDING THE OFFICE OF EX-OFFENDER AFFAIRS TO BOLSTER OUR RE-ENTRY PROGRAMMING, EXPAND ACADEMIC ENRICHMENT ACTIVITIES, OFFER OCCUPATIONAL SKILLS TRAINING OPPORTUNITIES, AND DEVELOP EMPLOYMENT FOCUSED PROGRAMS THAT IMPROVE OPPORTUNITIES FOR POST RELEASE JOB PLACEMENT.

IN CLOSING, I THANK YOU FOR THE OPPORTUNITY TO TESTIFY TODAY. I AM PLEASED TO ANSWER ANY QUESTIONS YOU MAY HAVE AT THIS TIME.