

# **Staten Island Treatment Court**

## **Policy & Procedures**



Criminal Court of the City of New York  
67 Targee Street  
Staten Island, New York 10304  
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This manual is to assist Court personnel in the intervention of defendants with substance abuse problems by outlining the policies and procedures of the Staten Island Treatment Court. It has been revised to reflect the growth of the Treatment Court.

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Mission Statement

The mission of the Staten Island Treatment Court is to rehabilitate substance-abusing offenders in order to improve their quality of life and that of the Staten Island community by breaking the cycle of crime associated with addiction. Through the mutual efforts of the judge, prosecutor, defense bar and treatment providers, the Treatment Court will use its authority to address the addiction of eligible offenders, seek appropriate treatment for each, monitor offenders while in treatment, impose graduated sanctions for non-compliance, grant rewards for compliance, and provide recognition to participants when they successfully complete their programs.

19 September, 2001

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### **I. The Staten Island Treatment Court: An Overview**

The Staten Island Treatment Court (SITC), which began operations in the Richmond County Criminal Court, 67 Targee Street, Staten Island, NY, 10304 on 22 March, 2002, provides the option of substance abuse treatment under close court supervision to eligible non-violent drug-addicted defendants who choose treatment as an alternative to incarceration.

The mission of the Staten Island Treatment Court is to rehabilitate substance-abusing offenders in order to improve their quality of life and that of the community by breaking the cycle of crime associated with addiction. To that end, the SITC works to increase the number of non-violent drug offenders in treatment alternatives, reduce the recidivism rate for drug-addicted offenders, provide the means for those offenders to become productive members of society, and deter drug and drug-related crime in the Staten Island community.

SITC evolved through a planning initiative funded by the Drug Courts Program Office and is a collaborative effort of the New York State Unified Court System, the Richmond County District Attorney's Office, Battiste Aronowsky & Suchow (BAS), the Richmond County Bar Association and Treatment Alternatives to Street Crime (TASC).

The Treatment Court targets indictable drug-addicted non-violent first-time narcotic felony offenders (specifically, those charged with PL 220.16, 220.09, 220.06, 220.39, 220.34 and 220.31) for program eligibility. As the program expands, we plan to assess the cases of other non-violent narcotic felony offenders and those charged with multiple misdemeanors for offender eligibility.

A defendant who is accepted into the Staten Island Treatment Court is referred

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quickly into a treatment program, receives personal attention and ongoing supervision by the presiding judge at regularly scheduled SITC appearances, is monitored and tested periodically for drugs, is awarded incentives for compliance and is sanctioned for infractions.

The SITC program consists of three phases, each of four months duration. To advance from one phase to the next, participants must spend four months sanctionless time in one phase, be in compliance with the treatment regimen, describe their achievements in that phase and outline their goals for the next phase. Sanctions imposed in one phase may lengthen a participant's stay in that phase and may, according to the severity of the infraction, set a participant back to the previous phase.

Although it is possible to advance through the SITC program in twelve months, most participants progress at different paces and may spend up to eighteen months in the program before graduating from the Treatment Court. Graduation, a vacated plea and dismissal of the case are the ultimate recognitions for participants who successfully complete the phases of the SITC and their prescribed treatment regimen.

**II. Criminal Justice Screening Process**

An assistant district attorney (ADA) screens drug cases at intake and evaluates non-violent first-time felony narcotics offenders for SITC eligibility. Case records (court, DA and defense) of those offenders deemed eligible are stamped "SITC Eligible" and court papers are filed. Defense attorneys interview eligible defendants and inform them about the SITC program.

Treatment Alternatives to Street Crime (TASC), the supervising case manager for the Treatment Court, conducts pre-screening interviews of eligible defendants

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in court, in the pens, or in TASC's office, within twenty-four hours of arrest and after defendants have been advised by their attorneys and have accepted the offer to join the SITC program.

When a defendant accepts the Treatment Court option, the defendant is arraigned, waives CPL 180.80 (statutory release rights) and CPL 30.30 (speedy trial time) time, receives bail or is released on his/her own recognizance, and the case is adjourned to the next SITC session.

In the interim, the team reviews the criminal case and TASC's preliminary assessment to determine if the defendant is eligible for the SITC program. An eligible defendant who chooses the Treatment Court option pleads guilty to a felony drug charge at the next SITC session in order to become a participant.

Should a defendant reject the Treatment Court program, the case reverts to normal criminal processing.

**III. Admission Process**

**a) Evaluating Defendants**

At arraignment the Treatment Court candidate receives bail or is released in his/her own recognizance with a date to appear in the SITC.

Meanwhile, TASC conducts a comprehensive clinical assessment, including identifying the substance abuse and treatment history of the candidate. After diagnosis of the addiction, TASC obtains any entitlements required to pay for treatment (such SSI or medicaid) and assigns candidates to a treatment program based on individual needs.

Should the results of the clinical assessment determine that a defendant is not an appropriate candidate for the Treatment Court (defendant is not

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addicted, declines treatment, has no documentation, etc.), TASC advises the SITC team and the defense attorney, and the defendant's case reverts to normal processing in Criminal Court.

Should an eligible defendant express a desire to enter the SITC program prior to the expiration of CPL 180.80 (statutory release rights), defense counsel contacts the district attorney's Treatment Court supervisor and/or the assigned ADA for a review of the case.

The SITC Team recognizes that in extenuating circumstances an eligible and willing defendant may be denied admission to the program. In such instances, the team will review each case, taking those circumstances into account.

### **b) Defendants as Participants**

The Staten Island Treatment Court is a postadjudication court. Candidates who accept the Treatment Court option plead to a felony charge at their first appearance before the SITC judge, have their sentences deferred, are accepted as participants in the program and are enrolled into drug treatment. Thereafter, participants meet with the judge regularly at Treatment Court sessions and are subject to all SITC rules and monitoring. When participants successfully complete SITC's program, their treatment regimen and fulfill the requirements, they graduate, their guilty plea is vacated and their case is dismissed.

The SITC team (comprised of the judge, TASC, public and private defense attorneys, prosecutors, court staff and the project director) closely monitors each case and takes a pro-active role in every participant's

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progress. The judge awards incentives and imposes sanctions during Treatment Court sessions based upon team review of each participant's performance in the program.

The supervising case manager, TASC, and the primary case managers perform random, observed drug testing anywhere from daily, to once a week, to bi-weekly, to monthly, based on the results of previous drug tests, the attendance record at treatment and which phase of treatment the participant is in. Should a relapse occur, more frequent unscheduled drug tests are administered. Test strips provide immediate results for marijuana, cocaine, opiate, angel dust, benzodiazepines and alcohol use, and detect urine adulteration.

Consistently non-compliant participants are subject to termination from the program and imposition of the original sentence. A participant with a history of less than four misdemeanors who is unfavorably terminated from the Treatment Court program is subject to a sentence of up to one year in jail. The participant with a history of four or more misdemeanors who fails the program is subject to a jail sentence of up to three years.

A new arrest results in SITC team review and possible termination from the program. Should the SITC team allow a participant with another indictable case to remain in the Treatment Court, the participant faces up to four years in prison if that participant fails out of the program.

**c) Participants Right to Know**

Attorneys apprise defendants of the rights they may exercise before and after becoming SITC program participants. The responsibilities of the participant and the Court are outlined in the Participant Handbook and in

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the Participant Agreement and Plea Contract, which are signed by the participant and the judge when the plea is entered.

At the time they are accepted into the SITC program, the judge advises participants that the court can and will impose sanctions for non compliance with the stated rules of the SITC and/or the treatment provider, that the sanctions increase in severity in response to the level of infraction, and may include termination from the SITC and imposition of a prison sentence.

#### **IV. The Staten Island Treatment Court in Session**

Treatment Court sessions are held weekly in a SITC-dedicated part in the Richmond County Criminal Court. Court officers, court clerks and other personnel assigned to the court are trained in Treatment Court protocols.

The Staten Island Treatment Court team meets at staffings prior to each court session to assess the status of each case and participant. During staffings, the team reviews bail, performs case assessments and discusses appropriate court-based responses, which the judge metes out at Treatment Court sessions.

Other than the judge and the participant (and sometimes the individual treatment provider), a defense attorney, a prosecutor, a TASC representative and the project director participate in SITC court sessions. The team presents a united front and takes a non-adversarial approach to each court response as the judge uses incentives to reward success and imposes sanctions for non-compliance, applied as close to the occurrence as possible.

The appearance schedule of each SITC participant is a team decision based on input from individual treatment providers, TASC and defense attorneys. The

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team sets more frequent court appearance dates for new participants; for instance, in the first phase SITC participants may appear weekly if the team determines it is in the participant's best interest. Appearances become less frequent as participants progress through the phases and exhibit compliance with the SITC rules and their treatment regimen. Participants may be required to make more frequent appearances at Treatment Court sessions as a sanction for certain infractions.

The Treatment Court addresses any pattern of misbehavior and/or relapse and other non-compliance on a case-by-case basis. At the judge's request, representatives from individual treatment programs appear with participants in problematic cases. A serious infraction results in an immediate appearance before a judge in the Criminal Court plus an appearance before the Treatment Court judge at the next session. (On Staten Island at this time the Criminal Court judge and the Treatment Court judge are the same person.)

### **V. Incentives and Sanctions**

#### **a) Incentives:**

The Treatment Court team uses a number of incentives to foster compliance with court mandates, enhance the treatment regimen, and strengthen each participant's ambition to achieve and maintain sobriety.

The judge awards incentives during Treatment Court sessions.

Incentives may include:

acknowledgment and encouragement by the judge; applause in the courtroom; photos with the judge; the case placed early on the calendar; participant placement on the honor roll; certificates and plaques; congratulatory card from the SITC team; participant advancing to the next phase; reduced frequencies of participant's court appearance dates, treatment appointments, and/or drug

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testings; being made a sponsor/mentor; becoming a member of the SITC “Hall of Fame” and, last but not least, qualifying for graduation.

**b) Sanctions:**

The team-devised sanction schedule for non-compliance increases in intensity in response to the level and number of infractions. The judge imposes sanctions during Treatment Court sessions.

Sanctions may include:

essay/journal/letter writing assignment; sitting in the court for a specified period before or after the case is heard; sitting in the “penalty’ (jury) box for a certain amount of time; attending workshops; mandatory NA/AA/GA assignments; increase in participant court appearances; loss of certain program privileges; community service; increased case management visits; immediate (next day) court attendance; increased frequency of testing; and spending time in jail (ranging from hours to days).

The team is committed to implement the Treatment Court's rewards and sanctions in a proper and timely manner. Whatever course of action the Treatment Court takes: awarding an incentive, imposing a sanction, setting more (or less) frequent court appearance dates, the decision to do so is made in the best interest of each participant and with the determined effort to ensure that participants successfully complete their prescribed course of treatment and the SITC program.

**C) Expulsion Criteria:**

Staten Island Treatment Court participants are subject to team review and liable for expulsion should they be arrested for a violent felony, a non-violent felony or a misdemeanor. An indictment or conviction for any

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violent crime results in immediate expulsion. In addition, participants will be expelled from SITC for repeated non-compliance, such as failure to discontinue the use of drugs in the latter part of the program, three times absconding or termination from the treatment program with involuntary return to court within any of the three phases, and consistently substituting or tampering with drug tests at any time.

### **VI. Exchanging Information: Treatment Providers and SITC**

Treatment providers supply case information to the SITC team in a variety of ways: on the web-based HRA Substance Abuse Reporting and Tracking System (STARS), in person, by phone, via FAX or by mail, depending on the need for timeliness.

The treatment provider and TASC periodically review the individualized treatment plan developed for each participant; TASC provides the SITC team with timely updates.

### **VII. Goals and Objectives of the Staten Island Treatment Court.**

SITC provides treatment alternatives and judicial supervision to eligible participants while strengthening linkages between the criminal justice system, the courts, treatment and the community. SITC intends to accomplish the following objectives:

- To screen drug cases and assess offenders for eligibility.
- To ensure every team member or representative attends each staffing.
- To see SITC participants at regularly-scheduled court appearances.
- To use the coercive power of the court meted out by the judge in a supportive and non-adversarial atmosphere in order to maintain the optimum number of participants in compliance with SITC mandates.
- To maintain a cooperative working relationship with treatment providers

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and ensure the court has comprehensive, timely reports of participants' progress in treatment.

- To monitor participants' compliance with mandatory periodic drug testing.
- To make efforts on the part of the team to properly implement the court's rewards and sanctions system to ensure participants' successful completion of their treatment programs.
- To see the optimum number of participants graduate from the SITC program.
- To implement an aftercare component, including establishing an alumni association of SITC graduates.
- To perform continuous self-evaluation and to engage in outside process and outcome evaluations to ensure satisfaction of the stated objectives and goals.
- To make outreach efforts, informing the Staten Island community about the SITC and seek support for program.

### **VIII. The SITC Team: Roles and Responsibilities.**

The Treatment Court planning team includes the SITC judge, representatives from the public and private defense bar, the district attorney, TASC, court staff and the project director. The roles and responsibilities of the team include:

*Presiding Judge:* maintains therapeutic relationships with SITC participants; uses the power of the court to provide the impetus for success in treatment and provides support and encouragement as participants progress through their prescribed treatment regimens and the SITC program; presides over SITC sessions; participates in operational meetings and staffings; leads team to develop program protocols and procedures; acts as spokesperson to community and peers.

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*Prosecutor:* reviews all narcotics cases for eligibility; makes initial recommendations to the court; works with the team in the ongoing monitoring of Treatment Court participants; together with the team, provides the motivation and encouragement to SITC participants for the successful completion of the prescribed treatment; participates in the weekly staffing sessions and the periodic operation meetings.

*Defense:* fulfills the ethical obligation to protect a client's civil rights and to act in the client's best interest: discusses alternatives to treatment as well as the client's legal and emotional status, the likelihood of a successful defense and the client's exposure in the event he or she is unable to complete the SITC program; ensures that SITC candidates enter the program voluntarily and with a full understanding of their rights and obligations; vigorously defends those clients for whom treatment is not appropriate or who elect not to participate; continues to advocate for those clients who enter the SITC program; cooperates with other members of the treatment team: reviews all reports, consults with counselors and treatment providers and keeps the client informed as to whether the client is fulfilling his or her obligation under the terms of the participation agreement; actively participates with the team in the planning and setting of reasonable goals that will give the SITC participant the greatest chance of success.

*TASC:* Treatment Alternatives to Street Crime (TASC) performs duties of supervising case manager: conducts pre-screening and clinical assessment of SITC candidates; refers SITC participants to New York State Office of Alcoholism and

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Substance Abuse Services-licensed private and non-profit treatment providers; conducts site visits; ensures that treatment services are gender, age and culturally specific; monitors participants' compliance with treatment protocols; performs random drug screenings; reports drug test results and case status of participants to the team at staffings.

*Project Director.* oversees the day-to-day operation of the Treatment Court; acts as liaison to providers, law enforcement, other key agencies and stakeholders; participates in the development and memorializes program eligibility standards, operating procedures and rules; coordinates continuing education for the team; supervises caseload; expedites participant notification, placement, and compliance; maintains records on the New York State Universal Drug Treatment Application; compiles statistics for evaluation of the program.

*Senior Court Clerk:* along with court-based administrative duties, the senior court clerk assumes the duties and responsibilities of the coordinator (listed above) in the coordinator's absence.

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**Phases & Sanctions**

When accepted into the Staten Island Treatment Court (SITC), the participant will progress through three phases to graduation. Following is an outline of the (A) phases and infractions that will be addressed by the court, (B) sanctions the court may impose as a result of those infractions, (C) House Rule and (D) requirements for graduation.

(A) Phases.

The SITC program consists of three phases. Participants must spend four months in one phase in order to progress to the next phase. Sanctions imposed in one phase may lengthen the duration of that phase, and may, according to the severity of infraction, set the participant back to a previous phase.

(B) Court-Imposed Sanctions.

Sanctions are imposed by the court based upon the severity of infraction. Within each phase, different infractions have different implications. Unanticipated issues, such as a pattern of misbehavior and/or relapse, are addressed by the SITC at the time of occurrence.

(C) House Rules.

The House Rules is a list of definitive behaviors expected of SITC program participants while in court, at treatment, or while in attendance at court-related appointments.

(D) Requirements for Graduation.

In order to graduate from the SITC program, a participant must complete all the requirements of treatment, accrue a total of at least twelve months sanctionless time, display significant progress toward personal goals and submit an application to the SITC.

**Participants progress at different paces, so the amount of time spent in each phase will vary according to the individual, but most participants will spend twelve to eighteen months in the program before graduating from the Staten Island Treatment Court.**

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**A) Phases**

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**PHASE I**

**Requirements:** All participants start in phase one and must abstain from drug use. (Some participants may spend more time in this phase due to mental health and medical issues.)

**Process:** The defendant becomes a participant in the Treatment Court program. TASC diagnoses the participant's addictions, determines a plan of treatment and obtains any entitlements to pay for treatment (such as SSI and medicaid). During this time the participant is placed into a rehabilitation program and abstains from substance abuse in a controlled atmosphere.

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**PHASE II**

**Requirements:** To progress to **Phase II**, participants must spend a minimum of four months in **Phase I** without any A, B, or Triple C sanctions, be able to describe their achievements in phase one and their goals for phase two.

**Process:** During this time the participant is stabilized in treatment and, depending on the participant's progress, other goals are set, such as education, family rehabilitation and vocational training. This may be a longer phase, since the treatment that was prescribed during phase one is now enacted.

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**PHASE III**

**Requirements:** To enter **Phase III** participants must complete four months in **Phase II** (a total of eight months, Phase I and Phase II combined) without any A, B, or C level sanctions, be able to describe their achievements in phase two and their goals for phase three.

**Process:** The participant's treatment is now in the final phase. Having successfully abstained from drugs for a significant period of time, the participant's focus is now on rehabilitation. At this time the participant may re-establish family ties, and engage in educational, vocational or career development.

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**II. Infractions and Court-Imposed Sanctions**

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Infractions are listed according to their severity. The higher the level of infraction, the more serious the sanction.

The highest level of infractions are:

- New Violent Felony Arrest
- New Arrest
  - felony
  - misdemeanor

<b>Staten Island Treatment Court Responses to Arrests of Participants</b>		
<b>All Phases: I, II and III</b>		
<b>Infraction:</b>	<b>Action by the Court:</b>	<b>Sanction:</b>
New violent felony arrest	Review by district attorney and by SITC team	Possible termination from SITC and mandatory jail
New arrest	Review by district attorney and by SITC team	Possible jail and/or termination

Staten Island Treatment Court participants are subject to team review and liable for expulsion should they be arrested for a violent felony, a non-violent felony or a misdemeanor. An indictment or conviction for any violent crime results in immediate expulsion.

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**Phase I**

<p><b>A Level Infractions:</b></p> <ul style="list-style-type: none"> <li>• absconding or termination from treatment with <u>in</u>voluntary return to court.</li> </ul> <p><b>B Level Infractions:</b></p> <ul style="list-style-type: none"> <li>• absconding or termination from treatment with voluntary return to court.</li> <li>• substituted or tampered drug test</li> </ul> <p><b>C Level Infractions*:</b></p> <ul style="list-style-type: none"> <li>• positive or missed drug test</li> <li>• missed appointment</li> <li>• rule breaking at treatment which does not result in termination</li> <li>• two late arrivals at court or program sessions</li> <li>•breaking the SITC House Rules</li> </ul>	<p><b>Every A level infraction results in Action by the Court:</b></p> <p><u>First A level infraction:</u> up to 14 days jail</p> <p><u>Second A level infraction:</u> up to 28 days jail</p> <p><u>Third A level infraction:</u> termination, sentence imposed</p> <p><b>Every B level infraction results in Sanction by the Court:</b></p> <p><u>First B level infraction:</u> 2 days penalty box Detox Workshop attendance Essay/journal/letter writing Increase in court attendance frequency</p> <p><u>Second B level infraction:</u> up to 7 days jail, plus any of the above</p> <p><u>Third B level infraction:</u> up to 14 days jail, plus any of the above</p> <p><u>Fourth B level infraction:</u> up to 28 days jail, plus any of the above</p> <p><u>Fifth B level infraction:</u> termination, sentence imposed</p>	<p><b>Every C level infraction may be addressed by the treatment providers as well as the SITC.*</b></p> <p>Sanctions include but are not limited to:</p> <ul style="list-style-type: none"> <li>immediate (next day) court attendance</li> <li>increased case management visits</li> <li>increased testing</li> <li>detox/rehab</li> <li>mandatory self help assignment</li> <li>essay/letter writing assignment</li> <li>loss of certain treatment privileges (determined by program)</li> <li>community service</li> </ul> <p><b>*Any three C level (Triple C) infractions in Phase I within a thirty-day period are considered "Sanctioned C" infractions and are sanctioned at SITC's discretion.</b></p>
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<b>SANCTIONED C</b>	
First Sanctioned C	See above list of sanctions
Second Sanctioned C	up to 7 days jail
Third Sanctioned C	up to 14 days jail
Fourth Sanctioned C	up to 28 days jail
Fifth Sanctioned C	Termination, sentence imposed

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**Phase II**

<p><b>A Level Infractions:</b></p> <ul style="list-style-type: none"> <li>• absconding or termination from treatment with <u>in</u>voluntary return to court.</li> <li>• substituted or tampered drug test</li> </ul> <p><b>B Level Infractions:</b></p> <ul style="list-style-type: none"> <li>• absconding or termination from treatment with voluntary return to court.</li> </ul> <p><b>C Level Infractions*:</b></p> <ul style="list-style-type: none"> <li>• missed appointment</li> <li>• one late arrival at court or program session</li> <li>• breaking the SITC House Rules</li> <li>• rule breaking at treatment which does not result in termination</li> <li>• positive or missed drug test*</li> </ul> <p><b>*In Phase II, a single positive drug test may result in a sanction.</b></p>	<p><b>Every A level infraction results in Action by the Court:</b></p> <p><u>First A level infraction:</u> up to 14 days jail</p> <p><u>Second A level infraction:</u> up to 28 days jail</p> <p><u>Third A level infraction:</u> termination, sentence imposed</p> <p><b>Every B level infraction results in Sanction by the Court:</b></p> <p><u>First B level infraction:</u> 2 days penalty box Detox Workshop attendance Essay/journal/letter writing Increase in court attendance frequency</p> <p><u>Second B level infraction:</u> up to 7 days jail, plus any of the above</p> <p><u>Third B level infraction:</u> up to 14 days jail, plus any of the above</p> <p><u>Fourth B level infraction:</u> up to 28 days jail, plus any of the above</p> <p><u>Fifth B level infraction:</u> termination, sentence imposed</p>	<p><b>Every C level infraction may be addressed by the treatment providers as well as the SITC.**</b></p> <p>Sanctions include but are not limited to:</p> <ul style="list-style-type: none"> <li>immediate (next day) court attendance</li> <li>increased case management visits</li> <li>increased testing</li> <li>detox/rehab</li> <li>mandatory self help assignment</li> <li>essay/letter writing assignment</li> <li>loss of certain treatment privileges (determined by program)</li> <li>community service</li> </ul> <p><b>**Any two C level (Double C) infractions in Phase II within a thirty-day period are “Sanctioned C” infractions and are sanctioned at SITC’s discretion.</b></p>
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**SANCTIONED C**

First Sanctioned C	See above list of sanctions
Second Sanctioned C	up to 7 days jail
Third Sanctioned C	up to 14 days jail
Fourth Sanctioned C	up to 28 days jail
Fifth Sanctioned C	Termination, sentence imposed

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<p><b>A Level Infractions:</b></p> <ul style="list-style-type: none"> <li>• absconding or termination from treatment with <u>in</u>voluntary return to court.</li> <li>• substituted or tampered drug test</li> </ul> <p><b>Note:</b> <b>In the event of termination or absconding with involuntary return to court in the third phase the participant is subject to a minimum of 8 to 14 days in jail, barring exceptional circumstances.</b></p> <p><b>B Level Infractions:</b></p> <ul style="list-style-type: none"> <li>• positive or missed drug test</li> <li>• absconding or termination from treatment with voluntary return to court.</li> </ul> <p><b>C Level Infractions:</b></p> <ul style="list-style-type: none"> <li>• missed appointment</li> <li>• rule breaking at treatment which does not result in termination</li> <li>• one late arrival at court or program without satisfactory excuse</li> <li>• breaking the SITC House Rules</li> </ul>	<p><b>Every A level infraction results in Action by the Court:</b></p> <p><u>First A level infraction:</u> up to 14 days jail</p> <p><u>Second A level infraction:</u> up to 28 days jail</p> <p><u>Third A level infraction:</u> termination, sentence imposed</p> <p><b>Every B level infraction results in Sanction by the court:</b></p> <p><u>First B level infraction:</u> 2 days penalty box Detox Workshop attendance Essay/journal/letter writing Increase in court attendance frequency</p> <p><u>Second B level infraction:</u> up to 7 days jail, plus any of the above</p> <p><u>Third B level infraction:</u> up to 14 days jail, plus any of the above</p> <p><u>Fourth B level infraction:</u> up to 28 days jail, plus any of the above</p> <p><u>Fifth B level infraction:</u> termination, sentence imposed</p>	<p><b>Every C level infraction may be addressed by the treatment providers as well as the SITC.*</b></p> <p>Sanctions include but are not limited to:</p> <ul style="list-style-type: none"> <li>immediate (next day) court attendance</li> <li>increased case management visits</li> <li>increased testing</li> <li>detox/rehab</li> <li>mandatory self help assignment</li> <li>essay/letter writing</li> <li>loss of certain treatment privileges (determined by program)</li> <li>community service</li> </ul> <p><b>*One C level infraction in Phase III within a thirty-day period is considered a “Sanctioned C” and is sanctioned at SITC's discretion.</b></p>
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**SANCTIONED C**

First Sanctioned C	See above list of sanctions
Second Sanctioned C	up to 7 days jail
Third Sanctioned C	up to 14 days jail
Fourth Sanctioned C	up to 28 days jail
Fifth Sanctioned C	Termination, sentence imposed

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**C. SITC House Rules**

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If broken, many of the House Rules carry their own punishments. Some may be treated as higher level infractions and some may be punishable as misdemeanors, if the incident warrants it.

- All SITC participants are expected to arrive at court in a timely manner.
- Never come to under the influence of alcohol or drugs.
- 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 sessions and appointments with treatment, T.A.S.C., drug testing, etc.

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19 April, 2001

**Staten Island Treatment Court  
Policy & Procedures**

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**D. Graduation**

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In order to graduate from the Staten Island Treatment Court, the participant must:

- a) complete all the requirements of his or her individual treatment regimen,
  
  - b) accrue a total of 12 months sanctionless time (four months in **Phase I**, four months in **Phase II** and four months in **Phase III**),
  
  - c) have significant and measurable progress toward personal goals, (such as employment, a G.E.D., or vocational training), and
  
  - d) submit a graduation application, setting forth accomplishments and goals.
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