

Welcome to the Staten Island Treatment Court Felony Part

If you are drug dependant and are being charged for the first time with a felony relating to drug possession or sale, you may be eligible to participate in the Staten Island Treatment Court.

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

To be eligible to participate in SITC:

- ★ you must be a first-time non-violent felony offender charged with a felony drug charge and be addicted, or be abusing, drugs.

How SITC participants are selected:

- ★ the district attorney screens drug cases and identifies defendants who may be eligible.
- ★ defense attorneys interview eligible defendants and inform them about the SITC.
- ★ TASC performs an initial interview of defendants who choose the SITC option.

How to become a participant:

- ★ If you are eligible and you choose to participate in the SITC, at arraignment you sign an agreement waiving statutory release (CPL 180.80) 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 Treatment Court 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 the SITC program.

How the SITC works:

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

- ★ In order to graduate, you must spend at least twelve months in the SITC program. 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 SITC, you are subject to a jail sentence.

Drug Testing and Court Dates

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

Phases

As a participant, you must spend at least twelve months in the SITC, progressing through three phases toward graduation. You must spend four months without sanctions in one phase before you move to the next.

Phase 1

During Phase 1 of the Treatment Court, 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 drug use frequently. After four months without sanctions in Phase 1, you advance to Phase II.

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 four months without sanctions, you progress to Phase 3.

Phase 3

During the third phase, you focus on re-establishing family ties while you continue your educational and vocational development. You meet with the judge less frequently than in Phase II. You are expected to remain drug free and you may be tested for drug use at any time. After four months without sanctions in Phase III, completing your program and TASC, and being employed, in school or vocational training full time, you are eligible to graduate from the SITC.

Court-Imposed Sanctions

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

If you are arrested while in the SITC, the Team reviews your new case and determines a response. A sanction may include termination from the SITC 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 twelve months of Phase time without sanctions and show significant progress toward your stated personal goals, you become eligible to graduate from the SITC.

SITC House Rules

- All SITC participants are expected to arrive at court in a timely manner.
- 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 sessions and appointments with treatment, TASC, drug testing, etc.

Good Luck.

The staff of the Treatment Court are here to work with you.

STATEN ISLAND TREATMENT COURT

FELONY PART PROGRAM GUIDE

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