

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN

Court Intervention Program

**Mission Statement**

The mission of the Western District of Wisconsin Court Intervention Program (CIP) is to provide alternatives for individuals on federal supervision who are identified by the Court and the U.S. Probation Office as most likely to benefit from innovative case management. This may take the form of regular status hearings, informal meetings with the judge, or traditional hearings by summons or warrant, electronic monitoring, increased drug testing or other steps to insure regular interactions, oversight and feedback, whether positive or negative. To accomplish this, CIP will attempt to promote working relationships among all court participants and service providers.

**Goals**

The program's goals are to increase cooperation, reduce unfavorable outcomes and reduce criminal activity, all while improving the offender's quality of life and success. The program will provide progressive case management to those qualifying through partnership and collaboration between the U.S. District Court, U.S. Attorney's Office, Federal Public Defender's Office, U.S. Probation/Pretrial Services Office and community resources.

**Process**

Qualified participants will become eligible to participate in CIP by consensus, by procedural review and revocation proceedings, or by invitation and voluntary participation. Voluntary participants are required to enter into a contract for participation and abide by the contract terms. The voluntary program is designed to be 12 months in duration.

Voluntary participants will ordinarily be selected before sentencing, which will allow the judicial officer to add a special condition at the time of sentencing. Inmates in the Bureau of Prisons not already identified may also be selected within 90 days of

their release. If deemed qualified for CIP, an assessment related to substance abuse, employment and other barriers to success will be conducted while the participant remains a Bureau of Prisons' inmate or immediately upon their start of supervision.

Based on this assessment, an individual program plan will identify obstacles related to a successful transition to community supervision and, ultimately, to becoming a productive member of the community. Upon release from the Bureau of Prisons' custody, the participant shall enter CIP and be expected to adhere to three phase requirements, including a minimum of quarterly court appearances in order to report on and assess the participant's progress. Where deemed necessary and appropriate, a fourth phase preventing relapse may also apply. Each phase will have a specific purpose with distinct and achievable goals as set forth in the attached chart.

Ordinarily, successful completion of CIP will result in an order being entered by the judicial officer which reduces the participant's term of supervised release. Additional rewards and incentives will be employed during the program to recognize participants' achievements. Failure to abide by the mandates of a CIP contract may result in the imposition of sanctions, including increased monitoring, termination from the program, return to traditional supervision or, in the case of a serious breach of conditions of supervision, formal revocation proceedings.

A CIP team will ordinarily be comprised of a judge, a representative of the U.S. Attorney's Office, Federal Public Defender's Office, U.S. Probation/Pretrial Service's Office and, if appropriate, treatment providers. This team will meet at least quarterly to review a participant's progress and the CIP contract generally. Each member has a unique role.

### **U.S. District Court Judge**

The judge will employ formal and, if appropriate, informal means to assist a participant's assimilation back into society with reduced risk of recidivism. This will ordinarily include:

- Active participation in the program;
- Consideration of the thoughts and recommendations of the CIP team before meeting with a program participant;

- Providing regular and prompt reinforcement by freely praising and rewarding positive behavior and by requiring consequences or sanctions for unacceptable conduct;
- Availability on a quarterly basis (or more frequently if circumstances justify) to ensure regularity, continuity and consistency; and
- Making final decisions to terminate a participant from CIP, returning a participant to traditional supervision, or beginning formal revocation proceedings.

If consensus cannot be reached among the CIP team and offender on a way forward under the individual program plan, the judge will not impose a result. Throughout the process, the judge's role is one of mediator, understanding that she or he may be called upon to act as judge in a more formal revocation proceedings.

### U.S. Attorney's Office

The U.S. Attorney/Assistant U.S. Attorney will represent the interests of the United States. This will ordinarily require:

- Participation, as appropriate, in a team effort with the District Court, Federal Public Defender and the Probation Office to encourage the participant's successful completion of CIP;
- Providing a representative at CIP meetings;
- Participation in the development of operational standards and policies for the program in conjunction with other participating agencies;
- Reviewing cases and assisting in the determination of a defendant's eligibility;
- Attending regular status review meetings regarding the application of incentives or sanctions for participants; and
- Taking those formal and informal steps deemed necessary to promote success for the participant, and exercising discretion to file charges against a participant for any serious breach of conditions of release.

Throughout the process, the first obligation of the U.S. Attorney/Assistant U.S. Attorney shall remain representing the interests of the United States.

## Defense Counsel

The defense attorney will represent his or her client. This will ordinarily include:

- Participation, as appropriate, in a team effort with the District Court, U.S. Attorney's Office and the Probation Office to encourage the participant's successful completion of CIP;
- Providing a representative at CIP meetings;
- Advising the eligible client as to the nature and purpose of the program;
- Advising the client on the rules governing participation, the consequences of abiding by or failing to abide by the rules and whether participating in the program is in the interest of the client;
- Retaining a traditional attorney-client relationship while the participant completes the program;
- Representing the interests of the participant on issues of accountability, treatment and sanctions; and
- Advocating for the client at all team meetings, staffing, and program decisions about sanctions to be imposed for non-compliance.

Throughout the process, the first obligation of the Defense Attorney shall remain representing the interests of their client.

## U.S. Probation Officer

The U.S. Probation Officer in the program will provide effective supervision of participants per Monograph 109 and the expectations of the program team. This will ordinarily require:

- Coordinating the continuum of services through screening, referral and regular contact with treatment providers;
- Arranging substance abuse treatment and testing programs;
- Completing referrals to outside community-based resources;
- Participating in the case planning process; and
- Maintaining participant records and statistics, preparing court reports and providing information support to the CIP team as required.

Throughout the process, the first obligation of the U.S. Probation Officer shall be representing the interests of the court, public and client.

### **Treatment Provider**

The treatment provider will provide chemical dependence treatment and mental health counseling to participants in appropriate circumstances, utilizing proven methods. This will ordinarily require:

- Attending quarterly staffing and court hearings;
- Providing monthly written progress reports to the U.S. probation officer;
- Administering drug testing; and
- Assisting the participant (with input from the CIP) in developing an individualized treatment plan within the first 30 days of supervision, reviewing the treatment plan at least every 90 days and adjusting the plan as needed.

Throughout the process, the first obligation of the Treatment Provider shall be to provide proportional treatment to meet the client's needs, while promoting lasting change.