

Fort Collins Municipal Court Special Agency Sessions

(Revised 04/16/2015)

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 and functions as 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 Touchstone Partners. It supports the City's key strategic outcome of "safe community" and, specifically, Strategic Objective 5.8: "Improve community involvement, education and regional partnerships to make our community safer and stronger."

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 2nd Thursday of each month. Defendants are usually screened on their arraignment date (listed on their citation) by a prosecutor. 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 participating in court-ordered activities and/or treatment, and not want to contest the charge(s). Upon making a determination that a defendant is eligible, 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 Special Agency Session Resource Specialist, and one or more representatives from court-approved social service providers. Together, the group will decide what alternative sentencing options the defendant will complete 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. Sentencing options 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 and issue a warrant or request that the case be continued for one month to give the agency representative(s) and/or police officer(s) an opportunity to contact the defendant and have him/her appear.

//