



PRESS RELEASE

New York State
Unified Court System

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Suffolk County Launches Innovative Court Initiative in Response to Opioid Crisis

Suffolk County, New York – As part of the Unified Court System’s statewide efforts to address the opioid crisis, Administrative Judge C. Randall Hinrichs today joined Suffolk County District Attorney Timothy D. Sini, District Court Supervising Judge Karen Kerr and key stakeholders to announce the launch in District Court of a specialized part targeting nonviolent first-time offenders and nonviolent offenders with a minimal criminal history charged with drug or drug-related misdemeanors. The new initiative, dubbed C.A.R.E., an acronym for Comprehensive Addiction Recovery and Education program, differs from the traditional drug court model in that defendants who opt to take part in the program will not be required to enter a guilty plea to enroll. Eligible offenders who successfully complete the C.A.R.E. program will have their cases dismissed and sealed, averting the collateral consequences of a potential conviction. The C.A.R.E. model follows similar court initiatives rolled out recently in Buffalo’s City Court and Bronx County’s Criminal Court that are already making strides to prevent opioid overdoses and rebuild lives.

Cases considered appropriate for the C.A.R.E. program will be flagged for screening by the District Attorney’s Office for eligibility. Offenders with a history of violence or gang-related ties will not be eligible for the program. Once the C.A.R.E.-eligible defendant’s case in

adjourned to Drug Court, the Drug Court coordinator will conduct a brief screening with the consent of the defendant and defense attorney to see if the defendant needs treatment and what level of treatment is appropriate. Once accepted into C.A.R.E., each participant must sign a letter acknowledging his or her responsibilities and all program requirements, with the District Attorney suspending prosecution of the case pending its outcome in the specialized part. Treatment programs will be tailored to the offender's needs, with a maximum participation requirement of 90 days. C.A.R.E. participants who fulfill all treatment and other requirements will, upon consent of the Court and District Attorney, have the case dismissed and sealed. Those enrolled in C.A.R.E. who fail to satisfy all agreed-upon conditions will have the case transferred to an appropriate court part. Offenders who decline to participate in C.A.R.E. will in no way be penalized, with the case moving forward via the traditional court process.

“Suffolk County District Court’s C.A.R.E. initiative represents another step forward in the court system’s ongoing efforts, in conjunction with our justice system partners and the treatment community, to institutionalize more thoughtful approaches that better address the needs of defendants caught up in the tragic cycle of opioid abuse. I commend Judge Hinrichs, District Attorney Sini, Suffolk County’s defense bar and the District Court’s other partners for their commitment toward this goal and look forward to the expansion of more such specialized court parts in our battle against New York’s opioid crisis,” said Hon. Michael V. Coccoma, Deputy Chief Administrative Judge for Courts Outside New York City.

“This innovative drug court model will work to save and transform lives, offering critical treatment and other support to help justice-involved individuals who have substance use disorders overcome the devastating disease of addiction – without the stigma of conviction – all while balancing the public safety. I am thankful to District Attorney Sini and his staff for their hard work and cooperation in bringing about the launch of this vital initiative. I am also very appreciative of the outstanding efforts of District Court Supervising Judge Kerr, Suffolk County Drug Court Presiding Judge Derrick Robinson and Suffolk County Drug Court Coordinator Ed Gialella,” said Judge Hinrichs.

“The C.A.R.E. Program is the latest tool in our arsenal to combat the drug epidemic facing our communities,” District Attorney Sini said. “The goal of the program is to divert low-level offenders who commit nonviolent crimes due to substance abuse disorders away from the criminal justice system and into treatment where they can get the help they need. By connecting these individuals to treatment, we will not only be helping to tackle the disease of addiction and

the opioid epidemic we are facing here in Suffolk County, but we will also be improving public safety by addressing the underlying motivation to commit crimes fueled by drug abuse. This program will make our communities safer and healthier. I thank Judge Hinrichs and Judge Kerr for creating this critically important program and for partnering with my office.”

“It is exciting to see such an innovative approach to prosecution of lower-level narcotics and drug-related crimes. The program affords offenders the opportunity to engage not only in recovery from drug abuse or addiction, but also to recover those parts of their lives which might otherwise have been lost. We applaud these efforts,” said Justine Block, President of the Suffolk County Bar Association.

“The C.A.R.E. program presents an unparalleled opportunity for vulnerable and at-risk accused persons to make a counseled decision within the bounds of the Constitution and law. C.A.R.E.’s principal focus on both wellness and favorable criminal court results for nonviolent offenders allows a productive and healthful choice in preference to recidivism, drug use and the staggering overdose risk presented by each use of heroin, fentanyl, other opioids and controlled substances,” said Harry Tilis, President of the Suffolk County Criminal Bar Association.

The C.A.R.E. initiative will utilize existing court resources. Hon. Derrick Robinson will preside over new court part in addition to his responsibilities as Presiding Judge of Suffolk County District Court’s Drug Court. The new part will operate every Tuesday, beginning August 14, 2018.

C.A.R.E. supplements the Suffolk County Courts’ already active judicial diversion efforts, with 300 participants currently involved in judicial diversion programs in District, County and Family Courts countywide. The County Court Judicial Diversion program assists felony offenders struggling with drug addiction. Drug Court offers court-supervised treatment for drug-addicted defendants in District Court. Family Treatment Court provides enhanced services to parents alleged to have neglected their children due to alcohol or drug use. The goal of Family Treatment Court is to facilitate family reunification and ensure the safety and well-being of children. Family Court also offers Juvenile Treatment Court to address the impact of substance abuse on adolescents, their families and the community. In addition to specific drug diversion programs, the County’s Veterans, Human Trafficking and Mental Health Courts address substance use disorder issues with their participants.

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