

# Index

MISDEMEANOR

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## Handbook for Participants

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Partnerships: Brooklyn Defender Services, Kings County District Attorney's Office, Legal Aid Society and Treatment Alternatives to Street Crime (TASC)

# Welcome to the Misdemeanor Brooklyn Treatment Court (MBTC)

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This handbook is designed to:

- ? Answer questions
  - ? Address concerns
  - ? Provide information about MBTC
- 

As a MBTC participant, you must follow the instructions given in court by the Judge and the rules and treatment plan developed for you by your Case Manager. This handbook will explain what is expected of you. It will also provide general information about the MBTC program.

**Ask your Case Manager or Defense Attorney to explain to you anything in this handbook that you do not understand!**

# What is MBTC?

MBTC is a special courtroom of the Brooklyn Criminal Court. It is a program for those arrested for misdemeanors in Brooklyn, who also abuse drugs or alcohol. MBTC's program includes regular court appearances and supervision by the MBTC Judge.

After your arrest, you were given the choice of joining MBTC or having your case go through the regular court process. If you abuse drugs or alcohol and are eligible for the MBTC program, your Case Manager will work with you to build a treatment plan. While you are in treatment, the Judge will closely watch your progress.

## What do I have to do?

If you agree to participate, you must sign a contract. This contract is an agreement between you and the Judge. It explains what is expected of you and what will happen if you do not follow the rules. The Judge will also sign the contract. The contract is written specifically for you based on your current charges and your prior criminal history. Before you sign your contract, you should speak with your Defense Attorney and have your questions answered. You will have to attend treatment and other services such as school, job training and counseling sessions, as directed by your MBTC Case Manager and the Judge. You must also stop using drugs and alcohol.

## How long will I be involved in MBTC?

The amount of time you spend in MBTC will depend on your plea and by your individual progress in treatment. Most participants will spend about one year with MBTC. Some more, some less. It all depends on the effort you put into treatment and your progress.

If you have any questions, speak to your Defense Attorney.

**If the Judge says that you can no longer participate or you ask to stop participating, the Judge will sentence you to the jail time you and your lawyer agreed to when you pled guilty**

# What's in it for me?

## Incentives & Rewards

MBTC recognizes progress in the following ways:

- ✓ Recognition by the Judge and your peers
- ✓ 30 day certificate
- ✓ 90 day certificate
- ✓ 150 day certificate



## Dismissal of your charges

If you successfully complete MBTC, the Judge will dismiss your charges.

## MBTC gives you the Opportunity to:

- ✓ Develop job skills or learn a trade
- ✓ Continue your education or get back in school
- ✓ Rebuild ties with family and the rest of your community
- ✓ Live a drug and crime free life



## A New Beginning

MBTC offers you the chance to move forward in your life.

In the rest of this Handbook, you will find what you need to do and where you can go to help you succeed. Remember that there are many people who make up the MBTC Team, and they all want to see you succeed. If you take the help that is offered, you will discover many ways to make a better life for yourself.

While we recognize that drug abuse and addiction can be treated, it is important for you to remember that you are in MBTC because of your criminal behavior.

# Rules:

## What are the rules of MBTC?

To remain in MBTC you must follow these rules:

- 1. Appear in Court as scheduled:**  
You must attend all of your court appearances.
- 2. Follow your Treatment Plan:**  
You must attend all appointments with your Case Manager, treatment and support services providers.
- 3. Complete all four phases of MBTC:**  
You must successfully complete all four phases of MBTC to have your case dismissed.
- 4. Live a law-abiding life**

## 1. Appear in Court as Scheduled

You will have to appear in front of the Judge regularly. The Judge will be given reports on how you are doing on your drug and alcohol tests and attendance and progress in your treatment program. The Judge will ask you about your progress, and discuss any problems you may be having.

Depending on your situation, you may have to come to court several times a month. As you make progress, you will come to court less often.

On the day of your Court Appearance, you must arrive at MBTC at 8:30am and stay until the Judge says that you can go.

## 2. Follow your Treatment Plan

After your first meeting your Case Manager will develop a Treatment Plan.

Your Treatment Plan will explain the following things:

- ✓ Attendance at a substance abuse treatment program
- ✓ Regular drug and alcohol testing
- ✓ Medical screening
- ✓ Attendance at an educational/vocational/employment program
- ✓ Participation in self-help groups

Your Case Manager will also help you with other areas of your life, according to your individual needs.



Your treatment schedule will vary according to your progress. It is your responsibility to keep all scheduled appointments and to arrive on time. You must review your treatment plan with your Case Manager and follow it carefully.

## 3. Complete MBTC Phases

MBTC Phases are explained in the following pages. They are your steps to success.



Remember that moving to the next Phase will be based on your own progress and your ability to stay focused on what you must do to meet all MBTC rules and expectations.

# Steps to Success!

## MBTC Phases

Your Treatment Plan begins with an Orientation session followed by 4 phases. Each phase consists of goals, activities and requirements that you must complete before the Judge will dismiss your case.

**Remember: If you miss appointments, use drugs or alcohol or ignore other requirements, you could be sanctioned and your time in MBTC will be longer.**

### In all phases you must:

- Meet with your Case Manager as directed
- Attend Court as directed
- Give drug and alcohol test samples as directed
- Follow your Treatment Plan

**You're Case Manager and Treatment Provider must recommend to the Judge that you are ready to move to the next phase**

## Orientation

You must attend Orientation with a MBTC staff member. During this orientation, the details of each MBTC phase will be explained.

You will be able to ask questions about any issue related to MBTC. You should ask your attorney any legal questions.

## PHASE I

### Choice

All MBTC participants enter in Phase I. Phase I begins after you sign your MBTC contract.

### In this phase you will:

- Work toward a drug- and alcohol-free life
- Establish a method of staying clean

### Goals include:

- Detoxification and abstinence
- Getting Medicaid, health insurance and other benefits you need to enter treatment
- Healthcare
- Entering a program
- Attending at least 8 self-help meetings within the first 30 days (except if you are in an inpatient program)

To advance to Phase II, you must meet all Phase I requirements.

They are:

- 30 days in-a-row clean time without sanctions
- Follow your Treatment Plan
- Work on getting a self-help home group and a sponsor
- Give the Judge a verbal Application of Advancement, which lets him know your achievements in Phase I and goals for Phase II

**Remember that your moving to the next phase is based on the Choices you make.**

## PHASE II Challenge

**In this phase you will work to:**

- Get yourself stable in treatment
- Challenge yourself to face the reasons why you have abused drugs
- Rise to the Challenge of recovery as a way of life
- Obtain a home group for your self-help meetings

**Goals include:**

- Setting goals for your education and employment
- At least 2-3 self-help meetings each week
- Finding people in your community that can help you
- Re-connecting with your family
- Begin attendance at:
  - ✓ parenting skills classes
  - ✓ anger management sessions
  - ✓ domestic violence groups

To advance to Phase III, you must meet all Phase II requirements. They are:

- Phase I and 60 days in-a-row of clean time without sanctions
- Submission of a written Application of Advancement to Phase III which should outline your achievements in Phase II and goals for Phase III
- Obtain a self-help sponsor

Remember that moving to the next phase is based on how you deal with the Challenge of Recovery.

## MBTC SANCTION SCHEME FOR PHASE I AND PHASE II PARTICIPANTS

Infraction	Court Imposed Sanction	Mandatory Action
<b>New Arrest</b> (Non Violent)	JAIL Number of Days at Judge's Discretion Loss of Current Phase	Full Treatment Plan Review

Level	Infraction	Court Imposed Sanction	Mandatory Action
<b>A</b>	Every Level A infraction will result in a sanction <ul style="list-style-type: none"> <li>• Abscond or Termination from Program with Involuntary Return to Court or Voluntary Return after 3 Days</li> <li>• Substituted or Tampered Urine</li> </ul>	<b>1<sup>st</sup> Sanction:</b> 1-14 days jail  <b>2<sup>nd</sup> Sanction:</b> 1-14 days jail  <b>3<sup>rd</sup> Sanction:</b> Failure: Alternative Sentence Terminate from Participation- Jail	<b>At every Sanction:</b> Full Treatment Plan Review Return to Beginning of Phase  <div style="border: 1px solid black; padding: 2px;">                     Involuntary Return to Court may result in termination. If Court consents to continued participation, Judge has discretion to increase jail alternative up to 60 days                 </div>
<b>B</b>	<u>Two</u> of the following Level B infractions within a 30 day period will result in a Court Imposed Sanction; every subsequent infraction within Phase I or Phase II will result in a graduated Sanction <ul style="list-style-type: none"> <li>• Missed Appointment</li> <li>• Dirty or Missed Urine</li> <li>• Rule Breaking at Program (not resulting in termination)</li> <li>• Pattern of Lateness for Case Manager Meetings</li> <li>• Abscond or Termination from Program with Voluntary Return to Court within 3 Days</li> </ul>	<b>1<sup>st</sup> and 2<sup>nd</sup> Sanction:</b> 2 Days Penalty Box Journal/Letter/Essay Detox/Rehab Increase in Urine Testing Increased Court Appearances Increased Case Management Visits Increased Treatment Attendance 1-7 days jail  <b>3<sup>rd</sup> Sanction:</b> 1-14 days jail  <b>4<sup>th</sup> Sanction:</b> 1-14 days jail  <b>5<sup>th</sup> Occurrence:</b> Failure: Alternative Sentence Terminate from Participation- Jail	<b>At Every Sanction:</b> Full Treatment Plan Review Return to Beginning of Phase  <div style="border: 1px solid black; padding: 2px;">                     Failure to remain abstinent will result in loss of Phase time.                 </div>  <div style="border: 1px solid black; padding: 2px;">                     The Judge Retains Discretion to Depart from the Sanction Guidelines to Avoid an Unjust Result                 </div>

## Phase III Change

### In this phase you will work to:

- Continue to Change so that you can help yourself while you reconnect with people in the community who can help you
- Take responsibility for your actions
- Keep going to your self-help home group

### Goals include:

- Using recovery skills
- Vocational and educational goals
- Continued to work on daily coping and parenting skills
- At least 2-3 self-help meetings each week and maintaining a relationship with your sponsor.

Once you have completed all of the necessary requirements in Phase III, you will be eligible to advance to Phase IV of MBTC.

### Specific Requirements are:

- 90 days in-a-row clean and without sanction
- Written Application for Advancement to the next phase

Now that you have made the Choices, met the Challenges and made the Changes, you are ready to Construct a new life for yourself.

## Phase IV Construct

### In this phase you will work to:

- Construct a stable and clean lifestyle

### Goals include:

- Continuing to use recovery skills
- Getting a job
- Maintaining coping skills
- At least 2-3 self-help meetings each week and maintaining a relationship with your sponsor.

### Specific Requirements for Graduation:

- Minimum of 60 days in-a-row clean and without sanction
- Written Application for Graduation

**MBTC SANCTION SCHEME  
FOR PHASE III AND PHASE IV PARTICIPANTS**

<b>Infraction</b>	<b>Court Imposed Sanction</b>	<b>Mandatory Action</b>
<b>New Arrest</b> (Non Violent)	JAIL Number of Days at Judge's Discretion Loss of Current Phase	Full Treatment Plan Review

<b>Level</b>	<b>Infraction</b>	<b>Court Imposed Sanction</b>	<b>Mandatory Action</b>
<b>A</b>	<p>Every Level A infraction will result in a sanction</p> <ul style="list-style-type: none"> <li>Abscond or Termination from Program with Involuntary Return to Court or Voluntary Return after 3 Days.</li> <li>Substituted or Tampered Urine</li> </ul>	<p><b>1<sup>st</sup> Sanction:</b> 1-14 days jail</p> <p><b>2<sup>nd</sup> Sanction:</b> 1-14 days jail</p> <p><b>3<sup>rd</sup> Sanction:</b> Failure: Alternative Sentence Terminate from Participation-Jail</p>	<p><b>At every Sanction:</b> Full Treatment Plan Review Return to Beginning of Phase</p> <div style="border: 1px solid black; padding: 5px;"> <p>Involuntary Return to Court may result in termination. If Court consents to continued participation, Judge has discretion to increase jail alternative up to 60 days</p> </div>
<b>B</b>	<p><u>Two</u> of the following Level B infractions within a 30-day period will result in a Court Imposed Sanction; every subsequent infraction within Phase III and Phase IV will result in a graduated sanction.</p> <ul style="list-style-type: none"> <li>Missed Appointment</li> <li>Rule Breaking at Program (not resulting in termination)</li> <li>Late twice for Case Manager Meeting</li> <li>Abscond or Termination from Program with Voluntary Return to Court within 3 Days</li> </ul>	<p><b>1<sup>st</sup> Sanction:</b> 2 Days Penalty Box Journal/Letter/Essay Writing Detox/Rehab Increase in Urine Testing Increased Court Appearances Increased Case Management Visits Increased Treatment Attendance 1-7 days jail</p> <p><b>2<sup>nd</sup>, 3<sup>rd</sup> &amp; 4<sup>th</sup> Sanction:</b> 1-14 days jail</p> <p><b>5<sup>th</sup> Occurrence:</b> Failure: Alternative Sentence Terminate from Participation-Jail</p> <div style="border: 1px solid black; padding: 5px;"> <p><b>One</b> dirty or missed urine in a 30-day period will result in a Court imposed sanction.</p> </div>	<p><b>At Every Sanction:</b> Full Treatment Plan Review Return to Beginning of Phase</p> <div style="border: 1px solid black; padding: 5px;"> <p>Failure to remain abstinent will result in loss of Phase time.</p> </div> <div style="border: 1px solid black; padding: 5px;"> <p>The Judge Retains Discretion to Depart from the Sanction Guidelines to Avoid an Unjust Result</p> </div>

**Methadone Phases:**

If you are eligible for MBTC and you are already in a methadone program, whether you must detox from methadone depends on your health and whether your doctor says you are able to.

**All methadone clients must:**

- Provide their case managers with the name and telephone number of their methadone program, doctor and counselor.
- Follow the “pick-up” schedules and drug testing rules set by their methadone programs
- Give urine samples at MBTC and their other programs, as directed
- Attend an additional out-patient and/or residential treatment program.

**Track 1 - Methadone Reduction**

If you are healthy, you must agree to start reducing your methadone dosage and *work towards the ultimate goal of being completely drug free.*

**Phase I - Choice**

Along with all other Phase I requirements, Track 1 methadone clients must:

- Work on a plan to begin reducing their methadone dosage

**Phase II - Challenge**

Along with all other Phase II requirements, Track 1 methadone clients must:

- Reduce their methadone dosage

**Phase III - Change**

Along with all other Phase III requirements, Track 1 methadone clients must:

- Cut their methadone dosage by at least one-quarter from their dosage when they started MBTC



## Phase IV - Construct

Along with all other Phase IV requirements, Track 1 methadone clients must:

- Cut their methadone dosage by at least one-third from their dosage when they started MBTC
- Give the Judge a final plan to fully detox

## Track 2 - Methadone Maintenance

If you have a **serious** medical or psychiatric condition, you must agree to follow your doctor's recommendations concerning treatment and work with your case manager and programs to stabilize your methadone dosage *so that you can remain clean of all illegal drugs and alcohol.*

## Phase I - Choice

Along with all other Phase I requirements, Track 2 methadone clients must:

- Work on a plan to stabilize their methadone dosage

## Phase II - Challenge

Along with all other Phase II requirements, Track 2 methadone clients must:

- Start their stabilization plan

## Phase III - Change

Along with all other Phase III requirements, Track 2 methadone clients must:

- Report on their progress to the Court

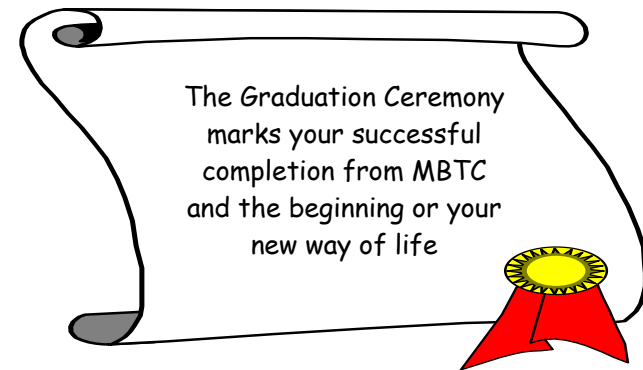
## Phase IV - Construct

Along with all other Phase IV requirements, Track 2 methadone clients must:

- Report to the Judge a final plan for staying free of illegal drugs and alcohol

# Graduation: A time to celebrate your accomplishments

You will be able to invite your family and friends to join you at your MBTC Graduation Ceremony.



Requirements for Graduation:

- Complete all MBTC Phases
- Get your Treatment Program's approval for Graduation
- Progress toward vocational, educational and employment goals
- Submit a written Graduation Application

Following your graduation, you will be invited to participate in the MBTC Alumni Association.  
Sobriety is a lifetime effort!

# Misdemeanor Brooklyn Treatment Court Expectations

What else is expected of me?

The expectations of MBTC are:

- Treat others with respect
- Stop drinking alcohol
- Cease all activities related to drug and alcohol use
- Comply with drug screening
- Be law abiding

These expectations are explained in detail in the next pages.

The goals you set up with your Case Manager may also cover areas of:

- Healthcare
- Education
- Employment

These goals are explained in detail on page 21.

## Treat others with respect:

You should respect the opinions and feelings of other people in MBTC. Verbal or physical threats to anyone will not be tolerated. Any inappropriate behavior will immediately be reported to the Judge and may result in a severe sanction or your termination from the program.

You must dress appropriately for your court appearances and treatment appointments. Clothing having a drug and alcohol related themes or advertising alcohol or drug use is not allowed. Sunglasses are not to be worn in court unless approved by a doctor.

**Note:** You will not be asked to be an informant in this program. You will not be expected or encouraged to discuss any information concerning anyone's behavior or progress except your own.

## Cease all drug related activity:

You will not possess, sell, or use alcohol or illegal drugs.

Any relapse by you involving drugs and/or alcohol must be reported to your Case Manager and Program immediately.

Any drugs that a doctor prescribes for you must be reported to your Case Manager and Program immediately.

### **Comply with Drug and Alcohol Screening:**

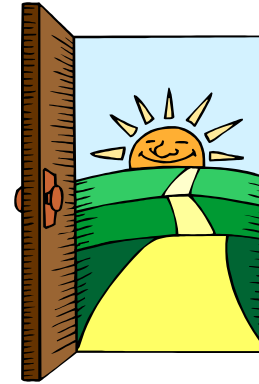
One of the primary goals of MBTC is to help you remain alcohol and drug free. A positive test or your admission of drug or alcohol use may result in a sanction or change in treatment. Repeated drug or alcohol use may result in termination from MBTC. Drug and alcohol tests will be done at your treatment program and at the MBTC Treatment Center. You will be tested throughout all 4 phases of MBTC.

### **Stop Drinking Alcohol:**

Drinking any kind of alcohol is not allowed while you are part of the MBTC program. Use of alcohol can be just as harmful as illegal drugs for someone who struggles with addiction. You will be tested for alcohol use and a positive alcohol test can result in a sanction.

### **Be Law Abiding:**

You must not break the law again. Any more criminal acts may result in being terminated from MBTC.



## **Support Services**

MBTC Support Services are available to you and your family. These services will help you to overcome stress, problems and conflicts that may block your recovery process.

The MBTC team recognizes that recovery is not easy, but we praise your effort and courage to change.  
Together, we can make it work.

# Health



Developing healthy living habits and knowing how to handle physical and emotional problems are essential for your success in avoiding drugs and succeeding in the MBTC program.

MBTC can help you get the following health services:

- Doctor and dentist
- TB (Tuberculosis) screening
- Testing for STD's (sexually transmitted diseases), Hepatitis and HIV
- Pregnancy testing
- Health and nutritional counseling




You must follow through on all treatment recommendations. You may also be asked to provide proof to the court of medical conditions or appointments. Any prescribed drugs must be reported to your Case Manager.



# Education

MBTC will help you meet your educational, vocational and employment goals.

MBTC can help you get the following educational programs:

-  **GED:** work toward your high school equivalency diploma.
-  **Vocational:** MBTC can help you find training in many fields, from food service and haircutting to computer technology and auto mechanics.
-  **College:** if you are ready to take this step, MBTC can help you with decisions about when and where to go and how to afford it.



# Employment

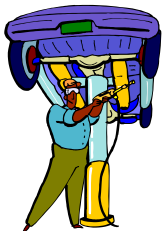
Finding and keeping a job that you like is an important part of building lasting success in recovery.

## Employment referral services include:

- Job readiness training
- Resume writing
- Interviewing skills
- Job referrals

## You will also get information on how to:

- Obtain proper clothing for the workplace
- Arrange for childcare if required
- Arrange for transportation if required

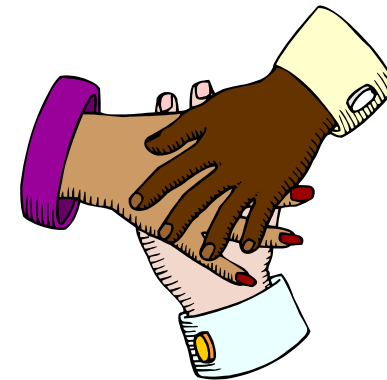


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# Alumni

The MBTC Alumni Association is run by MBTC graduates for MBTC graduates. The following are some of the activities that you can become involved in as a member of the Alumni Association:

- Participate in MBTC's Alumni Support Network
- Be a "Buddy" to new MBTC clients who may need your help
- Attend workshops
- Networking
- 



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# Important Names and Numbers:

**Misdemeanor Brooklyn Treatment Court**  
120 Schermerhorn Street, Brooklyn, NY 11201

## Important names and numbers to know:

### My Attorney:

Name \_\_\_\_\_

Phone # \_\_\_\_\_

### My Case Manager:

Name \_\_\_\_\_

Phone # \_\_\_\_\_

### My Treatment Program:

\_\_\_\_\_

Name \_\_\_\_\_

Phone # \_\_\_\_\_

### Self-Help Meetings

You can obtain information, schedules and locations for local self-help groups from the Treatment Court, your Case Manager and/or your treatment provider.

**M**y thoughts, notes and important names, numbers and appointments to remember:

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