

## Welcome to the Staten Island Treatment Court Misdemeanor Part

If you are drug dependent and have a history of non-violent misdemeanor convictions, you may be eligible to participate in the Misdemeanor Part of the Staten Island Treatment Court.

The Staten Island Treatment Court offers treatment as an alternative to jail for eligible misdemeanor offenders. If you choose the SITC Misdemeanor Part (SITCM), you plead guilty, sign a contract, and agree to enter and remain in treatment. Your sentence is deferred and, when you successfully complete treatment, your plea is vacated and your case is dismissed.

To be eligible to participate in SITCM:

- ★ you must be a non-violent misdemeanor offender, and be addicted, or be abusing, drugs.

How SITCM participants are selected:

- ★ misdemeanor arrests are screened in Criminal Court for eligible defendants.
- ★ defense attorneys inform eligible defendants about the SITCM.
- ★ TASC assesses eligible defendants who want to participate in the Treatment Court Misdemeanor Part.

How to become a participant:

- ★ If you are eligible and you choose to participate in the SITCM, at arraignment you sign an agreement waiving statutory release (CPL 170.70) and speedy trial time (CPL 30.30) rights. You receive bail or are released on your own recognizance and your case is adjourned to the next SITC date.
- ★ In the meantime, TASC conducts a clinical assessment and assigns you to a treatment program.
- ★ When you appear on your scheduled Treatment Court date, you plead guilty, your sentence is deferred, and you become a participant in SITCM.

How the SITCM works:

- ★ As a participant, you meet with the judge on regularly-scheduled SITCM dates. You are subject to Treatment Court rules, as well as those of your treatment program.
- ★ During the time you are in the SITCM, TASC and your treatment provider test you frequently for drug use and report the results to the Treatment Court.
- ★ TASC monitors the progress of all SITCM participants, informing the judge of your achievements and any problems you may be experiencing.

- ★ In order to graduate, you must spend at least nine months in the SITCM. You must complete the requirements of your treatment program, and either be in school or vocational training, or be employed full time. When you graduate, your guilty plea is vacated and your criminal case is dismissed.
- ★ If you do not finish treatment or, if you are expelled from the SITCM, you are subject to a jail sentence.

### Drug Testing and Court Dates

While in the SITCM you are drug tested frequently and randomly. You meet with the judge frequently and regularly.

### Phases

As a participant, you must spend at least nine months in the SITCM, progressing through three phases toward graduation. You must spend three months without sanctions in one phase before you advance to the next.

#### Phase 1

In Phase 1, you are placed in a rehabilitation program. You are scheduled to see the judge once a week. You are expected to remain drug free and you are tested for drugs frequently. After three months without sanctions, you advance to Phase 2.

## Phase 2

In the second phase, with the help of your treatment program and TASC, you set goals for your life, such as family rehabilitation, education and vocational training. After three months without sanctions, you progress to Phase 3.

## Phase 3

During the third phase, you focus on re-establishing family ties, and rejoining the community. You work on your educational, vocational and employment goals. When you accrue three months without sanctions in Phase 3, complete your program and TASC and are employed, in school or in vocational training full time, you become eligible to graduate from the SITCM.

### **Court-Imposed Sanctions**

Infractions can lead to sanctions. The judge imposes sanctions depending on the number and kind of infractions you commit. If sanctioned, you automatically go back to the beginning of whichever phase you are in. For more information, read the SITC Handbook for Misdemeanor Participants, paying special attention to Section B, "Infractions & Court-Imposed Sanctions" (pages 5 through 8).

If you are arrested while in the SITCM, the Team reviews your new case and determines a response. A sanction may include termination from the SITCM and/or mandatory jail. If, as a participant, you are indicted or convicted of a violent crime, you are immediately expelled from the Treatment Court and are subject to going to prison.

## **Graduation**

When you complete all the requirements of treatment, accrue at least nine months of Phase time without sanctions, and show significant progress toward you stated personal goals, you become eligible to graduate from the SITCM.

### **SITC House Rules**

- All SITC Misdemeanor Part participants are expected to arrive at court on time.
- Never come to court under the influence of drugs or alcohol.
- Dress appropriately for court.
- Never carry or use alcohol, drugs or associated paraphernalia.
- Behave yourself! No violence, harassment or threats, period.
- Never leave the courtroom without permission.
- Respect court property.
- No stealing.
- Be on time for all court-related appointments: treatment, TASC, drug testing, etc.

Good Luck!

The Staten Island Treatment Court Team  
is here to work with you.

# **STATEN ISLAND TREATMENT COURT**

## **MISDEMEANOR PART PROGRAM GUIDE**

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