

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA

In the matter of

ORDER ESTABLISHING FEDERAL
REENTRY COURT FOR THE DISTRICT
OF ALASKA

MISCELLANEOUS
GENERAL ORDER
NO. 16-04

IT IS HEREBY ORDERED THAT:

The United States District Court for the District of Alaska hereby establishes a federal reentry court, to be known as the Alaska Hope Court. The goal of the Hope Court is to reduce criminal recidivism. Research establishes this can be achieved through a court program that provides individuals who have completed their imprisonment with: 1) immediate and proportional sanctions for misconduct; 2) positive reinforcement for personal progress in a public setting with judicial participation; 3) substance abuse and/or mental health treatment as needed; 4) assistance in meeting personal needs such as employment, stable housing and medical attention; 5) assistance in developing life skills and critical thinking; and 6) peer pressure from other participants to avoid risky behavior. The Hope Court will be a three-year pilot project for the District, to determine if such a court contributes to the reduction of criminal recidivism by federal defendants.

Federal Reentry Court Committee. The Alaska Hope Court will be supervised by the Federal Reentry Court Committee composed of Chief District Judge Timothy Burgess, chair; District Judge Sharon Gleason; Chief Magistrate Judge Deborah Smith; Chief of Probation; United States Attorney Karen Loeffler; and Federal Public Defender Rich Curtner.

Periodic Review and Assessment by Committee. The Committee will review the Hope Court's progress every six months to determine if any adjustments or changes in the Court's procedures should be considered. The Committee will also determine how to best professionally evaluate the success of the Court and its impact on criminal recidivism.

Role of District Court Judges. District Court judges will be very involved with Hope Court sessions, as their schedules permit, attending initial sessions of the Court, appearing at Court sessions to provide positive reinforcement and attending graduation ceremonies.

Alaska Hope Court Team. The Alaska Hope Court will be presided over by Chief Magistrate Judge Deborah Smith. Judge Smith and Magistrate Judge Kevin McCoy will preside over Hope Court sessions and staff meetings held prior to Court. Other members of the Hope Court team will include: Probation Officers Chris Liedike and Allie Abbott,

Federal Public Defender Rich Curtner and Assistant Public Defender Jamie McGrady, and Assistant U.S. Attorneys Andrea Hattan and Kyle Reardon. The team members will be involved in all decisions, including which defendants will be permitted to participate, as well as whether a defendant will be expelled from further Hope Court participation based upon poor performance.

Alaska Hope Court Graduation Requirements. The requirements to graduate are demanding and are aimed at building life skills:

1. Complete Moral Reconciliation Therapy, an evidence-based program designed to build life skills and critical thinking.
2. Obtain stable housing.
3. Obtain and maintain stable employment, ideally employment that can lead to a career unless excused by Probation.
4. Successfully complete any recommended substance abuse treatment.
5. Successfully complete any recommended counseling.
6. Complete approximately 60 hours of a volunteer project of their choice to “give back” to the community.
7. Complete at least 18 successful months in Hope Court with six months of continuous sobriety before graduation.

Defendants Eligible to Participate. Defendants who have been convicted of an offense that requires registration as a sex offender may not participate. All other federal defendants on probation and defendants who have completed their terms of imprisonment and are on supervised release may volunteer to become Hope Court participants. Defendants of high to moderate risk of recidivism may participate. Preference will be given to defendants with a high risk of recidivism. The Court recognizes that many participants will have substance abuse problems, however a substance abuse problem is not a prerequisite for participation. Offenders with substance abuse problems must be committed to long-term sobriety. If accepted into Hope Court, all participants will sign a Participant Agreement and Waiver, which informs them of the program requirements and the waiver of rights under 18 U.S.C. § 3583(e) and Federal Rule of Criminal Procedure 32.1. The goal is to have 20 participants in the Hope Court during its first year of operation.

Incentive to Successfully Graduate from Hope Court. Defendants who successfully graduate from Hope Court will receive at least a one-year reduction in the period of supervised release or probation and, at the discretion of the Sentencing Judge and Hope Court Team, could receive as much as a 50% reduction in the period of supervised release or probation.

Details of Hope Court Operation. To insure the Court utilizes evidence-based practices, a subcommittee was tasked with surveying federal reentry courts in the Ninth Circuit Court of Appeals, the state of Alaska therapeutic courts including the PACE

program, the state of Hawaii H.O.P.E. program, as well as obtaining training from the National Association of Drug Professionals. The Report of the Reentry Court Subcommittee dated May 4, 2015, outlines the manner in which the Alaska Hope Court will operate, with only a few exceptions as detailed in this Order. Where the report differs from this Court's order, this order takes precedence.

Hope Court Sessions Will Be Open to the Public. Court sessions will be open to the public and a recording of all sessions will be made. Team and staff meetings prior to Court will not be open to the public.

Hope Court Will Begin in June, 2015. The Court will begin formal sessions in June 2015. The parties and agencies participating are directed to sign and return the Memorandum of Understanding to Judge Burgess, Chair of the Reentry Court Committee, by May 22, 2015.

DATED at Anchorage, Alaska this 4th day of August, 2016.

s/ Timothy M. Burgess
TIMOTHY M. BURGESS, Chief Judge
United States District Court

s/ Sharon L. Gleason
SHARON L. GLEASON, Judge
United States District Court

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