

Sacramento County Pilot Re-entry Court Program

PARTICIPANT CONDITIONS

I understand that the validity of my participation in this program is conditioned upon my eligibility for the Re-entry Court Program. If at any time after my entry into this program, it is discovered that I am, in fact, ineligible to participate in the program or have violated the terms of my Re-entry Court contract, I may be immediately terminated from the program and face probation/mandatory supervision/PRCS or parole violation proceedings.

TIME COMMITMENT

1. I agree to follow Re-entry Court requirements for a minimum of twelve (12) months to a maximum of eighteen (18) months.
2. I understand that I must successfully complete up to one year of substance abuse treatment or any other program deemed appropriate by the Re-entry Court to the Re-entry Multi-disciplinary team (MDT)'s satisfaction.
3. I understand that during the entire course of the Re-entry Court program, I will be required to attend court sessions, treatment sessions, submit to random drug testing, remain clean and sober, and law-abiding. I agree to abide by the rules and regulations imposed by the Re-entry Court MDT.
4. I understand that if I do not abide by these rules and regulations, I may be sanctioned or deleted from the program.

COURT APPEARANCES

5. I will come to court once a week as ordered. If I am doing well in my programming, the MDT may reward me by increasing the time between my court appearances.
6. If I am in residential treatment, I will come to court as ordered by the court.
7. I understand I must arrive in court on time and that I must remain until the last case is heard or until excused.
8. I will respect the court and the people in it. I will dress and behave appropriately at all times therein.
9. I agree not to schedule work, appointments, or other obligations which conflict with my court appearances.
10. For the purposes of regular Re-entry Court hearings, the Deputy Public Defender assigned to the Re-entry Court may represent me instead of my attorney of record. However, I may have my non-public defender attorney of record appear for me at my request.

CASE MANAGEMENT AND TREATMENT PROGRAMING

11. The Sacramento Probation Department's Adult Day Reporting Center (ADRC) will be responsible for Re-entry Court Case Management, programing/treatment and testing.
12. I agree to follow all ADRC agreements, terms, regulations and rules regarding treatment programming and testing.

DELETION

13. To be determined by MDT
 - a. New Offenses
 - i. Felony filing: deleted unless MDT believes the participant should be given another chance.
 - ii. Misdemeanor filing: To be handled on a case by case basis and MDT agrees to keep participant in Re-entry Court. Sex cases will result in automatic deletion.
 - iii. Arrests not filed are to be treated like a rules violation.
14. Failure to comply with the ADRC/Re-entry Court program/probation conditions and/or the participant is found not amenable to treatment;
15. Failure to perform and a lack of progress in the ADRC/Re-entry Court program;
16. Deletion from ADRC: Procedures
 - a. Prior to seeking deletion from ADRC, Probation will notify the MDT of participant's negative behaviors, so that Re-entry court will have the chance to counsel participant of the consequences of continued negative behavior and/or have the participant sign a LAST CHANCE contract.
 - b. Prior to deletion, Probation will submit a memo detailing the reason(s) why they feel deletion is the appropriate response to participant's conduct. The MDT will discuss with Probation whether deletion is the appropriate response and also consider other treatment program options available.
 - c. Probation retains final authority to determine deletion from ADRC.
17. Alternatives to Deletion from Reentry Court
 - a. Admission of VOP with sentence of 14 months County Jail (with a *Johnson* waiver) and successfully complete the Sheriff's Re-entry program. Upon successful completion of the Sheriff's program, the participant would be able to return to ADRC and re-start their program.
 - b. Intensive Residential Treatment
 - c. LAST CHANCE Contract
18. Presumed Deletion from Reentry Court
 - a. Failure to report to Probation after sentencing combined with FTA at first court appearance after sentencing.
 - b. Failure to report to and/or attend programming.
 - c. Failure to report to and/or return to VOA.
 - d. Deleted from VOA.
 - e. Deleted from ADRC.
 - f. Threatening or disrespectful behavior toward program staff or fellow participant.
 - g. Leaving residential treatment without permission or being terminated from residential treatment for negative behavior
19. Automatic Deletion from Re-entry Court
 - a. Court FTA and absence for at least 20 days combined with either of the following:
 - i. Failure to report to VOA; or
 - ii. Failure to report to Probation; or
 - iii. Failure to attend programming; or
 - iv. Abscond from residential treatment
 - b. Forging required meeting attendance documents.

- c. Falsifying a drug test
- d. Violation of a LAST CHANCE contract

20. Contested Deletion Hearing Procedures

- a. If a Re-entry Court participant disputes the factual basis of the reason(s) of his deletion from Re-entry Court, the following procedures apply:
 - i. The DA will submit to the court all writings (as defined by Evidence Code § 250) that support a violation of the participant's conditions.
 - ii. The PD will submit to the court all writings (as defined by Evidence Code § 250) that constitute a defense and/or mitigates a violation of the participant's conditions.
 - iii. Hearsay evidence is allowed. The parties will argue their positions based upon the writings submitted to the court. The participant has the right to speak to the court in his/her defense and/or mitigation prior to the court's ruling.
 - iv. Participant reserves the right to call witness/witnesses if defense counsel believes it could make a difference in decision to delete.

INCENTIVES

21. Incentives for good program performance will include but not be limited to the following:

- a. Verbal praise from the court and Re-entry MDT
- b. Less frequent court appearances
- c. Gift cards
- d. Certificates of recognition

SANCTIONS

22. Sanctions for violations of program conditions, regulations, and rules will include but not be limited to the following:

- a. Jail – flash incarcerations. For serious violations of Re-entry Court supervision, or for repeated, less-serious violations, the court may impose short terms of incarceration. Any time spent in custody on a sanction will not constitute custody credits if participant is later deleted from Re-entry Court and the suspended sentence is imposed.
- b. Increased court appearances
- c. In patient treatment programs
- d. Verbal reprimand from the court
- e. Essay on assigned topic (to be read in group/court)
- f. Community service hours
- g. Court sit in
- h. Increased drug testing and/or meetings with probation officer
- i. Additional self-help meetings (NA/AA)
- j. Sober living
- k. Termination from the program

GRADUATION/COMPLETION

23. Graduation occurs after graduation from ADRC and an appropriate period of aftercare supervision. The time period of aftercare to be determined by the MDT. In addition, in order to graduate the participant must also do the following:

- a. Achieved understanding of addiction and its impact on personal life, criminal behavior, and relapse prevention
- b. Fulfillment of treatment goals and objectives

- c. Achieve understanding of the importance of clean and sober fellowship
 - i. evidence of achievement of a, b, and c will be shown through essay(s) written by participant as a graduation requirement. The essay(s) are to be read by participant at graduation.

24. I understand that the graduation ceremony is for my benefit and recognizes my progress in treatment and recovery. I may invite family members and friends.

MISCELLANEOUS RULES

25. I agree to execute the Sacramento County Pilot Re-entry Court Release of Information forms. I understand that any information obtained from this release will be kept in a sealed envelope in the court file and aside from disclosure to the MDT, may not be disclosed to anyone absent a court order.

26. If I bring small children to court, I will also have someone with me who can care for them if necessary.

27. I understand that I may not work as a confidential informant with any law enforcement agency while I am a Re-entry Court participant, nor may I be made or encouraged to work as a confidential informant as a condition of my full participation in the Re-entry Court program.

28. I will report all law-enforcement contact to my probation officer and Re-entry Court MDT.

29. If I wish to change my Sacramento County residence for any reason, I must obtain my probation officer's approval in writing and then seek approval of Re-entry Court MDT at least three (3) days in advance.

PARTICIPATION AFFIRMATION

30. I understand that participation in Re-entry Court is a privilege, not a right, and that it is **great** opportunity to obtain information, skills, services, and associations to help me change my life and fulfill my potential. I promise to give Re-entry Court my honest and best efforts.