

**UNITED STATES DISTRICT COURT
NORTHERN OF CALIFORNIA**

AGREEMENT TO PARTICIPATE IN RE-ENTRY PROGRAM

Name:

Case Number:

Length of supervised release term:

Supervised release start date:

INTRODUCTION

You have been selected to participate in the Northern District of California's intensive re-entry program. We believe you have the ability to succeed in this program, which may have significant benefits to you as explained below. By signing this form, you agree voluntarily to participate.

The purpose of the program is to help you successfully reenter your community. You will have access to community-based resources, such as job training and placement, education, treatment, and counseling, and may have a member of the community as a mentor. You will report frequently to your federal probation officer, who will match your needs with available resources and help you take advantage of them. You and other participants in the program will also appear regularly in court before a federal magistrate judge, who will talk with you, your family, and/or your mentor about your progress. Court appearances will be at least once a month and might be as frequently as every week.

The program lasts for at least one year. The re-entry judge will give you credit toward that year for every two-week period of satisfactory performance, except where not using drugs and/or alcohol is a requirement of your re-entry program. You will not get credit for any two-week period of unsatisfactory performance, although it will sometimes be possible for you to earn back that credit. In order to graduate from the program, you will need a total of 52 weeks of satisfactory performance. If not using alcohol and/or drugs is a requirement of your re-entry program, you must complete 52 consecutive weeks of sobriety in order to receive any credit for meeting the requirement of one year's satisfactory performance.

Read this form carefully before you sign it. If you have any questions, ask your probation representative. You also should review this agreement with the Assistant Federal Public Defender assigned to the program before you sign it.

HOW THE PROGRAM WORKS

The program is different from regular supervised release in two ways:

First, instead of reporting to an individual federal probation officer, and seeing a judge only if you commit a violation, you will have a group of people – your probation officer, a federal magistrate judge, an assistant federal public defender, an assistant United States attorney, and other service providers – working together to help you succeed. You will see your probation officer often and meet with the judge regularly, which could be weekly, bi-weekly, or monthly.

Second, after you successfully complete 52 weeks in the program, you will graduate and move to general probation supervision. At the time you graduate, the re-entry court judge will recommend that the sentencing judge reduce your term of supervised release by 12 months.

If you participate in this program, you will agree to have a federal magistrate judge monitor your progress and impose certain sanctions if you commit infractions of your supervised release. The sanctions will be designed to help you by encouraging you to reflect on your behavior, stay away from people and places that get you into trouble, and act responsibly. An Assistant Federal Public Defender will be available for consultation at your court appearances and at any time during the program.

WHAT YOU CAN EXPECT FROM THE UNITED STATES PROBATION DEPARTMENT

1. You will be thoroughly assessed and then make a plan with your probation officer for your activities during the first three to six months of your release, including employment, education, living situation, and treatment. This plan will be signed by you and the probation officer and submitted to the re-entry judge for approval.
2. Your probation officer will work with you to identify problems that you are facing and propose referrals and resources.

WHAT YOU CAN EXPECT FROM THE COURT

1. The judge will give you personal attention at regular meetings. He or she will discuss your progress and address any concerns you or the probation officer have.
2. The judge will encourage you when you are doing well.
3. The judge will hold you accountable if you violate the terms of the program.

Some examples of positive behavior that the judge will encourage are as follows:

- a. Attending court sessions;
- b. Attending scheduled meetings with the probation officer and other team members;
- c. Attending other scheduled appointments;
- d. Establishing a stable living environment;
- e. Attending treatment;
- f. Progress in treatment;
- g. Negative drug screens;
- h. Honesty;
- i. A period of abstaining from drugs or alcohol;
- j. Participation in education classes;
- k. Obtaining employment;
- l. Developing positive social networks;
- m. Engaging in pro-social activities;
- n. Identifying high-risk situations;

- o. Identifying skills that help avoid, manage or cope with high-risk situations;
- p. Avoiding, managing or coping with high-risk situations;
- q. Completion of court-ordered requirements;
- r. Completion of program requirements;
- s. Completion of the program; and
- t. Engaging in other behaviors that reduce the risk of engaging in criminal behavior.

Some examples of violations are as follows:

- a. Unexcused absences from Court sessions;
- b. Unexcused absences from probation officer meetings or any scheduled treatment;
- c. Positive or missed alcohol/drug screens;
- d. Submission or attempted submission of adulterated urinalysis;
- e. Failure to maintain employment (excluding layoffs);
- f. Failure to participate in employment, education or cognitive-behavioral programs or mental health treatment;
- g. Failure to complete written assignments;
- h. Failure to complete a sanction;
- i. New arrest;
- j. Failure to provide accurate contact information; and
- k. Other violations of conditions of supervision or court orders.

If you violate the terms of the program, the following list contains some of the sanctions that the judge may impose. Factors that influence the sanction imposed include the seriousness of the violation, the number of violations, and the amount of time you have remained compliant. In addition, an important factor will be whether you disclose the violation voluntarily. Dishonesty on your part will result in enhanced sanctions. As a general rule, when there are repeat violations, more serious sanctions will be applied.

- a. Judicial reprimand (a formal disapproval of your conduct);
- b. Curfew;
- c. Geographic and association restrictions limiting the places that you may go or persons you may associate with;
- d. Community service, if you make insufficient efforts to find employment or education;
- e. Home confinement with electronic monitoring or community corrections center placement (when your violation of the program's conditions is serious);
- f. Imprisonment for up to seven days for those who consistently violate the rules and are at risk of being expelled from the program; and
- g. Referral to the district court for revocation of supervised release, imprisonment, or suspension from the program.

You will not receive credit toward your 52-week program total for any two-week period in which your performance is unsatisfactory. In addition, programs focusing on substance abuse may require 52 consecutive weeks of sobriety.

WHAT WE WILL EXPECT FROM YOU

- 1. You must adhere to the basic conditions of supervision.
- 2. You must stay free of drugs and not abuse alcohol.
- 3. You must stay in touch with your probation officer.
- 4. You must show up for all meetings with the judge and be open and honest about your behavior. Your statements to the re-entry court judge will not be used against you in a separate federal revocation proceeding (though the statements may be grounds for judicial or probation action in the re-entry court). The probation officer or any law enforcement authority may conduct an independent investigation based on your statements.
- 5. You must be employed full-time, enrolled in school full-time, or be productively involved with your community in some other way.
- 6. You must make progress toward a stable residence and finances.
- 7. You must participate fully in any necessary training or treatment.
- 8. You must make restitution and fulfill other court-ordered financial obligations.

SIGNATURES

I have read this form, and I understand it. I agree to participate in the Northern District of California’s Re-Entry Program and abide by its rules.

Participant: Name (please print) _____

Signature and date _____

I agree that it is appropriate for the above individual to participate in the Northern District of California Re-Entry Program.

Probation Officer: Name (please print) _____

Signature and date _____

Approved: _____

Re-entry Judge

Assistant Federal Public Defender

Assistant United States Attorney

ATTACHMENT 2

Northern District of California Re-entry Program Monthly Progress Report

PARTICIPANT NAME:

HEARING DATE:

DATE PROGRAM STARTED:

LAST HEARING DATE:

**SANCTIONS AT LAST HEARING
AND WHETHER COMPLETED**

**GOALS OF LAST HEARING AND
WHETHER COMPLETED**

REMARKS OF TEAM MEMBERS

Probation Officer

Treatment Provider

**Halfway House Regional
Manager/Staff Member**

Family Member

Other

Participant

Government Counsel

Defense Counsel

Judge

ACCOMPLISHMENTS

VIOLATIONS

NEXT HEARING DATE:

GOALS FOR NEXT HEARING

UNITED STATES DISTRICT COURT
Northern District of California



PROBATION OFFICE

YADOR J. HARRELL
CHIEF U.S. PROBATION OFFICER

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Suite 17-6884; P.O. Box 36057
San Francisco, CA 94102-3487
(415) 436-7540
Fax: (415) 436-7572

Reentry Court Eligibility Criteria

- Documented history of substance abuse
- R.P.I. (Risk Prediction Index) score of 5-9
- PCRA (Post-Conviction Risk Assessment) score of moderate or high
- At least 24 months of supervision remaining
- Ability to participate in biweekly cognitive-behavioral group
- San Francisco County resident (northern San Mateo county residents could be considered)
- Willingness to participate and abide by program requirements

Reentry Court Ineligibility

- Supervisees with a current or former sex offense

UNITED STATES DISTRICT COURT
Northern District of California



PROBATION OFFICE

Reentry Court Referral Form

YADOR J. HARRELL
CHIEF U.S. PROBATION OFFICER

450 Golden Gate Avenue
Suite 17-6884; P.O. Box 36057
San Francisco, CA 94102-3487
(415) 436-7540
Fax: (415) 436-7572

Referred by: _____

Referral contact number: _____

Name of potential participant: _____

Offense: _____

Type of supervision (TSR, Probation, Parole): _____

Date supervision is scheduled to terminate: _____

Violation case: Yes No

Documented history of substance abuse: Yes No

Comments: _____

History of mental health issues: Yes No

Comments:
Include diagnosis, if known _____

Is the potential participant a resident of the City and County of San Francisco? Yes No

Is the potential participant on concurrent supervision with the State/County? Yes No

Has potential participant been informed as to the reentry court requirements and is s/he willing to abide by them? Yes No