



United States Probation and Pretrial Services
Western District of Michigan

Thinking Outside the Box

High-risk offenders face special challenges as they attempt to re-enter a community. Recidivism rates approach 50%. They require targeted interventions to address multiple issues. This presents a distinct challenge in the federal criminal justice system, a system that does not normally lend itself to innovative strategies that may help high-risk offenders successfully complete supervision.

With this in mind, the United States Probation Office for the Western District of Michigan developed and recently implemented a new re-entry program aimed at increasing the chances for successful re-entry of high-risk offenders. The Accelerated Community Entry Program, or ACE, is a two-year program with the first year involving intensive supervision and participation in monthly court proceedings followed by a second year of more traditional supervision.

Since the first ACE court hearing was held in October 2005, monthly hearings have helped monitor the progress of ACE participants. Despite the fact that the program is in its early stages, the program's success has surprised even those who may have first doubted its viability.

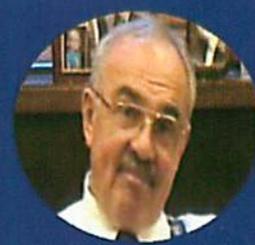


"The motivation for the ACE program was to try to use a different strategy than what we are currently using to get a better success rate especially from our high-risk offender population... It would be foolish to expect a higher success rate among the high-risk population without doing something different." — Valerie Martin, Chief of U.S. Probation



"I am trying to be as encouraging as I can...to make this a success so that not only can we replicate it but we can hopefully reincorporate some of the resources we have in this direction and demonstrate to the public that there is a real payback to this type of [program]."

— Hon. Robert Holmes Bell, Chief U.S. District Court Judge



"I have always been in favor of what the state court does in Kalamazoo and that is to have drug court where a person does not serve time but is allowed to work on his or her drug problem, come back a year or two later and not receive a prison sentence."

— Hon. Richard Alan Enslin Sr. U.S. District Court Judge

How ACE is Structured

ACE is modeled after the drug courts that are found in many state court systems. While the federal system does not provide for the establishment of drug courts, a re-entry program very similar to a drug court is made possible by making participation a condition of one's supervised release. ACE is designed as a two-year program:

Year One: Involves intensive supervision with each participant's progress monitored at monthly court hearings. Participants are required to seek or maintain employment, attend drug and alcohol counseling, and obey the law. Participants are expected to complete 12 successful months.

Year Two: Participants are no longer required to attend monthly court hearings, but remain on supervised release for another year. If participants complete this year successfully, they are rewarded with a recommendation for early discharge from supervision.

ACE: Planning and Development

The ACE program was developed only after months of planning and development. Once obtaining the approval of the district judges, some of the steps taken included:

1. Forming a team. A core team was created comprised of representatives of the agencies and programs that would play a vital role, including probation officers, supervisors, and clerical staff; judges and their staff; the Federal Public Defender; U.S. Attorney; U.S. Marshal; and halfway house staff.
2. Monthly meetings. Team members began meeting each month to...
 - Anticipate issues and problems whether legal, logistical or financial
 - Draft program policies
 - Rehearse actual court proceedings
 - Select the participants
3. Organizing a Town Meeting to introduce ACE program to the local community.



"...it gives me special joy to see these folks who have had troubles in their lives— and very serious troubles— have people who still love them and support them and are pulling for them. You know that saying that it takes a village to raise a child...I think it takes a village to keep a life on track." — Hon. Ellen S. Carmody, U.S. Magistrate Judge



"The single most effective thing we can do to reduce the prison population in America is to reduce recidivism. We must break the cycle of despair that leads defendants back to prison. The ACE program takes a giant step in that direction by providing them with the social and vocational support they need to succeed as productive members of the community."— Ray Kent, Federal Public Defender



"The premise is very innovative partnering with the U.S. Attorney's Office and Federal Public Defender... we recognize that the first year of supervision is probably the most critical year." Matthew J. Kakabeke, U.S. Probation Officer

Selecting Participants

The impetus behind the ACE program was to create a program that targeted the special needs of high-risk offenders. These are individuals who are most likely to violate supervision and be returned to prison. In order to identify these individuals, the probation office used a tool developed by the Federal Judicial Center called the Risk Prediction Index (RPI).

The RPI is a prediction instrument using information about an offender to help predict the likelihood that the offender will recidivate. It considers such things as the number of prior arrests, whether a weapon was used in the instant offense, employment history, history of alcohol or substance abuse, and level of education to name a few. Individuals whose RPI is between 6 and 9 are considered high-risk offenders and are targeted participants of the ACE program.

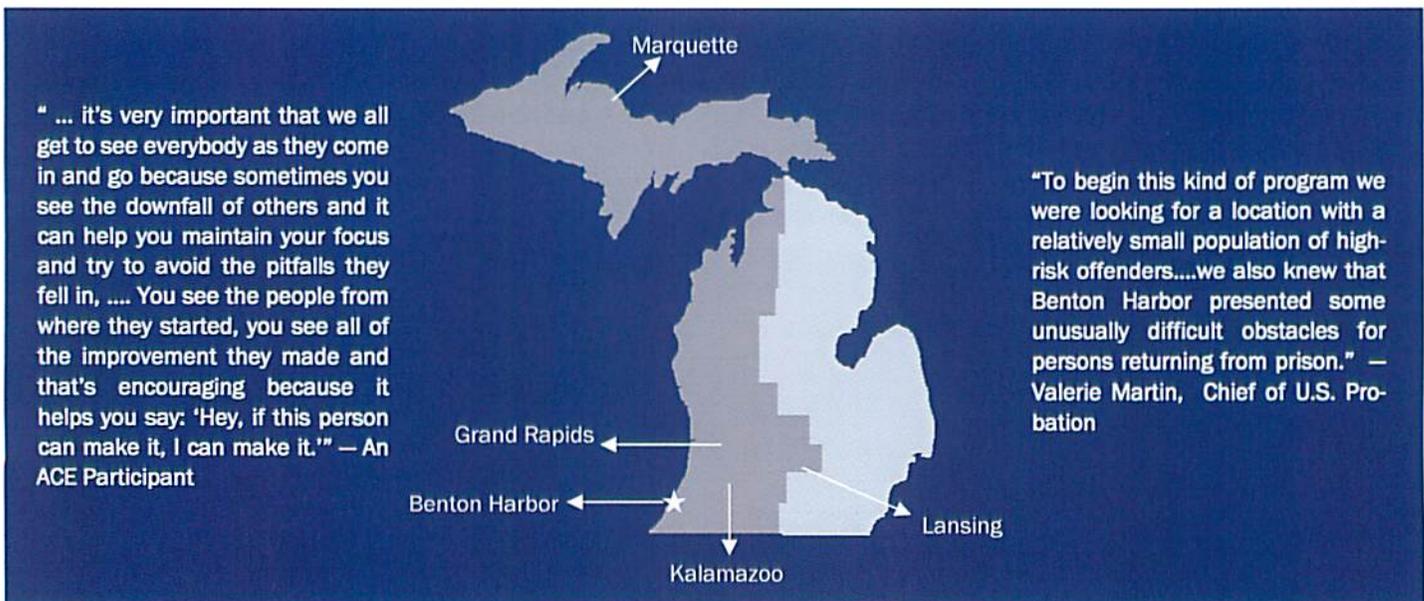
Choosing the Right Location

One of the first decisions to make was where to establish the program. The Western District of Michigan is comprised of 34 counties in Michigan's lower peninsula and the entire upper peninsula. There are courthouses in the cities of Grand Rapids, Lansing, Kalamazoo, and Marquette.

When developing the ACE program, it was known that a number of individuals who qualified as high-risk offenders would soon be released from prison and returning to Berrien County, specifically to the city of Benton Harbor, Michigan. Berrien County is located approximately 50 miles southwest of Kalamazoo.

Benton Harbor is a city that has suffered through hard times itself. It has high unemployment and crime rates, and other characteristics that would make it difficult for anyone re-entering the community to succeed, let alone high-risk offenders. It was decided to begin the program in Berrien County because these obstacles would surely test the program.

It was also decided that rather than making participants come to court, the court would come to participants — court would be held in a Berrien County state court, not one of the federal courts. This unique feature would make it easier for community involvement and support. Monthly court hearings are held at the Berrien County Courthouse during the noon hour, making it easier for family members, employers, and local service providers to attend.



Dealing with Success and Non-Compliance

ACE participants are expected to succeed. At each monthly court proceeding, their progress is reviewed and rewarded. After accumulating twelve monthly rewards, participants graduate from that first phase of the program and then continue on with a more traditional term of supervised release, no longer required to appear each month in court. If participants successfully complete this second year, they are rewarded with a recommendation for early discharge from supervision. In many instances, participants can cut years off of an initial term of supervised release.

When it does occur, non-compliance is dealt with swiftly. Judges determine the appropriate sanction. Sanctions can include verbal reprimands, an added condition of electronic monitoring or time in a halfway house, or prison if the violation is that egregious. Sanctions are designed to correct minor misconduct and to prevent it from becoming major misconduct while allowing participants to remain in the program. Failure is not an option. Even if sent to prison for a violation, participants will return to the program as part of a new term of supervised release. It is this kind of consistent expectation that participants will eventually succeed that makes this program unique.

ACE Monthly Court Proceeding

1. The judge recognizes the attorneys and the probation officer.
2. The probation officer introduces any special guests in the audience.
3. The judge calls the first participant to the podium:
 - the participant comes forward with any guests and introduces them
 - the participant is asked how the last month has progressed
 - the judge reviews the participant's progress and whether his/her goals were met for that month
 - the judge asks the participant's guests for comments
 - the judge asks the probation officer, defense attorney, and prosecutor for comments
 - the judge sets the participant's goals for the next month
4. A brief presentation is made by one of the invited guests. Presentations have included job placement specialists, community college counselors, a local businessman, and substance abuse counselors providing information about the community services available to participants.

Continuing Community Support

It was always understood that for the ACE program to be successful, the community would have to be involved. To facilitate this, a town meeting was held in Benton Harbor one month before the start of the program. More than 100 invitations were extended to community service providers, political and community leaders, employment placement groups, religious leaders, and law enforcement. Those in attendance were introduced to the ACE program and encouraged to attend the monthly court proceedings. Many have accepted that invitation and have attended court on a regular basis. So far, community support has been tremendous. Participants have noticed this support and have been motivated to succeed because of it.



"The program has been a success. We have fewer individuals recidivating which is positive from a criminal justice standpoint. From a community perspective, they have their members back." Andrew Birge, Asst. U.S. Attorney



"It is very gratifying to see participants meeting their goals each month. They not only want to succeed, but perhaps for the first time they believe that they can succeed."— Sharon A. Turek, Assistant Federal Public Defender

"The community partnerships that the ACE program has formed in the Benton Harbor area are instrumental to the success of the program. Without these community partnerships, we would not be as successful as we are today...The community support has actually changed the way that I do supervision not only in the Benton Harbor area but the other counties that I am responsible for supervising. It has allowed me the opportunity to network and meet other people that have the same goals as far as helping people make the transition from custody to the community." — Matthew J. Kakabeeke, U.S. Probation Officer



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