

## **WELCOME TO BRONX TREATMENT COURT (BxTC)**

Your case has been sent to BxTC to see if you are eligible to participate in a special alternative-to-incarceration program.

### **How can BxTC help you?**

If you are using illegal drugs and meet certain other criteria, you can choose to plead guilty to your felony charge and enter drug treatment (usually outpatient). This is a decision you will make after meeting with our staff, a treatment program representative, and your lawyer.

If you choose BxTC, you can expect to be with us for a minimum of 11-18 months, depending on your progress in treatment. You will be given credit for time that you are drug free and in compliance at your treatment program. You will not be given credit for time that you are not in compliance. If you successfully comply with treatment and fulfill the vocational or educational goals appropriate in your case, the charges against you will either be reduced to a misdemeanor with a non-jail sentence; or in special cases, dismissed. If you fail to complete your program through BxTC, the usual jail alternative is 2-6 years.

### **How do you become part of BxTC?**

A counselor from one of our community-based treatment programs will interview you. If you are found to be eligible for BxTC after your assessment is completed, you will meet with one of the treatment court case managers who will explain the BxTC program to you.

If, after speaking with your attorney, you decide to enter the BxTC program, you will stand before the Judge and plead guilty to your felony charge.

You will then be given a referral to the drug treatment program that can best meet your needs. A part of the referral process is that you give written consent so that your treatment program can share information with the Judge, the BxTC case managers, your attorney and the District Attorney's office. Your program will send the Judge a written report on your progress every time that you appear in Court. You will routinely be drug tested at your treatment program. The results of those drug tests will be part of the information that is shared with the Court. In addition, the Judge can order you to be drug tested in Court at any time.

If you are on methadone, you will have to agree to enter an MTA program with the goal of becoming methadone free, so please discuss this with our case managers prior to making your decision about becoming part of BxTC.

### **What program will you go to?**

A typical treatment plan will recommend an intensive outpatient program for a minimum of 20 hours per week. BxTC has relationships with treatment programs that offer evening hours, methadone to abstinence programs, specialized women's programs for women with or without children, and Spanish speaking programs.

If it is necessary, you might be sent to detox and/or a short-term rehabilitation program before you are placed in outpatient treatment.

**In some cases, long-term residential treatment might be indicated. This can happen at the very beginning of your treatment court participation if, for example, your living situation is not stable or you are homeless. It can also happen later on if you are unable to stop using drugs while attending an outpatient program.**

### **Sanctions**

**The Judge will sanction you if you relapse (use drugs or alcohol), if you don't follow the rules at your treatment program, or if you don't attend your treatment program for the required weekly hours. Some of the sanctions used by the Judge are essay writing, increasing your weekly treatment hours, or having you report to court more often. The Judge may also order you to spend time in jail and/or place you in a residential treatment program.**

**If you miss a court appearance or are absent from your treatment program without permission, a warrant will be issued for your arrest. Absences from your treatment program can only be excused if you discuss them with your counselor prior to being out or if you can provide documentation of a valid reason for an absence that was not pre-approved (for example, a doctor's note).**

**If you are rearrested on new charges, the Judge may order you to spend time in jail before you can continue with your treatment. Rearrests on felonies or on charges involving violent acts may mean that you will be not be able to remain in the BxTC program and may be sentenced to the 2-6 year jail alternative.**

## Phases at BxTC

There are three phases of the BxTC program. If you are doing well in treatment, the Judge will reward you with a promotion to the next phase of the program. After you take your plea and start drug treatment, you will be in Phase 1. You will come to Court at least once every two weeks so that the Judge can monitor your progress. To complete Phase 1 you must be drug free for at least 60 days and in full compliance with your treatment plan and the rules at your treatment program.

Once you have been promoted to Phase 2, your treatment program will begin working with you to develop a plan for the future. This will include setting long and short term goals as you begin to live your life drug free. You will come to court once each month. In order to be promoted to Phase 3, you must be drug free for 5 months and in full compliance with your treatment plan and the rules at your treatment program.

Phase 3 is about reconnecting with your community. You must make substantial progress toward meeting your short term goals. You will continue to come to court once each month. You must be drug free for 4 months and in full compliance with your treatment plan and the rules at your treatment program in order to apply for graduation from BxTC. You must also be employed or in an approved training program or school. Health related exemptions from the employment and/or vocational requirement may apply in certain cases.

**At the end of Phase 3, you will apply to graduate from BxTC. The District Attorney will decide if your case will be reduced to a misdemeanor with a non-jail sentence or if all charges against you will be dismissed.**

**If you are on methadone, you must have a reduction in your methadone dosage to be eligible for a phase advancement. You must be methadone free for at least two months during Phase 3 in order to graduate. Methadone reductions are done only with your consent and on the advice of your program's doctor.**

Bronx Treatment Court

# Client Information Guide

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