

THE RISE PROGRAM

U.S. District Court
U.S. Probation & Pretrial Services

District of Massachusetts
2015

WHAT IS THE RISE PROGRAM?

To be considered for the RISE Program a person must be on pretrial release, they must plead guilty, and they must be accepted into the program.

The purpose of the program is for people who are facing sentencing in federal court to make efforts to rehabilitate themselves before sentencing.

If a person successfully progresses in RISE, the sentencing judge will take this into consideration when sentencing them. There are no guarantees about what the sentencing judge will do.

WHO CAN APPLY TO BE IN RISE?

People who meet all three of the following criteria can be considered for the RISE Program:

- The person is on pretrial release;
- The person has one of the following characteristics:
 - a) A serious history of substance abuse or addiction that substantially contributed to the person's committing the charged offense; or
 - b) The person's history reflects serious issues around employment, decision-making, education, or other issues so that the person would benefit from a structured pretrial program under the close supervision of the Court and Probation. The program requires a tailored combination of full-time productive activity (such as school, employment or community service), cognitive behavioral therapy to address criminal thinking (for example, the MRT program), development of new social networks, and removing other barriers to a sober, employed, law-abiding life (for example, getting health insurance, getting a driver's license, paying child support, and taking classes in financial literacy, parenting skills, etc.);
- Nothing in the person's history or pending charges makes the person ineligible for the program, such as the person has a pending sex offender charge.

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Not everyone who applies will get in, even if they meet the requirements above. A committee and the District Court Judge presiding over the case will decide if the person is accepted into the program.

WHAT DOES THE PROGRAM REQUIRE?

When applying for the program, each person will be evaluated by Probation and a plan will be developed for them. A typical plan will include goals such as educational and employment goals, drug treatment goals, a restorative justice plan, and other goals that are tailored to the specific needs of each person. A person successfully completes the program by reaching their goals.

Participants attend a RISE Program Court session each month, at 4:15 p.m. on the last Wednesday of the month. The sessions are in the U.S. District Courthouse in Boston. The sessions will last about an hour. If a participant lives far away from Boston, they may sometimes attend by video.

At the RISE session, a Probation Officer will appear with the participant. The Probation Officer and the participants will report on what has happened since the last session, and what progress the participant is making toward meeting their goals.

Sometimes a participant may be asked to attend extra sessions. Each participant will be asked to attend one meeting with their Probation Officer and the Judge when they start the program. A participant may be given writing assignments during the program.

A participant in RISE is expected to first, follow all the regular conditions of his or her pretrial release. Each participant's case will be transferred to Magistrate Judge Page Kelley for supervision. (The District Court Judge assigned to the case will remain the same.) If a participant violates the terms of his or her pretrial release, Magistrate Judge Kelley will deal with that violation just as the violation would have been dealt with if the person was not in RISE. For example, if a participant commits a new crime, they will have a hearing before Magistrate Judge Kelley and may face revocation of release or other sanctions, including termination from the program.

As another example, if a participant with a drug problem relapses, he or she may be incarcerated for a day, or up to a week, in response to the relapse. If the participant admits the relapse and earnestly continues with drug treatment, he or she will not automatically be terminated from the program.

RISE participants are also expected to work hard to meet their goals. Participants will have up to 12 months to work on meeting these goals before sentencing. If a participant is not making progress, or is not earnestly trying to meet their goals, the participant can be terminated from the program.

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If a participant is terminated from the program, their sentencing date will be moved up and they will be sentenced sooner than if they had stayed in the program. The sentencing judge will be informed of the person's progress in RISE, including the conduct that caused them to be terminated from the program.

WHAT IS THE BENEFIT OF SUCCESSFULLY COMPLETING THE RISE PROGRAM?

A participant will complete the program by making progress toward satisfying their identified goals and participating in the program successfully for a period of up to 12 months. Individuals who successfully complete the RISE Program have no guaranteed benefit. The sentencing court, however, will consider all aspects of the participant's progress in the RISE Program at sentencing. In other words, successful completion may be considered favorably at sentencing.