

Middle District of Tennessee

RISE Reentry Court

(Realizing Individual Success and Empowerment)

The Reentry Court for the Middle District of Tennessee incorporates Reentry Court Judges, working in collaboration with the U.S. Probation and Pretrial Services Office in the supervision and reentry efforts of persons under supervision. The Judges conduct bi-monthly court sessions with each participant in the program. During these court sessions, the Judge discusses the participants’ progress in relation to employment, housing, education, treatment, and other areas.

The U.S. Probation Office for the Middle District of Tennessee is responsible for supervising post-conviction persons under supervision in the community. Some of these individuals were placed directly on probation, but the vast majority are on supervised release and have served a period of time in custody. Upon their release, they are monitored by the U.S. Probation Office. The reentry of these individuals back into society, after their completion of prison sentences, can be challenging not only for the client, but also for the probation officer tasked with overseeing their supervision. Early intervention, coupled with judicial oversight, may lead to a positive impact on the supervision of these individuals in the community.

The reentry court concentrates its efforts in activities that enhance supervision of the participant. The additional services and bi-monthly contact with a Reentry Court Judge provides early intervention which fosters compliance and a reduction in revocation hearings. The Middle District of Tennessee continues to have a number of revocations each month, which at times requires the person on supervision to be incarcerated. According to figures provided by the Administrative Office of the U.S. Courts, the cost to incarcerate a federal prisoner is substantial as compared to the costs associated with supervision of an offender in the community.

As the reentry court manages the return of individuals being released from prison, it utilizes the authority of the Court to apply positive reinforcement, when an individual is in compliance, and graduated sanctions, when they are not. The bi-monthly sessions allow this reinforcement to take place on a continuous basis and provides an immediate response to behavior.

**Approach**

Those returning to the community from incarceration face significant challenges in employment, drug abstinence, and sobriety; have difficult times forming positive social networks; and do not always have positive support systems. This program is designed to increase the opportunity for success by significantly addressing the criminogenic factors (factors related to the increased likelihood of recidivism). Those factors are:

(1) history of anti-social behavior;

(2) criminal/deviant peer associations;

(3) substance abuse; and

(4) dysfunctional family relationships.

The criminogenic factors that are subject to change by the participant (dynamic factors) are:

(1) substance abuse;

(2) criminal and antisocial thinking;

(3) family relationships; and

(4) peer associations.

Participants will be selected from the highest risk categories because of the greater challenges they face. Although many participants have failed at many programs and may have low expectations of themselves, the program expects success from participants and does not automatically expel a participant due to failure. Recommended sanctions for violations will be utilized in an effort to keep the participant in the community whenever possible.

**Participants**

Participants in the program are selected by the reentry team and include persons under supervision who reside in Nashville and the surrounding areas. These participants are in need of assistance and benefit from close supervision and judicial oversight. The participants’ involvement in the program is voluntary and includes those offenders who have moderate to high risk level scores according to the Post Conviction Risk Assessment 2.0 (PCRA 2.0) or a risk prediction score of 5 to 8 as determined by the Risk Predication Index (RPI). Exceptions may be made for candidates deemed in need of intensive services, who do not meet the criteria.

The U.S. Probation and Pretrial Office has a designated reentry court officer, who is assigned to the reentry court. That officer supervises all reentry participants. Said officer meets with potential candidates for the program at the Residential Reentry Center (RRC) prior to release, if they are housed there. Diersen Charities, Inc., is the RRC utilized by this district If a potential candidate is not housed in the RRC, then reentry court placement should take place during the initial phase of supervision. In addition, if the reentry team determines that a person under supervision, who has already began his/her supervision, may benefit from the reentry program, a referral may be made if that person has at least 18 months left on supervision.

**Orientation of Participants**

The officer, in prerelease planning, meets with the identified participant at the halfway house prior to release, if the participant is still in custody. As noted earlier, the reentry program may also include those participants who have already began their supervision. The participant is informed of the program, its benefits to his/her reentry, and the requirement and expectations. A copy of a program acknowledgment will be presented to the participant for review. The participant will be scheduled to appear at the bi-monthly court hearing prior to his/her scheduled release or his/her entrance in the program. At the participants request, an appointment with counsel may be arranged prior to the hearing. At that hearing, the participant is introduced to the reentry court team and the acknowledgment will be reviewed with all. The participant will be asked to sign the acknowledgment. Each participant is advised that the RISE program is designed to give them an increased opportunity for success on supervision.

The acknowledgment explicitly states the conditions of supervision, the expectations of the program, and the possible sanctions and rewards. Completion of the program (52 weeks of satisfactory participation), results in an assignment to regular supervision and a reduction in the term of supervision. It is expected that, through this program, these participants will have achieved profitable full-time employment, compliance with conditions, abstinence and sobriety, and positive connections with community and family.

**Team Members**

The reentry court team members consist of the Reentry Court Judge, the reentry court probation officer, an Assistant U.S. Attorney, and an Assistant Public Defender. Partners are also incorporated, as they will provide assistance to the participants in areas of employment, housing, education, and treatment. It is noted that the list of partners will increase over time. Team members collaborate on a continuous basis and discuss participant needs and services available.

**The Reentry Program**

A client must satisfactorily complete 52 weeks of the program. After completion of the program, clients graduate. The Reentry Court Judge reduces the client’s supervision term by one year. The participant remains on the reentry court probation officer’s caseload, if he/she still has time remaining on supervision after his/her term of supervision is reduced. This allows for continuity in supervision. It should be noted that if there are violations during the course of the program, various sanctions are enforced and can lead to termination from the program.

1. **Pre-Court Conference**

Prior to the bi-monthly court hearings, reentry court team and relevant reentry partners meet to discuss each participant’s status in the program. In addition, this conference focuses on the participant’s employment, residence, treatment participation, and overall compliance on supervision. Information regarding the number of weeks completed is also discussed. The discussion is led by the reentry court probation officer, and partners provide dialogue regarding their contact with the participant, as well as advise the reentry team of services that may be offered to the participant. The conference is designed to update the Court so that discussions in court are more meaningful and poignant.

1. **Court Hearings**

All participants are required to attend court hearings on a bi-monthly basis. The hearings are held in the Reentry Court Judge’s courtroom. In addition to RISE team members, the participant’s family, employers, and other support persons are encouraged to attend the hearings. If a participant fails to attend a hearing, sanctions may apply.

1. Hearing Format:
2. The Reentry Court Judge addresses each participant in the program and discusses their current progress. Discussions focus on employment, education, legal issues, treatment concerns, housing, parenting, etc. In addition, any topics brought out during the pre-court conference may be discussed. Discussions also focus on the participant’s accomplishments and shortcomings, and the Court can refer the participant for various services, as well as offer assistance by reentry partners. For this reason, relevant reentry partners attend the reentry hearings.
3. New participant introductions are made and a formal signing of the participant agreement also takes place.
4. **Violations of Supervision**

Supervision violations will be reported either orally at the monthly progress hearing or in writing on a Petition for Warrant or Summons for Offender under Supervision (Probation Form 12C) by the reentry court probation officer.

Violations reported orally at the bi-monthly sessions are those of a minor nature, such as missed treatment appointments, failure to report as directed, failure to report information to the reentry court probation officer, and other technical violations that are not likely to require modification or revocation of supervision. The sanction for these types of violations can result in credit toward the 52-week period being taken away. This will result in the participant remaining in the program for a longer period of time.

As it relates to violations that can lead to revocation, Grade A and B violations will be reported to the Court for normal revocation proceedings. A participant may remain in the program pending the revocation hearing, but his/her time is tolled during this time frame. If the participant is found not guilty of the violation(s) and returns to supervision, his/her time is restored. A participant who is revoked and has supervision to follow any incarceration may request to return to the reentry program after he/she is released from custody and if accepted, will remain in the program until he/she completes 52 weeks. None of the participant’s time will be credited back to him/her.

In addition to the above, if the participant agrees to participate in the reentry program, they agree to accept imposition of home or community confinement, a curfew, or community service as sanctions.

1. **Graduation**

Once the participant completes the reentry program, he/she will graduate. The graduation ceremony will be an opportunity for family, friends, and other supporters to celebrate the graduate’s successful completion of the program. The Reentry Court Judge, the reentry probation officer, representatives from the United States Attorney’s Office and Public Defender’s Office, and community partners also attend the ceremony. The graduation will take place in the reentry courtroom and a certificate of completion will be provided to the graduate. As noted earlier, after graduation, the Reentry Court Judge will take 12 months off the graduate’s term of supervision. If the graduate has a period of supervision remaining, he/she will complete supervision as ordered. The graduate remains on the reentry probation officer’s caseload for the remainder of supervision to allow for continuity in supervision. However, he or she is not required to attend reentry court proceedings.

**RISE Program Responsibilities**

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| **REENTRY COURT JUDGE** | |
| 1. | Reentry Court Judge will participate in the pre-court hearing. The reentry probation officer and relevant RISE partners will provide the Reentry Court Judge and reentry court team with information regarding the participant’s current circumstances as well as their progress in the program. |
| 2. | Reentry Court Judge will conduct court hearings on a bi-weekly basis to discuss with the participant his/her current circumstances and progress in the program. |
| 3. | Reentry Court Judge shall meet with the reentry court team to determine sanctions to be assessed violators of the reentry policies and supervision. |

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| **PARTICIPANT** | |
| 1. | Participant to take part in all supervision meetings and attend all court sessions/hearings. Participant to abide by all conditions of the supervision. |
| 2. | Participant to provide truthful information to the Court and probation officer regarding any obstacles that are impeding his/her success in the program. |
| 3. | Participant shall consistently work with the probation officer and program partners in an effort to enhance individual development. |
| 4. | If a participant commits an infraction, he/she shall be subject to sanctions and comply with determinations made by the reentry court team in relation to the sanction. |
| 5. | Participant shall encourage family members, employers, and significant others to attend court sessions and if necessary, meetings with the probation officer or program partners. |

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| **REENTRY COURT PROBATION OFFICER** | |
| 1. | Reentry Court Probation Officer shall ensure that the participant abides by the reentry regulations as well as the conditions of release. |
| 2. | Reentry Court Probation Officer to continuously monitor the participant’s behavior and timely report all progress and noncompliance to RISE team members. |
| 3. | Reentry Court Probation Officer shall attend all pre-court meetings and shall provide updates on all participants in the program to the reentry court team. |
| 4. | Reentry Court Probation Officer shall attend all court proceedings and facilitate discussion between the Court and the participant. Reentry Court Probation Officer will also make referrals for assistance as determined during discussions at the hearings. |
| 5. | Reentry Court Probation Officer shall determine participant’s willingness to change and facilitate techniques to motivate the participant to enhance development and successfully complete the program. |
| 6. | Reentry Court Probation Officer will facilitate referrals to the resources to be utilized by the participant. In this regard, the Reentry Court Probation Officer will maintain communication with RISE partners. |
| 7. | Reentry Court Probation Officer shall maintain contact with family members, employers, and significant others during the course of the participant’s placement in the program. The Reentry Court Probation Officer will encourage to attend court hearings and to meet with the Reentry Court Probation Officer and program partners. |
| 8. | Reentry Court Probation Officer to make recommendations commensurate with the policies established by the RISE reentry program. |
| 9. | Reentry Court Probation Officer to recommend rewards and sanctions to the Court. Probation Officer shall implement rewards and sanctions as ordered by the Court. |
| 10. | Reentry Court Probation Officer shall facilitate the graduation ceremony. |
| 11. | Reentry Court Probation Officer will notify the appropriate Court in writing of all Grade A and B violations for normal revocation proceedings. |

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| **PUBLIC DEFENDER’S OFFICE** | |
| 1. | Public Defender to attend reentry pre-court conference and reentry court hearings. Public Defender to be available for consultation and to make recommendations commensurate with the mission of the reentry program. |
| 2. | Public Defender to assure rights of each participant are maintained in the RISE Program. |
| 3. | Public Defender to participate in informal staffing, when necessary, with the probation officer and team partners. |

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| **ASSISTANT UNITED STATES ATTORNEY** | |
| 1. | Assistant U.S. Attorney to attend reentry pre-court conference and reentry court hearings. Assistant U.S. Attorney shall assure the interests of the Government are represented at reentry hearings and make recommendations commensurate with the mission of the reentry court. |
| 2. | Assistant U.S. Attorney to participate in informal staffing when necessary with the reentry court probation officer and relevant reentry team partners. |

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| **INCENTIVES** |
| The RISE Program Participant who has a successful 30 days of supervision, will have completed 4 weeks of the 52 weeks needed to complete the program. Once the Participant has completed all 52 weeks of the program, a one-year reduction of their supervision will be recommended.  During participation in the program, participants may receive incentives to recognize positive behavior, motivate successful participation in the program. |

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| **SANCTIONS** |
| The RISE Program will address technical violations (Grade C violations) of the conditions of supervision without revocation through sanctions. Each violation will be sanctioned in some form. Grade A and B violations will be reported to the Court for normal revocation proceedings. A Participant may remain in the program pending the revocation hearing, but his/her time is tolled during this time frame. If the Participant is found not guilty of the violation(s) and returns to supervision, his/her time is restored. The participant who is revoked and has supervision following incarceration, may return to the reentry program after he/she is released from custody and will remain in the program until he/she competes 52 weeks. None of the Participant’s pervious program time will be restored. |

**Guidelines for Reentry Incentives/Sanctions**

The following incentives and sanctions will be imposed on all participants for the conduct listed below. For other types of more serious non-compliance or extraordinary performance, the reentry court will impose sanctions or grant incentives that are crafted to the individual circumstances and performance history of the participant.

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| **Conduct** | **Sanction** |
| Unexcused tardiness (5+ minutes) for reentry court session | Only 1-week credit given as opposed to 2 weeks |
| Missed reentry court session (with notice) | No 2-week credit given |
| Missed reentry court session (without notice) | No 2-week credit given and loss of 1 week credit |
| Unexcused missed schedule office/CBT visit (first) | 1-week loss of credit |
| Unexcused missed scheduled office/CBT visit (second) | 2-week loss of credit |
| Unexcused missed meeting for employment referral or employment workshop | 2-week loss of credit |
| Missed random drug test (first and second) | Reprimand (verbal or written) |
| Missed random drug test (third) | 1-week loss of credit |
| Positive drug test (first) | At least 3-week loss of credit |
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| Positive drug test (second or more) | Any of the following or combination thereof: home confinement, halfway house placement, suspension of credit |
| Criminal Violations | All reported to District Court |
| Failure to meet employment or community service requirement | Credit freeze if deemed appropriate and referral for community service |
| DOSL-with or without a citation | 2-week loss of credit |
| **Conduct** | **Incentives** |
| Completion of Cognitive Behavioral Therapy (CBT} | 2 week extra credit given |
| GED completion or other education achievement during reentry court term | Up to 4 weeks extra credit given |
| Complete approved Employment Workshop | 1 week extra credit given |
| Obtaining job placement and maintaining for 60 days | 1 weeks extra credit given (one time only) |
| Obtaining employment for fellow reentry participant | 1 week extra credit given per participant employment (job must be held for at least 90 days) |
| Maintaining employment for six months | 2 weeks extra credit |
| Maintaining employment for nine months | 1 week extra credit |



**MIDDLE DISTRICT OF TENNESSEE**

**REALIZING INDIVIDUAL SUCCESS AND EMPOWERMENT (RISE) REENTRY COURT**

**PARTICIPANT AGREEMENT**

Name:

Case Number:

Term of Supervised Release:

Supervision Start/End Date:

RISE Reentry Court Start Date:

**Please make sure you read this form in its entirety before you sign it. You may ask the reentry probation officer if you have any questions.**

You have been selected to participate in the Middle District of Tennessee's RISE (Realizing Individual Success and Empowerment) Reentry Court, Congratulations! You agree to fully participate by signing this agreement.

The purpose of the RISE Reentry Court is to assist you in successful reentry into your community. You will have access to community-based resources, which will include job training and placement, education, treatment, counseling, and other services. You will be required to report frequently to your federal probation officer, who will assess your needs and provide you with available resources that will assist you in your successful reentry into society. You will also be required to appear every two weeks before the Reentry Court Judge, who will talk with you about your progress. Your family, employer, and your support persons are encouraged to attend these hearings.

The RISE Reentry Court will last a minimum of one year. The Reentry Court Judge will give you credit toward your year for every two-week period of satisfactory performance. You will **not** get credit for any two-week period of unsatisfactory performance, although it may be possible for you to earn back that credit. To graduate from the program, you will need to complete a total of 52 weeks of satisfactory performance.

I understand that my participation in the Reentry program is voluntary and is in addition to (and not in place of) my current conditions of supervised release.

**HOW THE RISE REENTRY COURT WORKS**

You will meet with the Reentry Court Judge twice a month in court. You will have the assistance of several people, who will be working with you to help you succeed. However, your ultimate success is in your hands, but the RISE Reentry Court team is here to provide you with guidance and support to help you lead a successful life.

After you successfully complete 52 weeks in the RISE Reentry Court, you will graduate! At the time you graduate, the Reentry Court Judge will reduce your total term of supervised release by 12 months, if you have at least this amount left on supervision.

**WHAT YOU CAN EXPECT FROM YOUR PARTICIPATION IN TH RISE REENTRY COURT**

1. The Reentry Court Judge will give you and your supervision personal attention at regular hearings and will pay close attention to your progress. The Judge will discuss your progress and address any concerns that you or the team may have.

2. The Reentry Court Judge will encourage you when you are doing well.

3. The Reentry Court Judge will hold you accountable when you need to make improvements. If you violate the conditions of the court, the Reentry Court Judge may impose sanctions.

**WHAT THE RISE REENTRY COURT WILL EXPECT FROM YOU**

1. We expect you to be successful!

2. You must show up on time for all reentry court hearings and meetings.

3. You must stay free of drugs and not abuse alcohol.

4. You must stay in consistent contact with reentry court.

5. You must be truthful with the reentry court and yourself.\*

6. You must adhere to **ALL** the conditions of your supervised release.

\* I understand, however, that I am not required to say anything that will incriminate myself. Therefore, I understand that I may exercise my right to be silent. I understand that if I have a question at any time about my legal rights as related to the RISE Reentry Court I may consult with a representative with the Federal Public Defender’s Office or ask the presiding judge to appoint counsel to assist me.

**SIGNATURES**

I have read this agreement and I understand it. I agree to participate in the Middle District of Tennessee RISE Reentry Court and to abide by all the rules.

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Participant Date Reentry Court Judge Date

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Federal Public Defender Date Assistant U.S. Attorney Date

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U.S. Probation Officer Date

Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

RISE Reentry Court Judge