



NEW YORK STATE
UNIFIED COURT SYSTEM

NASSAU COUNTY OPIOID COURT
Information Sheet

The Nassau County Opioid Court [hereinafter “NCOC”] was created to address and prevent the increasing number of overdose deaths related to opioid use. The primary goal of this court is to rapidly connect individuals with substance use disorders involving opioids, who have been charged with misdemeanors, to evidence-based treatment and other recovery support services.

Initial Entry Criteria: All misdemeanor charges involving opioid possession and/or individuals at high risk of overdose.

Procedure at Arraignment: Cases that meet the initial entry criteria above will be adjourned to the soonest Tuesday or Thursday to the NCOC - Part 15 after arraignment. The individual will be immediately referred to the Problem-Solving Court Unit for preliminary assessment to determine overdose risk.

NCOC Introductory Procedure: Each individual will meet with the NCOC Judge to determine whether the individual wishes to remain in the NCOC.

Individuals who *do not wish* to participate in the NCOC will have their cases transferred to an IAS part for the next court date.

Individuals *who do wish* to participate in the NCOC will receive a full screening, including a toxicology test prior to their next court date. Speedy trial waivers must be executed by the participant after thirty (30) days.

NOTE - The primary goal of NCOC is to provide

immediate treatment to individuals in crisis. The District Attorney's Office is under no obligation to offer a mitigated plea [plea bargaining] however the Court will consider any treatment completed at the time of sentence.

This is a voluntary program and participants may leave at any time. Participants exercising their option to leave must notify the prosecution and the court in writing of their intentions and their withdrawal of the speedy trial waiver if executed.

If there's an early departure from the NCOC or non-compliance to the NCOC guidelines, the case will be transferred to an IAS part for the next court date.

NCOC Entry Procedures:

Upon completion of the screening, if treatment is required, immediate referrals to treatment will be provided and the court will monitor the initial stages of treatment for compliance by adjourning the case weekly. The judge will have the discretion to schedule the case for updates more frequently than Tuesdays or Thursday if appropriate to support the participant's treatment needs.

At the first appearance:

- The Judge will review program guidelines with participant in the presence of both defense counsel and the prosecution.
- The Case Manager will complete an assessment of the individual and assist participant with any barriers, such as transportation and securing insurance, to support treatment goals.
- The case will be adjourned for treatment update and the execution of the participant's Intervention Plan.

Drug testing will be done in the courthouse prior to appearing before the judge and the court will be provided with compliance updates.

Additional support to improve participant's engagement will be provided such as referrals to peer services, vocational training, mental health therapy or Medically Assisted Treatment.

Upon completion of the ninety (90) day intervention and/or when the participant is stable and sober, the participant will be presented with a Transition Plan which may include the following:

- An immediate proposed disposition - mitigated plea (plea bargain);
- A treatment contract (contract plea that remains in NCOC);
- Extension of initial time period;
- Additional referrals are made;
- Transfer to an IAS part to resume legal proceeding; or
- Transfer to Treatment Court for long-term support, supervision and compliance.

Termination:

An individual is no longer a participant in this program if:

- They elect to have their case transferred to an IAS part to resume legal proceedings prior to the ninety (90) day mentioned above;
- They no longer attend treatment as directed by Court and Case Manager; or
- They successfully complete the initial intervention period and proceed with their Transition Plan.

Important information:

- Individuals *will* not be penalized for participation regardless of termination or election to transfer out of NCOC.
- A new arrest or relapse will not require withdrawal from the program unless the new arrest is a sexual assault or arson charge.

- New arrests not meeting the criteria for entry into NCOC will be evaluated on a case by case basis.
- The program will last until a pattern of consistent abstinence is established as shown by random and regular drug testing.
- A waiver of speedy trial rights and discovery rights will be required for participation in the NCOC after thirty (30) days.

Nassau County Opioid Court Team: Honorable David Goodsell
Acting County Court Judge
Presiding Judge, Opioid Court
Presiding Judge, Veterans Court

Nassau County Opioid Court Team, cont.: Problem Solving Court Unit - Lower
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