

SAMPLE FORMS

1. Acknowledgment 4 pages

This form is prepared and executed prior to each participant’s first hearing. It contains all conditions exactly as stated in each judgment and replaces the signed conditions in our case file. Each participant receives a signed copy for their records. The initial goals for the first month of the ACE Program are reviewed with the participant by the Judge at their first hearing/orientation.

2. Fact Sheet 1 page

This form is prepared and distributed the Friday prior to each hearing. It is a tool to give the Judge, attorneys, and ACE team members an update of the participants’ progress during the past month.

3. Monthly Progress Report 2 pages

This form is prepared as much as possible the week prior to each hearing. The “remarks of team members” and the “goals” are completed during the hearing. Each participant signs two copies at the end of each hearing, keeping one copy for motivation during the month. Copies are later distributed to the Judge and attorneys.



	8.	The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
	9.	The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
	10.	The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer.
	11.	The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.
	12.	The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
	13.	As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
ADDITIONAL	1.	The defendant shall not unlawfully possess a controlled substance and shall refrain from any unlawful use of controlled substances.
	2.	The defendant shall not possess a firearm, destructive device or other dangerous weapon.
	3.	The defendant shall notify the probation officer at least 15 days prior to any change in residence in accordance with the Violent Crime Control and Law Enforcement Act of 1994.
	4.	The defendant shall submit to one drug test within 15 days of release on supervised release and at least two periodic drug tests thereafter within 60 days or as otherwise directed by the Court.
	5.	The defendant shall pay any financial penalty that is imposed by this judgment that remains unpaid at the commencement of the term of supervised release.
	6.	The defendant shall provide the probation officer with access to any requested financial information.
	7.	The defendant shall participate in a program of testing and treatment for drug abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer.

ACE PROGRAM RESPONSIBILITIES

PARTICIPANT	1.	Participant to take part in supervision appointments and court hearings.
	2.	Participant to provide truthful and complete information to the USPO and the Court about obstacles to success and assist in determining solutions/goals.
	3.	Participant to encourage attendance of his/her family, employers, and significant others to each court session.
	4.	Participant to accept rewards given by the ACE Program and to comply with sanctions imposed by the Court or USPO.
	5.	Participant is to give full effort to achieve the goals set by him/herself and the ACE Team.
USPO	1.	U.S. Probation Officer to ensure supervision conforms to the ACE Program policies and federal law.
	2.	USPO to monitor participant's conduct, and timely report all progress and noncompliance to the ACE Program.
	3.	USPO to identify the offender's level of ambivalence towards change and facilitate motivation through sanctions and rewards.
	4.	USPO to develop communication link with resources and facilitate referrals.
	5.	USPO to encourage attendance of participant's family, employers, and significant others at each court session.
	6.	USPO to respect confidentiality issues before sharing information with outside agencies, and generally treat the participant with dignity and respect.
	7.	USPO to make recommendations commensurate with the ACE Program mission.
	8.	USPO to implement sanctions and rewards ordered by the Court.
	9.	USPO to recommend early termination when program goals have been achieved.
AUSA	1.	Assistant U.S. Attorney to assure the interests of the Government are represented at progress hearings, revocation and modification hearings, and make recommendations regarding goals, sanctions, and rewards for participants commensurate with the mission of the program.
	2.	AUSA to assure court processes are consistent with the law.
	3.	AUSA to assist with presentation of evidence to the Court when necessary.
DEFENSE COUNSEL	1.	Defense counsel to be available to participants for consultation at progress hearings, revocation and modification hearings, and to make recommendations regarding goals, sanctions, and rewards for participants commensurate with the mission of the program.
	2.	Defense counsel to assure court processes are consistent with the law.
	3.	Defense counsel to assure the rights of each participant are maintained in the ACE Program.

SANCTIONS

The ACE Program seeks to deal with technical violations of the conditions of supervision without revocation through sanctions and support. Each and every violation will be sanctioned. Some examples of sanctions are: no monthly reward, community service hours, halfway house time, or revocation. New law violations, unless petty, or a subsequent violation of halfway house rules, will result in revocation.

REWARDS

Each ACE Program participant who has a successful month of supervision, will have completed one month of the twelve months needed to successfully complete the program. Once the participant has accumulated twelve successful monthly rewards with the program, and twelve successful months of regular supervision, early termination of supervision will be recommended to the Court. Community involvement and incentive rewards will be utilized to motivate and encourage each ACE Program participant.

INITIAL GOALS

1. Participate with all employment training/services offered by Michigan Works!, including successful completion of the A-STEP program.
2. Seek and secure full-time employment, upon completion of the A-STEP program.
3. Comply with substance abuse testing/treatment requirements.

Upon a finding of a violation of probation or supervised release, I understand that the court may (1) revoke supervision or (2) extend the term of supervision and/or modify the conditions of supervision. These conditions have been read to me. I fully understand the conditions and have been provided a copy of them.

At your ACE Program Orientation (first hearing), you will be given an oath and asked to swear "to tell the truth, the whole truth, and nothing but the truth, so help you God." This oath will continue through all ACE hearings, the violation of which will be subject to the penalties of perjury.

Participant, David Smith	Date	SUSPO Matthew J. Kakabeeke	10/04/05 Date
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December 13, 2005



David Smith

Dkt. No. 1:XX:CR:XX-03

PACTS No. XXXX

DOB: XX-XX-XX Age: 33

Offense: Conspiracy to Distribute and Possess with Intent to Distribute
Cocaine and Cocaine Base

Sentence Date: 07-21-1997 USM: XXXXX-040

Sentencing Judge: Hon. Richard Alan Enslin

Sentence: 138 months custody, 5 years supervised release.

Release Date: July 21, 2005 Monetary Penalties: Satisfied

Expiration Date: July 20, 2010

Address: XXX North Shore Drive, Benton Harbor, MI 49022 Tx: 269-927-XXXX

Employment: Wood Products

Residence Status: Lives with mother.

At the last hearing before Your Honor on November 8, 2005, Mr. Smith disclosed he would continue to aggressively seek employment. On November 21, 2005, Mr. Smith secured employment at Wood Products. Mr. Smith has been working approximately 40 hours per week and is earning \$10.00 per hour. Mr. Smith secured the position via Michigan Works! and with the assistance of the A-STEP program.

As always, Mr. Smith maintains a positive outlook and continues to be involved with the Nation of Islam. He advised he may be accompanied to the ACE Program hearing by a member(s) of his spiritual study group.

Mr. Smith is complying with the substance abuse contract testing and treatment objectives. He is currently receiving those contract services from KPEP.

Overall, Mr. Smith is effectively addressing his supervision terms and conditions and has addressed all objectives for the past month.

Accelerated Community Entry (ACE) Program Monthly Progress Report

Participant: David Smith Hearing Date: December 13, 2005

ACE Program started 10-11-05. Monthly rewards received: 2 / attempted: 2

Remarks of Team Members:

Probation Officer	Secured employment via Michigan Works! and with the assistance of A-STEP program at Wood Products in the construction trade, working approximately 40 hours per week at \$10.00 per hour. Compliant with drug testing and treatment at KPEP.
Treatment Provider	
Halfway House Case Manager	
Family Member	Mr. Smith's aunt present. Since Mr. Smith has been home he has been very close to their family. He has remained on task and has much family support.
Other	
Participant	Happy with his position and looking forward to it becoming local. Has made arrangements to have child support deducted from his check.
Government Counsel	
Defense Counsel	Happy to see family involvement and continue with your success.
Judge	Congratulations on sobriety and success thus far. Continue to keep up the good work!

Accomplishments:

✓	Obtained identification
✓	Obtained suitable housing
✓	Obtained employment
✓	Obtained support system - Marcus Miller (Nation of Islam)
✓	One month negative drug screens
	Performed _____ community service hours
	Length of sobriety _____
Satisfied 10/15/03	Criminal monetary penalties (date of last payment)

Violations:

Date(s):	Missed appointment with USPO
	Missed treatment appointment
	Tested positive for . . .
	Failed to report information to USPO
Hearing Date:	To be held at: U.S. District Court, 410 West Michigan Avenue, Kalamazoo, MI 49007

Goals for next hearing on January 10, 2006 :

- | |
|---|
| 1. Maintain employment at Wood Products or secure alternative long-term employment. |
| 2. Address child support obligations and adhere to monthly child support payment schedule. |
| 3. Encourage attendance of family and community members for ACE Program hearing scheduled for January 10, 2006. |

Reward: Yes / No

Reward Issued: Verbal acknowledgment.

Participant

ACE Team Representative