



UNITED STATES DISTRICT COURT
District of Rhode Island

MEMORANDUM

To: Chief United States District Judge John J. McConnell
Chief United States Probation Officer John G. Marshall
United States Attorney Zachary A. Cunha
Federal Defender Tara I. Allen

CC: Clerk of Court Nora Tyer-Witek
Criminal Justice Act Panel Attorney Representative George J. West, Esq.
United States District Judges William E. Smith and Mary S. McElroy, United States
Magistrate Judge Lincoln D. Almond

From: HOPE Court Team

United States Magistrate Judge Patricia A. Sullivan
Supervising United States Probation Officer Heather McLoughlin
United States Probation Officer/Reentry Specialist Derek Dufresne
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Assistant United States Attorneys Peter Roklan, Esq. and Julianne Klein, Esq.
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Assistant Federal Defender Joanne M. Daley, Esq.
United States Career Law Clerk, Patrick K. Cunningham, Esq.
CODAC Behavioral Healthcare, Kelly L. Jones, LCDP, LMHC

Date: November 1, 2024

Re: **HOPE Court, A Reentry Court – The First Ten Years**

I. Executive Summary

This report is being prepared and presented on the eve of the ten-year anniversary of the first session of HOPE Court, which was held on November 6, 2014. HOPE Court is a court-based program that deploys an alternative approach to post-conviction supervision to assist and support moderate and high-risk individuals as they reenter our community. HOPE Court was created and is operated by the four participating agencies listed above pursuant to an Interagency Agreement that was signed in September and October 2014. HOPE Court is supported by two attorneys from the Court's Criminal Justice Act panel, as well as by the Clerk's Office staff. The

program's name is derived from the acronym "Helping Offenders Prepare for re-Entry," but also is based on the adoption in 1664 of Hope as part of the seal of what would become the State of Rhode Island. Since its first session, HOPE Court has operated continuously, including throughout the COVID-19 pandemic.

II. Introduction

HOPE Court is a voluntary program for higher-risk individuals on federal supervision that offers a team approach to help participants meet their goals in a non-adversarial and supportive atmosphere. The HOPE Court Team uses consensus to make decisions; the program does not rely on the traditional adversary process. Based on evidence-based principles initially developed by the National Association of Drug Court Professionals (NADCP) and with ongoing support from the Federal Judicial Center, HOPE Court utilizes swift rewards and sanctions to motivate behavior and a clinically based model to facilitate change; it also marshals the resources of the Team and our community to assist participants in overcoming personal and systemic barriers to success.

This ten-year report provides an overview of HOPE Court since its inception. It describes the HOPE Court model and the Team and provides data regarding the HOPE Court participants. In reviewing the data, readers of this report must be mindful that the relatively small sample size of our participant numbers over time means that any inferences suggested by these data cannot be considered statistically significant. Nevertheless, trends appear to show there have been positive behavioral changes over time, which may reflect a reduction in recidivism. Anecdotally, individual participants have stated that HOPE Court was transformational in triggering the personal growth necessary to sustain a crime-free lifestyle in the community.

HOPE Court relies on a rigid phase-based infrastructure applied with a flexible focus on the individual needs of each participant; at the same time, the Team has worked diligently to focus on and adhere to evidence-based practices in the field of alternative courts, as these have evolved over time. Thus, the Team has adjusted the infrastructure in response to evolving standards, as well as to meet new challenges and to respond to experience. In light of the importance of maintaining the dynamism of the program, this report closes with a discussion of some of the initiatives the Team is considering for the future.

III. HOPE Court Model

HOPE Court's goals were established ten years ago but continue to be relevant today. Thus, the Team strives to improve supervision outcomes through reducing revocation rates, improving compliance, facilitating rehabilitation and decreasing recidivism. The Team accomplishes these initiatives through a focus on the individual participant's needs, strengths and barriers. The Team seeks to include each participant in setting his/her personal proximate and distal goals and in crafting responses to noncompliance. The program is designed to encourage success and provide resources for success, as well as to swiftly impose measured consequences for the failure to meet specific expectations and the maladaptive conduct that inevitably occurs over time.

HOPE Court accepts as participants persons who are under the post-conviction supervision of U.S. Probation in the District of Rhode Island. In 2018, the program was expanded to accept individuals who remain in Bureau of Prisons (BOP) custody and are transitioning to the community through the Houston House Residential Re-Entry Center. To be eligible to enter HOPE Court, a person must be at high risk of recidivating and have high needs (such as mental health concerns, substance abuse issues and/or challenges with housing or employment). To avoid over-supervision, individuals are accepted only if they score on the high end of the Post Conviction Risk Assessment (PCRA) adopted by the U.S. Probation Department and are identified as having higher needs by comparison with others on post-conviction supervision.

As established by the Interagency Agreement, the HOPE Court Team consists of a presiding judge; at least one representative each from the Federal Defender's Office and the U.S. Attorney's Office; a treatment provider; and a representative of U.S. Probation. As of the present, HOPE Court's mental health professional is both a Licensed Chemical Dependency Professional and a Licensed Mental Health Counselor. The Team also includes a community outreach coordinator and a career law clerk. From U.S. Probation, as of the present, HOPE Court is supported by a probation officer, a supervising probation officer, and a probation services assistant.

HOPE Court meets every other week and alternates between in-person and Zoom Court sessions. The Team also meets individually with participants. At the beginning of a participant's entry to the program, an individual meeting is conducted to establish goals, identify strengths and begin to discuss solutions for barriers and the building blocks to success. The Team meets occasionally thereafter with each participant for individual check-ins, as well as to respond to noncompliance. Because the evidence-based practice of swift response to behavior is foundational to the HOPE Court program, frequent contact is required.

HOPE Court participation is organized into four distinct phases, which comprise a total of 52 weeks of positive participation. Each phase builds upon the prior, starting in Phase 1 with identification of goals, to include stability in residence, employment and strengthening of family and community ties. Phase 2 is focused on stabilization and increased effort to achieve goals. This phase also includes the commencement of Moral Reconciliation Therapy (MRT), a manualized cognitive behavioral therapy program that is facilitated for participants by our treatment partner. Phase 3 covers the conclusion of MRT and ongoing support for positive life decisions and coping with life stressors. Phase 4 is a time of increasing self-reliance as the participant reflects on accomplishments and establishes future goals, including the writing of a plan for sustaining long-term recovery and change.

Once all HOPE Court requirements have been fulfilled, the participant graduates and receives a sentence reduction of one year off the supervised release term that had been set by the sentencing judge. The graduation ceremony recognizes the participant's unique accomplishments, including the achievement of identified goals over the course of participation in the program. Family members, friends and community supports often attend this important recognition. In addition to the Team, other participants speak in honor of the graduate after the

presiding judge notes highlights of the graduate's journey. The impact of the graduation ceremony goes beyond the participant and his/her guests; by presenting a tangible acknowledgement of objectively measurable success, the recognition of a graduate at graduation motivates other participants to work the program to their own benefit.

IV. Training of Team Members

To facilitate adherence to evidence-based practices, HOPE Court is committed to providing ongoing training for its Team members.

For the U.S. Probation component of the Team, U.S. Probation Department has funded attendance at the annual conference sponsored by NADCP – this is a forum where ideas are shared and developments in evidence-based practices are discussed. In some years, other Team members have also attended NADCP programs. In addition, Team members regularly attend Federal Judicial Center (FJC) trainings and presentations regarding specialty court best practices, supporting individuals with substance use disorder or mental illness and facilitating behavioral change.

During the fall of 2017, the HOPE Court Team was selected to participate in a one-year FJC Quality Improvement Program (QIP). The intensive QIP curriculum was presented by professionals from specialty courts across the federal judiciary who were led by respected educators and specialists in the field of behavioral change. Following a three-day session during which the Team examined established protocols in several courts, including its own, the HOPE Court Team developed goals for improvement. QIP staff then met monthly for a year with the Team to discuss progress toward implementation of these goals. As a result of this process, HOPE Court was expanded to include individuals who are still in BOP custody and (relatedly) became more flexible with the approach to participant capacity (increasing the cap from ten to twelve). The Team also adopted the practice of meeting individually with every participant at the commencement of participation in the program to answer questions and to establish personal goals. These new ideas were implemented and are now integrated into the HOPE Court infrastructure. During QIP, the Team also discussed how to improve incentives and the impact of the evolving marijuana laws on the program.

Following its QIP participation, HOPE Court was selected by the FJC to be the model court for the 2019 QIP. As a result, during the fall of 2019, the District of Rhode Island hosted specialty court teams from across the federal system and presented the HOPE Court model.

During the spring of 2019, the HOPE Court Team participated in and presented at the New England Problem Solving Court Symposium. This was an opportunity not only to present the HOPE Court infrastructure and outcome data, but also to consult with other specialty courts in the region regarding common challenges, barriers and successes.

During 2021, the Team consulted with academics and professionals who were developing a program called Recovery Capital (Rec-Cap). Rec-Cap is a methodology for identifying and quantifying an individual's strengths, from which the practitioner can derive a tool to help the individual to target the areas where growth is needed by reference to areas of strength – for

HOPE Court, Rec-Cap introduced a strengths-based approach to rehabilitation to be used in conjunction with the PCRA. While the Rec-Cap assessment is currently being phased out of HOPE Court's practice, the Team will continue to implement its philosophy of building on strengths to facilitate change.

During the spring of 2022, the Team participated as a group in a training program entitled "Incentives, Sanctions and Therapeutic Adjustments" presented by the National Drug Court Institute. This training allowed the Team to examine its incentive program, which continues to be a focus for improvement. Through the discussion during this program, the Team decided to implement an exit survey to obtain feedback from both graduates and those unsuccessfully discharged; this survey is now being used to get feedback from participants who volunteer to participate.

V. HOPE Court – Facts and Data

HOPE Court had its first session on November 6, 2014. From then until March of 2020, the Team met bi-weekly for in-person Team meetings and Court sessions. In response to the COVID-19 pandemic, HOPE Court shifted to bi-weekly remote (Zoom) Team meetings and Court sessions. In 2023, the Team adopted the current schedule – HOPE Court sessions continue to be held bi-weekly but alternate between in-person and Zoom sessions. The Team has found that one in-person session and one Zoom session per month makes it easier for participants to attend HOPE Court while sustaining ongoing employment, which is so critical to successful reentry.

HOPE Court has cultivated and relies heavily on relationships with community partners. The Team has worked with Roger Williams University School of Law to obtain advice and assistance for our participants, for example, to address immigration concerns and to deal with the barriers to obtaining a driver's license (including fees built up during incarceration). HOPE Court participants are frequently referred to Man-Up for vocational and employment training and placement. Amos House has been a resource for meals and housing and recovery support. Better Lives assists with housing. HOPE Court has turned to the Parenting Support Network (PSN) for participants seeking to rebuild relationships with children and to meet child support obligations. HOPE Court also hosts guest speakers at court sessions to reinforce these partnerships and educate participants about community resources. For example, PSN presented to participants on February 4, 2021; the Institute for the Study and Practice of Non-Violence presented on July 8, 2021; Justice Assistance presented on April 11, 2024; and Thomas Joyce, Director of Administration, CODAC Behavioral Healthcare, presented during National Recovery Month. In observance of Domestic Violence Awareness Month, the Team also sponsored a special session for participants on domestic violence on October 1, 2020; and on October 24, 2024, hosted by Janie Woodward, who is the Community Engagement Specialist at the Rhode Island Coalition Against Domestic Violence.

Since its inception ten years ago, the HOPE Court program has accepted 81 individuals as participants, including one person who participated twice. All participants had been convicted of federal law crimes, served an incarcerative sentence in BOP custody and, on entering supervision, scored at the high and moderate risk levels on the PCRA. The average age of

participants at the commencement in HOPE Court is 40. Participants often come to HOPE Court after a lengthy period of incarceration. HOPE Court participants come from diverse racial backgrounds: 47% are Black or African American, Not Hispanic; 21% White, Not Hispanic; 19% White, Hispanic; 10% Black or African American, Hispanic; 2% Asian, Not Hispanic; and 1% Other, Not Hispanic. There have been six female participants; of these, three have graduated, two were terminated and one is a current participant. Overall, the program boasts a 46% graduation rate; there have been a total of 32 graduates. The average graduate completes the program in 16 months. When a participant either chooses to leave or is terminated, on average they do so within 9 months. Of all participants in HOPE Court, whether graduated or not, 25% experienced a decrease in risk level over the term of supervision.

Apart from measurable outcomes, numerous participants, both graduated and even those who have not, have reached out to Probation to share their success stories and appreciation for what they learned in HOPE Court. Further, based on family participation and participant feedback, it is clear that HOPE Court has a far-reaching impact on families in that participants who regain control of their lives are restoring their dignity, serving as positive role models for children, and demonstrating to families that self-advocacy and reaching out for help result in a deeper and appropriate connection to the community.

VI. Looking to the Future

As HOPE Court strides forward into its second decade of service, the Team remains committed to adjusting and improving the program while strictly adhering to evidence-based practices as they evolve. Among our current initiatives, the Team has been studying ways to improve the incentive structure and has been reexamining the HOPE Court phase system (for example, the number of weeks per phase) based on our first ten-years of experience. The Team also has been considering the creation of a HOPE Court social media page and a HOPE Court alumni network. Finally, plans are underway to host a second New England Problem Solving Court Symposium.

From the Voices of HOPE Court:

“My goals from HOPE Court are quite simple: I want guidance and structure and mercy and most of all, a year off my probation sentence.”

The HOPE Court program gave me a chance to be a better parent as a father to my children, as well as a good son to my mother and a better big brother to my siblings.”

I received a lot of skills and tools in HOPE Court and MRT that will help guide me in life. And I will always keep them with me, even the ones I don't agree with (LOL).”

“At the end of the day, it has been a long journey for me to be happy and to be actually proud of myself, it is never too late to heal and change who you are.”

“HOPE Court, hands down, has been the single most supportive engine motivating me not to give up. And I am totally grateful.”

“Since I came to HOPE Court, I learned that people in my class are pretty much in the same predicament as I am, trying to change and leave the past behind. Starting with having my freedom back and living a normal life, which is working and spending time with family and loved ones. Also, being in HOPE Court around my peers has helped me realize we are not perfect and people make mistakes, but still we are here to share our stories. It has helped me to be the best person I can be.”

“I would like to thank the HOPE Court Team, my family and God. The HOPE Court Team played a major road to my recovery, to my sobriety, to my success. The tools I’ve acquired from MRT and HOPE Court I apply to my everyday life and help me to view life with more understanding.”

“If You Can dream it, You Can be it . . . Come the person you want, Instead of dreamin’.”
[From a poem read as a graduation essay by a HOPE Court graduate].