

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

IN THE MATTER OF:

RESCATE Program

Misc. No. 17- 216 (ADC)

CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, P.R.

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STANDING ORDER

Each year Federal prisons release back into communities across the United States approximately 50,000 former offenders who have completed their sentences. The most recent report on recidivism issued by the United States Sentencing Commission, covering 25,431 federal offenders, shows that 49.3% of such offenders were rearrested within eight years for either a new crime or for some other violation to the conditions of probation or supervised release. The United States District Court for the District of Puerto Rico, the United States Department of Justice, the United States Probation Office and the Federal Public Defender have a significant interest in reducing the recidivism rate and promoting rehabilitation, to foster increased public safety and to help limit the overall cost of criminal justice spending.

Effective post-incarceration reentry programs represent one of the possible keys to help reduce the recidivism rate. In addition to the multiple other Outreach or Second Chance Programs and supervision best practices currently in place, the United States District Court for the District of Puerto Rico formally announces it is sponsoring the joint initiative led by the U.S. Attorney's Office, in partnership with the U.S. Probation Office and the Federal Public Defender, to establish a post-conviction reentry pilot program: RESCATE (Reentry Supervised Released Court Alternative).

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The program will serve participants who were previously convicted and sentenced in the United States District Court for the District of Puerto Rico and who are or will be serving a term of supervised release. The participants will enter the program on a voluntary basis and will be pre-selected by the U.S. Probation Office as individuals with a moderate to high risk classification. The U.S. Probation Office will be in charge of supervising the participants and making the appropriate treatment referrals with contract and non-contract treatment agencies based on the needs of the participant's needs. The program aims to eliminate re-arrest rates of qualifying participants, control risks to the community using intensive supervision, and provide qualifying participants with opportunities to improve their living and employment situation in order to reduce recidivism. The first pilot group will begin with at least ten (10) but not more than 15 participants.

The one-year program will be divided into three phases. The participants will attend monthly court hearings where their progress reports prepared by the U.S. Probation Office will be discussed and goals will be set. The hearings will be presided by a District Judge or Magistrate Judge assigned to the program. An Assistant Federal Public Defender will be assigned to represent the participants and an AUSA will represent the United States in order to provide a government and law enforcement perspective, while encouraging participation and compliance with the program.

Sanctions and/or termination may be imposed to participants for their non-compliance with the terms and conditions of the program. Participants will be discharged from the program

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if rules are violated repetitively. However, statements made by the participants during Reentry Court hearings or meetings with the Probation Officer will not be used against the participant in any revocation proceeding, with the exception of statements related to new criminal conduct. Statements regarding struggles (re-lapses) with drug or alcohol addiction will not be used against the participant in any formal revocation proceeding.

Upon successfully completion of the program participants may receive a minimum of one year reduction in their supervised release, but this will not preclude additional considerations or a further reduction based on exceptional compliance and the factors set forth in Title 18, United States Code, Sections 3564(c) and 3583(e)(1).

The pilot program will begin in the fall of 2017 and will last for one year. Following said period, an evaluation will be conducted to measure the success of the program. If the same is positive, a new group of participants will be selected and the program will become a permanent program in the District of Puerto Rico.

In sum, all parties involved are optimistic that the pilot of the RESCATE program will be a success and that it will receive the full support of Federal Bar Members and the community.

SO ORDERED.

At San Juan, Puerto Rico, this 4th day of May, 2017.


S/AIDA M. DELGADO-COLON
Chief United States District Judge