

## **DISTRICT OF CONNECTICUT - ACT REENTRY COURT**

# **POLICY MANUAL**

## **I. STEERING COMMITTEE**

The Steering Committee is comprised of the following executive level personnel from stakeholder agencies. The Steering Committee shall meet as necessary to consider any changes that should be made to this Policy Manual or other operations of the ACT (Achievement/Commitment/Trust) Reentry Court (“Reentry Court”).

- Janet C. Hall, Chief U.S. District Judge
- Jeffrey A. Meyer, U.S. District Judge
- Deirdre M. Daly, U.S. Attorney
- Terence S. Ward, Federal Public Defender
- Edward Scott Chinn, Chief U.S. Probation Officer
- Warren Maxwell, Deputy Chief U.S. Probation Officer
- Kim J. Cerullo, Deputy Chief U.S. Probation Officer

## **II. REENTRY COURT TEAM**

The following individuals will constitute the Reentry Court team that will be responsible for ongoing engagement with each other and with participants in the Reentry Court as described elsewhere in this Policy Manual.

- Jeffrey A. Meyer, U.S. District Judge
- Representatives of the U.S. Attorney’s Office
- Representatives of the Federal Public Defender’s Office
- Representatives of the U.S. Probation Office
- Representatives from community service providers whose full or limited participation is approved by the team

## **III. MISSION STATEMENT**

The Reentry Court is committed to helping individuals who have completed the incarceration component of their federal sentences and who have begun reentry to society while on federal supervised release. Through a team-oriented, personal engagement approach that promotes respect for and the dignity of each participant, the Reentry Court offers an intensive alternative to traditional supervision with a focus on encouraging participants to live pro-social, law-abiding lives, and helping participants to stabilize their lives by means of access to community services and benefits.

## **IV. BASIC MODEL/STRUCTURE**

The core of the Reentry Court program involves intensive, team-oriented personal engagement with each participant. The Reentry Court team will strive to help each participant to identify and achieve his or her goals for successful reentry to the community. The Reentry Court team will also strive to help each participant to connect to valuable community resources that will help him or her remain law-abiding members of the community.

Every two weeks, the presiding judge of the Reentry Court will preside over a Reentry Court session that involves each of the team members and all of the participants. Prior to this session, the team will meet as a group to review each participant's progress over the past two weeks and to consider what advice and guidance the team should be prepared to offer each participant. At the subsequent court session, the judge and other team members will engage in an active and candid dialogue with each participant about his or her progress over the past two weeks and about future goals and obstacles. The team will strive to encourage and acknowledge positive behavior and to discourage non-achieving behavior (sometimes through the imposition of graduated sanctions). The team will help each participant in a respectful, problem-solving style about what steps each participant might take to overcome obstacles and achieve his or her goals.

The team will also actively cultivate community resources and strive to connect each participant with helpful community services and benefits. Among other examples, these services and benefits may include education, vocational training, job-application preparation, employment opportunities, housing opportunities, benefits applications, and civil legal assistance needs (*e.g.*, with respect to debts, family law, licensing, etc.).

The services and benefits offered in the Reentry Court are designed to complement and supplement the services already provided to participants by the Probation Office. Accordingly, many participants in the Reentry Court will also take part in court-ordered programs such as for job readiness and training, substance abuse testing, and mental health counseling (including participation in the Probation Office's Moral Reconciliation Therapy Program).

Successful participation in the Reentry Court program is designed to last one year. For any successful graduate of the Reentry Court, the presiding judge will recommend to the graduate's sentencing judge that the sentencing judge reduce the participant's term of supervised release by one year.

## **V. ADMISSION CRITERIA**

The Probation Office will identify and accept appropriate candidates into the Reentry Court in accordance with the criteria set forth below.

*A. Individuals on Federal Supervision.* The Probation Office will consider individuals who have been convicted of a federal crime and who are or will be on a term of supervised release

(or probation) in the District of Connecticut. The Probation Office will make every effort to identify such individuals while they are still in the custody of the Bureau of Prisons such that they may begin participation with the Reentry Court as soon as possible upon release from custody.

*B. Voluntary Participation.* The Reentry Court is open only to individuals who voluntarily agree and wish to participate and who review and sign a participation agreement that explains the terms to which they agree to take part. A copy of the Participation Agreement is attached as **Exhibit A** to this Policy Manual.

*C. Notice to Sentencing Judge.* Because the conditions for Reentry Court are in part an alternative and supplement to traditional conditions of supervised release, the Reentry Court is open only to individuals for whom the Probation Office has notified the sentencing judge to whom the individual is ultimately responsible if he or she violates any of the terms of his or her supervised release.

*D. Priority Eligibility for Moderate and High Risk Supervisees.* The Probation Office will give priority to individuals who are identified as having a moderate to high risk of re-offending while on supervision. Risk factors include but are not limited to age, prior felony convictions, history of violence, and previous unsuccessful attempts at supervision. A participant's risk level will be based on the Risk Prediction Index (RPI), as well as administration of the Post-Conviction Risk Assessment (PCRA), an evidence-based method for the evaluation of risk as developed by the Administrative Office of the United States Courts. The determination of an individual's risk levels may also be based on information received from case managers of a potential participant while that individual is in the final months of his or her imprisonment. Every effort shall be made to ensure that each participant joins the Reentry Court within the first 120 days of federal supervision.

*E. Ineligibility of Certain Individuals.* There are certain potential participants who the Probation Office will not consider for admission to the Reentry Court, because their needs are best met by alternative programs:

- Individuals with Substance Abuse Addiction. Individuals who suffer from serious and ongoing addiction or substance abuse problems are better suited for the District of Connecticut's Support Court and will not be accepted into the Reentry Court program absent evidence to show that such persons are not (or are no longer) at high risk to use controlled substances.
- Individuals with Certain Psychiatric Disorders. Individuals who suffer from severe, crime-inducing psychiatric disorders such as pyromania and pedophilia are not appropriate participants for the Reentry Court. Such individuals are better suited for specialized psychiatric treatment programs to address their needs.
- Certain Sex Offenders. Because of the possibility that persons who have been convicted

of a sex-related offense may suffer from a severe psychiatric disorder, persons who are on federal supervision for any sex-related offense will not be admitted to the Reentry Court absent consensus of all team members from the Court, the Probation Office, the U.S. Attorney's Office, and the Federal Public Defender's Office.

*F. Consideration of Third Party Recommendations.* The Probation Office will accept any recommendations from judges, prosecutors, defense counsel, or other third parties for people who should be considered for participation in the Reentry Court. The Probation Office, however, will not offer a position to any such persons into the Reentry Court absent its own independent determination that such person would be an appropriate participant for the Reentry Court.

*G. Limitation on Total Number of Participants.* The Reentry Court will not have more than 20 total participants at one time. Resource constraints may require that the Reentry Court have fewer than 20 participants. The Probation Office will maintain a waiting list in the event that there are more qualified participants who wish to take part in the program than space allows.

## **VI. REENTRY COURT MEETINGS AND SESSIONS**

The Reentry Court will ordinarily convene every two weeks. Each court session with participants will be preceded by a confidential meeting of the presiding judge with other team members.

*Pre-Session Team Meeting.* The pre-court team meeting is a closed session where confidential information is candidly discussed to achieve the goals of public safety and success for each participant in the program, while protecting the due process rights of the participants. At the meeting, the team members will review the confidential progress reports of each participant and determine whether the participant has achieved a satisfactory performance, whether the award of incentives is appropriate, whether graduated sanctions should be imposed, and whether there are other issues appropriate for discussion in open court. With the consent of team members, pre-session team meetings may include the participation of any community social or legal service providers who are invested in assisting participants with access to community benefits or other services.

*Court Sessions.* After the team meeting, the Court will convene in the courtroom with all participants. Most court sessions will involve the following steps:

- The presiding judge will start off the session by asking each participant to assess how his or her progress has been over the past two weeks.
- After each participant's report, the presiding judge will then converse with each participant to provide positive reinforcement, regular feedback, and ensure accountability in a non-adversarial manner that protects each participant's rights and fosters an atmosphere of encouragement and success.

- Depending on each participant’s progress, the presiding judge may issue awards or sanctions to participants (see “*Incentives and Sanctions*” below).
- Depending on each participant’s goals or obstacles, the team will also strive to connect the participant with community service providers. The team will enlist support from family, mentors, potential employers, teachers, public agencies, and social and legal service providers. Based on each participant’s needs, the program will aim to help each participant achieve desired educational, vocational, and career goals; to achieve stable finances; to secure appropriate housing; to access available public benefits; and to help resolve any legal problems (driver’s licensing, family law, debts, etc.) that may stand as an obstacle to re-integrating into society.
- Although the proceeding will take place in a courtroom that is open to the public, the atmosphere will be informal and conversational. Family members or other supporters are encouraged to attend and participate to the extent that participants wish. In the spirit of a group dialogue, other participants may also weigh in with advice or suggestions that may be helpful.
- From time to time, guest speakers (such as potential employers, service providers, or others who have successfully reentered society from prior imprisonment) may be asked to give presentations.

## **VII. DURATION AND PHASES OF PARTICIPATION**

Successful completion of the Reentry Court requires each participant to take part in a total of 52 weeks of satisfactory or credited performance. At each sitting of the Reentry Court, the presiding judge (based on input from the team) will award credit to each participant who has achieved a satisfactory performance for the preceding two-week period. A participant will not receive credit for any two-week period of unsatisfactory performance.

A successful Reentry Court participant will progress through four major phases of the program: (1) the Initial Reentry phase (up to 4 weeks); (2) the Achievement phase (approximately 12-20 weeks); (3) the Commitment phase (approximately 16-20 weeks); and (4) the Trust phase (approximately 16-20 weeks). The details of each of these phases are set forth in **Exhibit B** to this Policy Manual.

Successful completion of the Reentry Court will be commemorated by means of a graduation ceremony and certificate of achievement that is signed by the presiding judge. The presiding judge will also issue a written recommendation to the sentencing judge that the participant’s term of supervised release be reduced by one year in light of the successful completion of the Reentry Court program.

Finding and maintaining employment is a crucial part of the reentry process. In some instances, a participant’s work schedule will conflict with Reentry Court and prevent the

participant from attending. Probation is willing to assist participants in communicating with their employers to accommodate Reentry Court, but a change in one's work schedule is not always possible.

If an individual is consistently unable to attend Reentry Court due to employment (or due to an educational or vocational program) but has otherwise substantially complied with the requirements of Reentry Court, the individual will be deemed an "honorary member" and will no longer be considered an active participant. Honorary members are welcome to return to the Reentry Court program if their work schedules change at any point. Although honorary members will not officially graduate from Reentry Court, they may make a motion to their sentencing judge to shorten their term of supervised release by a year, and the presiding judge of Reentry Court and probation will typically express support for such a motion.

## VIII. INCENTIVES AND SANCTIONS

The Reentry Court depends in part on the award of incentives for positive progress toward supervision compliance and achievement of reentry goals as well as the impositions of sanctions for non-compliance or other negative progress. A Guideline for Incentives and Sanctions is attached as **Exhibit C** to this Policy Manual.

*Benefits.* A significant incentive for participation in the Reentry Court is the opportunity to reduce one's term of supervised release by one year. In addition, participants who are successfully fulfilling their obligations may have their obligation to appear in Court reduced to just once a month (rather than every two weeks) or may receive accelerated time credits for achieving goals and milestones. A participant's weekly success will be publicly acknowledged at court sessions by the presiding judge.

*Sanctions.* The Reentry Court team may recommend sanctions for participants. The presiding judge makes the final determination of and ultimately imposes all sanctions. Sanctions available to the presiding judge include those that fall within the statutory authority of the Probation Office under the standard conditions of supervised release, such as increased reporting. One common type of sanction is to refuse credit toward the 52 weeks of the program for any period during which a participant has been non-compliant. Other possible sanctions include requiring the participant to make an apology or acknowledgement of conduct in front of the group, or to write an essay on the consequences of the conduct. By consenting to participate in the program, participants who are non-compliant also agree to accept imposition of a curfew, community service, home or community confinement, and imprisonment of up to a total of and not more than seven days.

*Refusal of Sanctions.* Because participation in the Reentry Court is voluntary, participants retain the right to refuse a Reentry Court sanction. A decision to refuse to accept a sanction, however, will form the basis for termination from the Reentry Court.

*Termination from Reentry Court and Revocation of Supervised Release.* Because participants in the Reentry Court remain fully subject to the terms of their supervised release while they are enrolled in the Reentry Court, if they engage in criminal or other substantial non-compliant conduct during the time that they are enrolled in the Reentry Court, they may be subject to being terminated from the Reentry Court by the presiding judge and subject in turn to revocation proceedings before their sentencing judge. The presiding judge will not take part in any subsequent revocation proceedings.

## **IX. EVALUATION AND MEASUREMENT**

The Reentry Court will track its admissions, dispositions, and other statistics in order to issue an annual report to the Chief Judge concerning its activities.

In addition, the Probation Office will attempt to work with a trained researcher/statistician at an outside university or firm for the purpose of measuring and publishing short- and long-term results of the Reentry Court program.