

## **Fort Collins Municipal Court Special Agency Sessions** (Revised 03/27/2018)

### **Purpose and Background:**

Special Agency Sessions (SAS) were added to the Municipal Court's docket in August 2014 to address public concerns with quality of life violations for those without housing and/or with other service needs. The sessions are intended to support dispositions which balance compassion and resourcefulness with accountability. This program was created by a collaborative effort involving personnel from the Court, the City Attorney's Office, Police Services, Sister Mary Alice Murphy Center for Hope, Homeward 2020, and SummitStone Health. It supports the City's key strategic outcome area, Safe Community.

### **Process:**

Defendants charged in Fort Collins Municipal Court with quality of life crimes such as Camping, Trespass, and Open Container may be referred to the SAS. These sessions are held once a month, typically on the 3rd Thursday of each month. Defendants are usually screened on their arraignment date (listed on their citation) by a prosecutor. It is the prosecutor's discretion to decide whether this program and the plea agreement involved is appropriate for each defendant. The issuing officer may make a recommendation on the back of the citation if s/he believes the defendant may be an appropriate candidate for the SAS. The defendant must have some tie to the community or intent to stay in the area, be agreeable to voluntarily participate in goal oriented activities and/or treatment plans, and not want to contest the charge(s). When the determination has been made that a defendant is eligible for the program, a Court Clerk will reschedule the defendant for the next SAS at 1:00 pm.

At the SAS, the defendant will meet with the prosecutor, a Fort Collins Police Services representative, the Municipal Court Case Worker, and possibly one or more representatives from court-approved social service providers. Together, the group will decide an alternative sentencing option the defendant will be offered in lieu of a fine or jail sentence after a plea of guilty or no contest to the violation(s) is entered by the defendant. The Municipal Court Case Worker will work individually with each defendant to determine what goals the participant would like to create and work on during the length of the program. SAS program goals may include but are not limited to: accessing services at the Murphy Center, obtaining a state ID, drug/alcohol or mental health counseling sessions, and/or signing up for social services benefits. If the defendant accepts the offer, s/he will appear before the Municipal Court Judge who will review the sentence with the defendant in the courtroom. The defendant will be rescheduled for a SAS Review Hearing one month later to update the Judge on the case progress. When the defendant completes the sentencing condition(s) - usually after a maximum of 6 months - the case is successfully closed. If the defendant fails to appear for a Review Hearing, the prosecutor may request that the Judge reassess the suspended sentence, issue a warrant for failure to appear, or request that the case be continued for one

month to give the court personnel and/or police officer(s) an opportunity to contact the defendant and have him/her appear.

For further information or program specifics, please contact the Municipal Court Administrator or Municipal Court Case Worker at 970-221-6800.