

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
CONTRACT FOR PARTICIPATION IN REENTRY COURT**

Name:

Offense of Conviction:

Date of Conviction:

Sentence Expiration Date:

Sentence Special Conditions:

INTRODUCTION

You have been invited to participate in the Reentry Court Program of the District of Oregon. Participation is entirely voluntary, and there will be no negative consequence if you do not wish to participate. If you successfully complete the Reentry Court Program, your term of supervision will be shortened by one year.

THE REENTRY COURT PROGRAM BASICS

The Reentry Court Program will last at least one year. Participants in the Reentry Court Program will be under the supervision of a Reentry Court Probation Officer (PO), rather than a traditional probation officer. Participants agree to participate in a drug and alcohol evaluation, and in any and all treatment recommended. Participants also agree to submit to drug testing as directed by the PO or treatment provider. In addition to the requirements of actively engaging in treatment, you will also be required to comply with the general conditions of supervision.

You will be assigned an attorney from the Federal Public Defenders Office (AFPD) who is assigned to the Reentry Court Program. In the Reentry Court Program, the Federal Public Defenders Office will be permitted to have access to the treatment provider and treatment records. An Assistant United States Attorney (AUSA) will also be assigned to the Program. The AFPD, the AUSA, and treatment provider will work with the PO in order to provide additional support and encouragement for your sobriety and success in the Program.

LENGTH OF REENTRY COURT PROGRAM

The program will last at least one year. Participants who struggle in treatment, but remain dedicated to recovery, may be given extensions in the Program to complete their term of treatment and may still be rewarded with the one-year reduction in supervision.

COURT APPEARANCES

At least once per month, at a time to be determined, you will be required to appear before the Reentry Court Judge to evaluate your progress. The PO, AFPD, AUSA, and treatment provider representative will be present. Progress reports from your PO and your treatment provider will be provided to the Court and attorneys. These reports will describe both successes and problems you have experienced during supervision, either treatment related or otherwise.

PARTICIPANT EXPECTATIONS

As a Reentry Court Participant, you will be held accountable for your actions and encouraged to change your behavior in positive ways to achieve a law-abiding, pro-social, and sober lifestyle. Participants are expected to remain clean and sober and abstain from using or possessing drugs and alcohol. Participants are also expected to seek and maintain stable employment and housing, strive toward meeting all family responsibilities and financial obligations, and to learn effective coping and life skills. You must also remain in compliance with all other conditions of supervision. Conditions of supervision can be added or modified at any time if the Reentry Court Team determines that a Participant's current circumstances warrant such a modification. Because each Participant comes from different backgrounds and faces different challenges, each Participant's treatment regimen and expectations are tailored to individual needs.

Participants are expected to be honest with the Reentry Court Team and to engage in discussions with the Team members about treatment, challenges, and reentry plan progress. Participants are encouraged to reflect on ways in which the Reentry Court Team can assist with a treatment or reentry plan prior to each hearing, so as to ensure that the Participant is equipped to achieve his or her treatment and reentry goals. Participants are also expected to deal respectfully and supportively with co-Participants inside and outside Reentry Court hearings.

Please read each of these Participant expectations and indicate your acceptance by putting your initials on the left-hand side. Please also refer back to this list as you move forward in the Program to remind yourself of your obligations as a Participant.

Initials	Participant Expectation
	I agree to remain drug and alcohol free.
	I agree to notify the PO or other Reentry Court Team members about challenges to maintaining sobriety and seek assistance in overcoming those challenges.
	I agree to attend all treatment sessions. I will reschedule a session if I am unable to attend due to a conflict.
	I agree to attend all Reentry Court hearings and participate in good faith.
	I agree to maintain or obtain employment, unless I am enrolled in a full-time training or educational program.
	I agree to deal respectfully with co-Participants and the Reentry Court Team.
	I will comply with drug testing as required by my PO and I will remain compliant with the other terms of my supervision.
	I agree to attend any cognitive-behavioral or other course required by the Program.
	I agree to seek out pro-social associates and become involved in activities that will keep me from becoming involved in crime.
	I agree to examine the way I think about my decision-making and consider ways of thinking that will help me remain sober and law abiding.

SUPERVISION VIOLATIONS & SANCTIONS

Supervision violations and sanctions will ordinarily be handled on the regularly scheduled Reentry Court calendar. The Court, however, can schedule an appearance at any time. Additionally, sanctions and modifications regarding treatment may be handled on an expedited basis with the consent of the parties.

If a Progress Report contains an allegation of noncompliance, you may choose to agree that the allegation is true and waive the traditional protections and procedures afforded to those on supervision when they are accused of violating supervision. There will be no hearing on whether the allegation is true. The Reentry Court Judge will decide whether a Reentry Court sanction is appropriate. As noted above, noncompliance can also be handled outside the presence of the Reentry Court Judge.

Noncompliant behavior by you, the Participant, will result in sanctions. The range of possible sanctions has been drafted broadly to assure that some level of sanction is available for every violation. Factors that will influence the type of sanction employed include the seriousness of the violation, the number of violations, and the amount of time you have remained compliant, either before a first violation, or between violations. In addition, an important factor will be whether you voluntarily disclose the violation. Dishonesty on your part will result in enhanced sanctions. Depending on these factors, any of the sanctions listed below – including termination from the program – is available. As a general rule, when there are repeat violations, more serious sanctions will be applied. Sanctions may include, but are not limited to:

- Participant received a judicial reprimand;
- Participant is ordered to increase the frequency of support group attendance;
- Participant is ordered to research a topic related to his or her recovery or reentry plan and present his or her findings to the Reentry Court Judge, or at a hearing;
- Participant is ordered to provide an explanation for his/her noncompliant behavior, either in writing or some other means (such as why Participant failed to attend treatment or tested positive, or about the thing that most often causes Participant to relapse and why, or about what Participant will do differently this time so that Participant will not fail again, or about someone Participant admires and why);
- Participant is ordered to participate in community service (the site of which will be left to the discretion of the Court and hopefully the Court will discuss with the Participant his or her interests and select a community service activity that they may find they actually enjoy, thus encouraging service not as a sanction, but as a fulfilling activity);
- Participant is ordered to comply with curfew restrictions or home confinement with electronic monitoring;
- Participant is ordered to participate in a day reporting program;
- Participant is ordered to complete a term at a residential reentry center;
- Participant's term of reentry court is extended;
- Participant is ordered to spend up to 7 days in jail;
- Participant is terminated from the Program with or without filing of a formal violation.

If appropriate, sanctions may be ordered more than once during the course of the Program. If you admit to the violation, you may be able to complete the sanction and remain in the program. When expedited action is appropriate, a sanction or adjustment in treatment can be imposed without an appearance before

the Court. The PO's report at the next Reentry Court appearance will inform the Reentry Court Judge whether you properly completed the sanction ordered at the last appearance. Failure to complete ordered sanctions may result in added sanctions, or termination from the Program.

If you wish to contest the sanction allegation, you may do so. The only permissible contested sanction hearing in the Reentry Court, however, is a claim of actual innocence of the alleged violation. If you wish to have a contested hearing, a non-Reentry Court AFPD will assist you in contesting the allegations. The Reentry Court Judge will ultimately decide whether the allegation is true. It is important to note the PO need not wait until your scheduled Reentry Court appearance to address problems in supervision. If you fail to abide by the directions of the PO, the PO will contact you to address the problem. Minor violations may be dealt with by either the PO, or by a team including the PO, the AFPD and the AUSA. If you commit a major violation, a warrant will immediately be issued for your arrest.

GRADUATION & ONE YEAR REDUCTION IN SUPERVISION TERM

Upon successful completion of the Reentry Court Program, your total term of supervision will be reduced by one year. After completing the Reentry Court Program, most Participants have an additional amount of time to spend on traditional supervision. If this is true of you, you will be required to continue to comply with any and all conditions of supervision.

GRADUATION AND DISMISSAL OF PENDING SUPERVISED RELEASE/PROBATION VIOLATION PETITION

If you were referred to Reentry Court while facing a violation charge, upon successful completion of the Reentry Court Program, the supervised release allegations against you will be formally dismissed and your total term of supervision will be reduced one year.

UNSUCCESSFUL TERMINATION FROM THE REENTRY COURT PROGRAM

You may be terminated from the Program if you fail to participate in treatment and supervision – including repeated technical violations of general conditions of supervision, failure to make your Reentry Court appearances, or a new law violation. If you are terminated from the Reentry Court Program, you will return to regular supervision status and may face a violation hearing.

If the Probation Office chooses to pursue a formal violation charge, it will be the policy of the Probation Office not to allege as a formal violation conduct that occurred during the Reentry Court Program and that was previously addressed. After the Participant is outside of the Reentry Court Program context, however, the Court presiding over the violation hearing will be advised of all conduct that has taken place during the period of supervision, including successes, failures, and sanctions which occurred during the Reentry Court Program.

You may also voluntarily discontinue the program and return to traditional supervision status. If the Program is discontinued voluntarily, you will not face an allegation of violation unless it is determined that serious violations of supervision have occurred.

UNSUCCESSFUL TERMINATION WHEN A SUPERVISED RELEASE/ PROBATION VIOLATION PETITION IS PENDING

If you were referred to Reentry Court while supervision violation allegations were pending with the understanding that such allegations would be dismissed upon successful completion of the Reentry Court Program, and you fail to complete the Program, you will be referred for proceedings on the supervision violation allegations at termination.

PROGRAM EVALUATION

By agreeing to participate in Reentry Court, you also agree to complete periodic surveys designed to gather information about your experience in the Program and to give you an opportunity to provide feedback about the usefulness of the Program.

The Reentry Court Team will consult the survey responses when considering improvements to the Program. You do not risk being penalized for criticizing the program, and you will not be rewarded for positive responses. Rather, you are encouraged to answer all of the questions honestly. Your feedback is important to the Reentry Court Team. Your answers will help the Team make necessary improvements to the program for the benefit of all participants.

AGREEMENT

Participant:

I, _____, have read, or someone has read to me, this Agreement and I understand the basic workings of the Reentry Court Program. I voluntarily agree to participate in the Reentry Court Program. I understand I can revoke my voluntary participation at any time and return to traditional supervision.

Signature

Date

Judge:

I, _____, a Judge in the District of Oregon's Reentry Court Program, accept the above named Participant into the Reentry Court Program.

Signature

Date

Representative of the United States Attorney:

I, _____, an Assistant United States Attorney in the District of Oregon's Reentry Court Program, accept the above named Participant into the Reentry Court Program.

Signature

Date

Representative of the Federal Public Defender:

I, _____, an Assistant Federal Public Defender in the District of Oregon's Reentry Court Program, accept the above named Participant into the Reentry Court Program.

Signature

Date

Representative of the United States Probation Office:

I, _____, a Probation Officer assigned to the District of Oregon's Reentry Court Program, accept the above named person into the Reentry Court Program.

Signature

Date